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Foreword

According to its foundational aims, the European University Institute (EUI) is a centre for teaching and research at the highest university level, focussing on European issues, the cultural and scientific heritage of Europe and its institutional historical development. It hosts interdisciplinary research programmes on the major issues confronting contemporary European society and the construction of Europe.

Furthermore, the EUI is developing the largest doctoral programme in Social Sciences. Its doctoral and postdoctoral researchers, many of the latter part of the Max Weber Programme, as well as the professorial staff play a crucial role in European and international networks, research groups and journals. Research on highly relevant topics in current EU affairs, such as Migration, Regulation, Energy, Monetary Policy and Global Governance, is carried out at the Robert Schuman Centre for Advanced Studies.

The publications emanating from these activities listed in this directory not only testify the work and achievements of our academic community, but serve as well to make the EUI research output better known in both academic and non-academic milieus.

I am therefore very pleased to introduce the work of all those who have contributed by their publications to this fourth directory of the academic publications of the EUI and its members covering the calendar year 2011. It contains the details of nearly 1,000 publications (97 Books, 139 Book chapters, 101 Theses, 250 Articles, 170 Working Papers and 166 Research Reports).

Readers wishing to see the latest EUI publications should consult [Cadmus, the EUI Research Repository](#), where an increasing proportion of our output is made available in Open Access.

Josep Borrell Fontelles

EUI President

Florence, March 2012

Introduction

This Directory has been prepared using [Cadmus, the EUI Research Repository](#), and lists the academic publications of the EUI and its members that appeared in 2011. This is the fourth Directory in a series that covers all years starting from 2006ⁱ. It is, however, the first, to be available online only.

Separate sections are devoted to the different types of publications: books, theses, articles, contributions to books, working papers and research reports. Within each section, publications are listed in alphabetical order of the first author. In this edition, links (handle identifiers) are provided for each publication enabling users to go directly to the Cadmus record which will provide further information including the academic department/unit of the EUI and when possible the full text.

EUI working papers published by the EUI's four academic departments, the Robert Schuman Centre for Advanced Studies and the Max Weber Programme can be identified by the abbreviation in the working papers series title: ECO (Economics), HEC (History and Civilization), LAW (Law), SPS (Political and Social Sciences), RSCAS (Robert Schuman Centre for Advanced Studies), MWP (Max Weber Programme).

Cadmus is regularly updated and may be consulted for details of the most recent publications by members of the EUI (with the possibility of searching and browsing by author, department or keyword). To be listed in Cadmus and included in future Directories, EUI members should submit their publications to cadmus@eui.eu.

Veerle Deckmyn

EUI Library Director

Florence, March 2012

ⁱ See <http://www.eui.eu/Research/EUIPublications/AcademicPublications/Index.aspx>

Books

ALLEN, Franklin, BECK, Thorsten, CARLETTI, Elena, LANE, Philip R., SCHOENMAKER, Dirk, WAGNER, Wolf

Cross-Border Banking in Europe: Implications for Financial Stability and Macroeconomic Policies

London, Centre for Economic Policy Research, 2011,

This book is produced as part of the CEPR project 'Politics, Economics and Global Governance: The European Dimensions' (PEGGED) funded by the European Commission under its Seventh Framework Programme for Research (Collaborative Project) Contract no. 217559.

Understanding the role of banks in cross-border finance has become an urgent priority. Cross-border banks have played a central role in the dynamics of the global crisis of 2007-2009. First, European banks had a surprisingly large exposure to the US securitised asset markets, which arose to a significant extent through global banks acting either on the buying or selling side in these markets. Second, the breakdown in credit and asset markets was an international phenomenon, with cross-border linkages suffering disproportionately due to greater information problems vis-à-vis cross-border counterparties and the differences in regulatory regimes. Third, currency mismatches in funding became evident, with European banks suffering a dollar shortage that ultimately required resolution through a major currency swap initiative among the main central banks. Fourth, the provision of fiscal support for distressed banks was especially problematic in relation to cross-border activities. The rescue of multi-country banks, such as Dexia and Fortis, required the governments involved to devise ad hoc, ex-post burden-sharing agreements. In relation to emerging Europe, there were also fears that the policies of home-country governments might encourage parent banks to fail to support the operations of affiliates. This report analyses key aspects of cross-border banking, takes a European focus and derives policy recommendations based on them. Chapter 1 of the report first documents the evolution of cross-border banking in Europe in the two decades prior to the crisis. We then turn to the role cross-border banking played during the crisis of 2007-2009, with a key focus on whether crossborder activities have exacerbated the crisis or helped to mitigate it. We also analyse the regulatory response to cross-border problems in the crisis.

<http://hdl.handle.net/1814/20202>

ALLEN, Franklin, CARLETTI, Elena, CORSETTI, Giancarlo (ed/s)

Life in the Eurozone With or Without Sovereign Default?

Philadelphia, FIC Press, 2011,

The European University Institute (EUI) and the Wharton Financial Institution Center (FIC) organized a conference entitled 'Life in the Eurozone With or Without Sovereign Default?' The event, which was held at the EUI in Florence, Italy, on 14 April 2011, was financed by the PEGGED project (Politics, Economics and Global Governance: The European Dimension) and a Sloan Foundation grant to the FIC. The conference brought together leading economists, historians, lawyers and policy makers to discuss the current economic situation in the Eurozone with particular emphasis on the issue of sovereign default. The aim was to have an open discussion on this timely and important topic to achieve a better understanding of the future development of the Eurozone.;

The European University Institute and the Wharton Financial Institutions Center held a conference in Florence, Italy in April 2011 that brought together leading economists, lawyers, historians and policy makers to discuss the current economic situation in the Eurozone with particular emphasis on the issue of sovereign default. This book summarizes the views presented there. The first part considers the current situation including the situations in Greece, Ireland, Portugal, Spain, the German constitution, EU law, the constraints on the ECB to buy up Eurozone government debt, and the European Financial Stability Fund. The second part covers how Eurozone sovereign bankruptcy might work, including collective action clauses, banking regulation given risky sovereign debt, the prevention of banking crises, and the sovereign equivalent of debtor-in-possession financing. The final part considers alternatives to sovereign bankruptcy including the possibility of leaving the Eurozone temporarily, an historical comparison of suspension of the Gold Standard, Argentina and other recent defaults, and the

Books

long run solution of Eurozone wide bonds and fiscal authority.

<http://hdl.handle.net/1814/17716>

ALLEN, Franklin, CARLETTI, Elena, KRAHNEN, Jan Pieter, TYRELL, Marcel (ed/s)

Liquidity and Crises

New York/Oxford, Oxford University Press, 2011,

Financial crises have been pervasive for many years. Their frequency in recent decades has been double that of the Bretton Woods Period (1945-1971) and the Gold Standard Era (1880-1993), comparable only to the period during the Great Depression. Nevertheless, the financial crisis that started in the summer of 2007 came as a great surprise to most people. What initially was seen as difficulties in the U.S. subprime mortgage market, rapidly escalated and spilled over first to financial markets and then to the real economy. The crisis changed the financial landscape worldwide and its full costs are yet to be evaluated. One important reason for the global impact of the 2007-2009 financial crisis was massive illiquidity in combination with an extreme exposure of many financial institutions to liquidity needs and market conditions. As a consequence, many financial instruments could not be traded anymore, investors ran on a variety of financial institutions particularly in wholesale markets, financial institutions and industrial firms started to sell assets at fire sale prices to raise cash, and central banks all over the world injected huge amounts of liquidity into financial systems. But what is liquidity and why is it so important for firms and financial institutions to command enough liquidity? This book brings together classic articles and recent contributions to this important field of research. It is divided into five parts. These are (i) liquidity and interbank markets; (ii) the public provision of liquidity and regulation; (iii) money, liquidity and asset prices; (iv) contagion effects; (v) financial crises and currency crises. The aim is to provide a comprehensive coverage of role of liquidity in financial crises.

<http://hdl.handle.net/1814/15694>

ALONSO, Gregorio, MURO, Diego (ed/s)

The Politics and Memory of Democratic Transition: The Spanish Model

New York, Routledge, 2011,

Spain's political transition to democracy is often lauded as the benchmark by which many other countries explicitly declared to have measured their own democratic progress. 2008 marks the 30th Anniversary of the Spanish Constitution, and public interest in the democratization, transition, and comparative politics of this period is higher than ever before. Designed to evaluate the paradigmatic view of the Spanish transition as an ideal model for political and social change, this new and innovative volume appraises the movement towards a more democratic Spain from a variety of important perspectives including the selection of an electoral system, the role of the church, the effect of the European Community, the output of cultural products such as cinema and television, the Basque experience, and the 'Pact of Oblivion', an unwritten agreement not to prosecute those involved in abuses committed by the Francoist regime. By making comparisons to other democratic transitions, synthesizing the ideas of several leading Spanish History scholars, as well as incorporating new voices involved in creating the directions of research to come, "The Spanish Model" offers a thorough and vital look at this key period in contemporary Spanish history, taking stock of critical lessons to be gleaned from the Spanish Transition, and pointing the way toward its future as a democratic nation.

<http://hdl.handle.net/1814/12569>

AZOULAI, Loic (ed/s)

L'entrave dans le droit du marché intérieur

Bruxelles, Bruylant, 2011, Collection droit de l'union européenne - colloques, 13,

Sous la direction de Loïc Azoulai, cet ouvrage rassemble les contributions de Loïc Azoulai, Antoine Bailleux, Edouard Dubout, Laurence Idot, Anastasia Iliopoulou, Catherine Kessedjian, Robert Kovar, Alexandre Maitrot de la Motte, Valérie Michel, Eleftheria Neframi, Fabrice Picod, Miguel Poiras Maduro, Catherine Prieto et Dominique Ritleng.;

L'entrave est une notion forgée par la Cour de justice de l'Union européenne dans le but de donner sens et effectivité à l'objectif de créer un marché unique européen. Visant d'abord à encadrer les réglementations commerciales des Etats membres, sa portée a été progressivement élargie. A présent, l'attractivité de la notion d'entrave paraît pratiquement sans limite : elle s'applique à des domaines aussi

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divers que la fiscalité, la protection sociale, l'éducation, les jeux de hasard ou le sport professionnel. Elle constitue aujourd'hui un thème essentiel et structurant des études juridiques européennes. Et, cependant, ses critères, ses contours et ses effets sont encore méconnus et mal définis. Cet ouvrage se propose d'éclaircir le sens et les limites de la notion d'entrave, en explorant les différents domaines de la jurisprudence dans lesquels elle apparaît et en la distinguant de notions comparables ou concurrentes du droit de l'Union. Mais son ambition est aussi plus large : il s'agit de mettre au jour les enjeux politiques et les batailles institutionnelles qui structurent le débat actuel autour du projet européen. C'est qu'en manipulant cette notion, la Cour a été inévitablement conduite à répondre à des questions essentielles pour l'avenir de l'Union: Quel modèle d'intégration économique et sociale entend-elle promouvoir? Quel degré de liberté les Etats membres de l'Union conservent-ils dans la régulation des activités économiques et sociales? Quel degré d'harmonisation et d'uniformisation des droits nationaux l'Union est-elle en droit d'imposer? Quel rôle jouent respectivement la Cour et les institutions politiques dans la conception du droit de l'Union? C'est assurément l'un des résultats les plus précieux de cette réflexion collective que de révéler la part de choix et de philosophie politique qui se dissimule sous la maîtrise de la notion apparemment la plus technique.

<http://hdl.handle.net/1814/19182>

BAGWELL, Kyle W., MAVROIDIS, Petros C. (ed/s),

Preferential Trade Agreements: A law and economic analysis

Cambridge/New York, Cambridge University Press, 2011, Columbia Studies in WTO Law and Policy,

This volume assembles a stellar group of scholars and experts to examine preferential trade agreements (PTAs), a topic that has time and again attracted the interest of analysts. It presents a discussion of the evolving economic analysis regarding PTAs and the various dysfunctions that continually place them among the priority items for (re)negotiation by the WTO. The book explores recent empirical research that casts doubt on the old "trade diversion" school and debates why the WTO should deal with PTAs and if PTAs belong under the mandate of the WTO as we now know it.

<http://hdl.handle.net/1814/20335>

BARBÉ, Vanessa, MILLET, François-Xavier

Droit des libertés fondamentales

Paris, Gualino éditeur/Lextenso éditions, 2011,

Ce livre d'exercices corrigés vous permet de pratiquer le Droit des libertés fondamentales et de vous préparer aux épreuves écrites et orales. Il vous permettra à la fois de vous entraîner et de mieux comprendre l'enchevêtrement des sources des droits fondamentaux. La profusion normative est telle qu'elle entraîne une compétition entre les différents juges chargés de la protection des droits : juges ordinaires, juge constitutionnel, juge de l'Union européenne, Cour européenne des droits de l'homme. Les 19 exercices traités vous permettront d'aborder l'ensemble des principaux thèmes inscrits au programme : • les sources constitutionnelles des droits fondamentaux • la protection constitutionnelle des droits fondamentaux • la protection européenne des droits fondamentaux • le juge ordinaire et les droits fondamentaux • le droit au respect de la personne physique • la liberté individuelle et le droit au respect de la vie privée • la liberté d'opinion, de conscience et de religion • les libertés d'expression et de communication. Chaque corrigé est précédé d'un commentaire général et présente des « points méthodes » destinés à guider l'étudiant. » Ce livre s'adresse aux étudiants des filières juridiques, aux étudiants des instituts d'études politiques et également aux candidats au Grand oral de l'examen d'entrée dans les CRFPA.

<http://hdl.handle.net/1814/20138>

BEININ, Joel, VAIREL, Frédéric (ed/s)

Social Movements, Mobilization, and Contestation in the Middle East and North Africa

Stanford, Stanford University Press, 2011, (Product of workshop No. 7 at the 10th MRM 2009);

The Middle East and North Africa have become places that almost everyone "knows" something about. Too frequently written off as culturally defined by Islam, strongly anti-Western, and uniquely susceptible to irrational political radicalism, authoritarianism, and terrorism—these regions are rarely considered as sites of social and political mobilization. However, this new volume reveals a rich array of mobilizations that neither lead inexorably toward democratization nor degenerate into violence. These case studies of

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Morocco, Egypt, Lebanon, Saudi Arabia, and Turkey are inspired by social movement theory, but also critique and expand the horizons of the theory's classical concepts of political opportunity structures, collective action frames, mobilization structures, and repertoires of contention through intensive fieldwork. This strong empirical base allows for a nuanced understanding of contexts, culturally conditioned rationality, the strengths and weaknesses of local networks, and innovation in contentious action in a region where, with the exception of Turkey, there was little sign of broad-based movements for democratization until the Tunisian and Egyptian uprisings of 2010-11.

<http://hdl.handle.net/1814/17755>

BEN-NAFTALI, Orna (ed/s)

International Humanitarian Law and International Human Rights Law

Oxford/New York, Oxford University Press, 2011, Collected Courses of the Academy of European Law, XIX/1,

The idea that international humanitarian law (IHL) and international human rights law (IHRL) are complementary, rather than mutually exclusive regimes generated a paradigmatic shift in the international legal discourse. The reconciliation was driven by a humanistic ethos and its purpose was to offer greater protection of the rights to life, liberty and dignity of all individuals under all circumstances. The complementarity of both regimes currently enjoys the status of the new orthodoxy and simultaneously invites critical reflection. This collection of essays accepts the invitation, offering diverse assessments of the merits of taking human rights to the battlefields of the twenty-first century. The book comprises three parts: part I focuses on the paradigmatic (security based "armed conflict" vs. human rights centered "law enforcement" paradigms) and the normative complexities of the interaction between both regimes in the "fight against terror" and in other, allegedly new, types of wars. Part II discusses the interplay between IHRL and IHL in the context of three specific regimes: belligerent occupation; the European Court of Human Rights and the protection of cultural heritage. Part III explores the potential fusion of IHL and IHRL into a new paradigm in two areas: post-bellum accountability and compensation to victims of war crimes. The range of issues, multitude of competing norms and narratives, and shifting paradigms explored in this collection, converse with each other. This conversation mirrors the process through which international law - paying deference to political realities while simultaneously seeking to transcend them - charts new pathways to advance its humanizing project.

<http://hdl.handle.net/1814/16154>

BLYTH, Mark, HODGSON, Geoffrey M., LEWIS, Orion, STEINMO, Sven (ed/s)

Evolution of Institutions

Special issue of Journal of Institutional Economics, 2011, 7, 3,

<http://hdl.handle.net/1814/20216>

BOSI, Lorenzo, DELLA PORTA, Donatella (ed/s)

Movimenti sociali e violenza politica

Special Issue of Partecipazione e conflitto, 2011, 3,

This special issue of the Italian journal devoted to political participation and social movement studies collects essays on different forms of political violence in Greece, Ireland, Egypt, Cyprus and Italy. Looking at the interaction of social movement and the state, the volume addresses issues of strategic choices as well as cultural processes.

<http://hdl.handle.net/1814/19858>

BOTTA, Marco

Merger Control Regimes in Emerging Economies. A Case Study on Brazil and Argentina

The Hague, Kluwer Law International, 2011, International Competition Law Series, (Published version of EUI Ph.D. thesis, 2010.);

When emerging economies draft competition law and begin to enforce it, they usually draw on the EU and US competition law systems. However, significant country-specific legal and practical variations tend to arise quickly, making it imperative for international business lawyers to acquire more than a passing knowledge of competition legislation and relevant case law in these countries. Now for the first

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time a thoroughly researched book provides an in-depth empirical analysis of the legal problems raised for competition, and especially for merger control and its enforcement, in emerging economies, using a case study approach in the Brazilian and Argentinean contexts to reveal paradigmatic trends. Brazil and Argentina are chosen not only because they are among the major trading jurisdictions in the developing world, but also because they have each established a track record of over a decade in formulating and enforcing a system of merger control. The author describes and analyses all Brazilian and Argentinean legislation in the field of competition law, as well as the main merger decisions adopted by the competition authorities and the judgements held by the courts of these countries. The book thoroughly covers the system of competition law currently enforced in each country, as well as the main innovations of proposed new competition law currently pending in Brazil. In addition, the author draws on field interviews with competition lawyers and officers of competition authorities conducted between April and July 2008 in Buenos Aires, Brasilia, and São Paulo. The analysis considers such issues as the following: • impact of M&As on the level of competition in the markets of developing countries; • enforcement of competition law and the judiciary; • criteria for notification of economic concentrations; • application of econometric tests to define the relevant market and the degree of market concentration in the emerging economies; • structural and behavioural remedies in merger control; • extraterritorial application of competition law; • foreign direct investments and political pressures on the competition authorities of the developing countries; • the effect of cross-border concentrations in the developing countries; • ongoing negotiations between the EU and Mercosur to conclude a free trade area agreement; and • impetus toward regional competition law rules within Mercosur. Although the presentation is based essentially on a legal analysis, an overarching interdisciplinary methodology takes into consideration the economic and political aspects which may favour or hamper the development of competition law in an emerging economy. The author offers a number of policy proposals for improving the enforcement record of a formal institution like the national competition authority, in order to increase its credibility vis-à-vis public opinion, the business community, and the state administration. The core subjects discussed in the book – institutional factors undermining enforcement of competition law in emerging economies, the features of an effective merger control system, and the problems faced by national competition authorities when they review multijurisdictional concentrations – are of central importance in the work of corporate lawyers and government officials charged with regulating and enforcing competition law in emerging economies. For this reason, this book will be highly valuable to such practitioners and policymakers, both for its systematic analysis and for the practical utility generated by its empirical data.

<http://hdl.handle.net/1814/15454>

BROWN, Rory Stephen

Fighting Monsters: British-American War-making and Law-making

Oxford/Portland, Hart Publishing, 2011,

Against the backdrop of the British-American law- and war-making of the first decade of the millennium, *Fighting Monsters* considers how the way we think about law affects the way we make war and how the way we think about war affects the way we make law. The discussion is founded upon four of the martial phenomena (aggressive or 'pre-emptive' war, targeted killings, torture and arbitrary detention) that unsettle our complacent and flabby understandings of what law is to a liberal democracy. The author argues, first, that force is a quintessential albeit ambivalent element of any realistic, serviceable and intellectually coherent concept of law. Second, reappraising the classic question at the intersection of martial doctrine and political philosophy in its contemporary context, the author asserts that we need not, in fighting monsters, become monstrous ourselves; that fighting partisans does not entail our own partisanship; and that we can indeed govern without dirtying our hands. Seeking to ground a total, essentialist and practical theory of legality's sordid relationship with brutality, the book encompasses language and image; war and crime; liberty, security and rationality; amity, enmity and identity; sex, terror and perversion; temporality, spirituality and sublimity; economy and hegemony; parliaments, the press and the public man.

<http://hdl.handle.net/1814/16134>

BROWNSWORD, Roger, MICKLITZ, Hans-Wolfgang, NIGLIA, Leone, WEATHERILL, Stephen (ed/s)

The Foundations of European Private Law

Oxford, Hart Publishing, 2011,

There remains an urgent need for a deeper discussion of the theoretical, political and federal dimensions of the European codification project. While much valuable work has already been undertaken, the chapters in this volume take as their starting point the proposition that further reflection and critical thought will enhance the quality and efficacy of the on-going work of the various codification bodies. The volume contains chapters by representatives of the Common Frame of Reference, the Study Group and the Acquis Group as well as by those who have not been involved in particular projects but who have previously commented more distantly on their work - for instance those belonging to the Trento Group, and the Social Justice Group. The chapters between them represent the most comprehensive attempt so far to survey the state of the codification project, its theoretical, political and federal foundations and the future prospects for enforcement and compliance.

<http://hdl.handle.net/1814/20135>

CAFAGGI, Fabrizio (ed/s)

Contractual Networks, Inter-Firm Cooperation and Economic Growth

Cheltenham/Northampton, Edward Elgar Publishing, 2011,

This insightful book presents a legal and economic analysis of inter-firm cooperation through networks as an alternative to vertical integration. It examines comparatively various forms of collaboration, ranging from consortia to multiparty joint ventures and from franchising to dealerships. Collaboration among firms of different sizes helps to overcome numerous weaknesses of the modern western industrial systems. It permits the governing of vertical disintegration without increasing fragmentation and transaction costs and allows firms to benefit from resource complementarities, favoring division of labour. The contributing authors, primarily focusing on Europe and the US, address important ways in which legal systems provide a framework for inter-firm coordination. It is clear from the analysis that significant obstacles to collaboration still remain, and the authors call for legal reforms at European and Member States level.

<http://hdl.handle.net/1814/16337>

CALOSSI, Enrico

Organizzazione e funzioni degli Europartiti. Il Caso di Sinistra Europea

Pisa, Plus, 2011, Scienza politica, [EUDO Political Parties and Representation Observatory]

Publication based on research carried out in the framework of the European Union Democracy Observatory (EUDO) of the Robert Schuman Centre for Advanced Studies, European University Institute.;

I partiti politici sono stati attori importanti del processo di integrazione europea. Sin dai primi anni della Comunità Europea i partiti nazionali hanno cercato di coordinare le loro attività in strutture sovranazionali sempre sempre più complesse. dopo

<http://hdl.handle.net/1814/19899>

CANÇADO TRINDADE, Antônio Augusto

The Access of Individuals to International Justice

Oxford, Oxford University Press, 2011, Collected Courses of the Academy of European Law, XVIII/1,

This book contends that the right of access to justice (at national and international levels) constitutes a basic cornerstone of the international protection of human rights, and represents a true right to the Law. It amounts, lato sensu, to the right to the realization of justice. Within such understanding, the right of access to justice comprises not only formal access to a tribunal or judge, but also respect for the guarantees of due process of law, the right to a fair trial, and to reparations (whenever they are due), and the faithful execution of judgments. On the one hand, the right to an effective domestic remedy is a basic pillar of the rule of law in a democratic society. On the other, the right of international individual petition, together with the safeguard of the integrity of international jurisdiction, constitute the basic foundations of the emancipation of the individual vis-à-vis his own State. Remarkable developments have occurred in this domain in recent years. It is submitted that the right of access to justice belongs today in the domain of jus cogens. Without it, there is no legal system at all. The protection of the human person in the most adverse circumstances has evolved amid considerations of ordre public. Such

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recent evolution has contributed to the gradual expansion of the material content of jus cogens. Furthermore, the very notion of “victim” (encompassing direct, indirect and potential victims) has been the subject of a considerable international case-law. Victims have had their cause vindicated in situations of utmost adversity, if not defencelessness (e.g., abandoned or “street children”, undocumented migrants, members of peace communities in situations of armed conflict, internally displaced persons, individuals in inhuman conditions of detention, surviving victims of massacres).
<http://hdl.handle.net/1814/18795>

CASSIS, Youssef

Crises and Opportunities: The shaping of modern finance

Oxford/New York, Oxford University Press, 2011,

As the world's political and economic leaders struggle with the aftermath of the financial crisis of 2008, this book asks the question: have financial crises presented opportunities to rebuild the financial system? Examining eight global financial crises since the late nineteenth century, this new historical study offers insights into how the financial landscape--banks, governance, regulation, international cooperation, and balance of power--has been (or failed to be) reshaped after a systemic shock. It includes careful consideration of the Great Depression of the 1930s, the only experience of comparable moment to the recession of the early twenty-first century, yet also marked in its differences. Taking into account not only the economic and business aspects of financial crises, but also their political and socio-cultural dimensions, the book highlights both their idiosyncrasies and common features, and assesses their impact in the broader context of long-term historical development.

<http://hdl.handle.net/1814/17560>

CATTANEO, Angelo

Fra Mauro's Mappa Mundi and Fifteenth-Century Venice

Turnhout, Brepols Publishers, 2011, Terrarum Orbis, 8,

(Published version of EUI PhD thesis, 2005.) Translation into English from Italian.;

Fra Mauro's mappamundi, drawn around 1450 in the monastery of San Michele on Murano in the lagoon of Venice, is among the most relevant compendia of knowledge of the Earth and the Cosmos of the fifteenth century. By examining literary, visual, textual and archival evidences, some long considered lost, this book places the map within the larger context of Venetian culture in the fifteenth century. It provides a detailed analysis of both its main sources (auctores veteres such as Pliny, Solinus, Ptolemy, and novi, like Albert the Great, Thomas Aquinas, Marco Polo and Niccolò de' Conti) as well as of the composite networks of contemporary knowledge (scholasticism, humanism, monastic culture, as well as more technical skills such as marine cartography and mercantile practices), investigating the way they combine in the epistemological unity of the imago mundi. More a work on intellectual history than cartography, the book constructs a complex set of frameworks within which to situate Fra Mauro's monumental effort. These range from the cultural history of the reception of the world map from the fifteenth to the nineteenth centuries to the analysis of the material conditions under which map-makers such as Fra Mauro worked; from the history of ideas, especially of natural philosophy to the links between world representations and travel literature. It also addresses the Venetian reception of Ptolemy's Geography, the interactions between Venetian art, theology and cosmography and the complexities of the Venetian vernacular. The book develops a multi-tiered approach, in which different elements of the rich cultural context in which this world map was created, interact with each other, each casting a new light on the encyclopaedic work being analyzed.

<http://hdl.handle.net/1814/19135>

CHABOT, Isabelle

La dette des familles. Femmes, lignage et patrimoine à Florence aux XIVe et XVe siècles

Roma, Ecole française de Rome, 2011, Collection de l'Ecole française de Rome, 445,

(Published version of EUI PhD thesis, 1995.);

Pour que la maison des pères fonctionne à la perfection, seuls les hommes doivent se succéder dans la continuité temporelle de la famille et la transmission des biens patrimoniaux. Les femmes sont et ne sont pas dans la durée du lignage. Ces femmes, par qui le lignage patrilinéaire se renouvelle et perdure dans la suite des générations qu'elles engendrent, devraient aller et venir entre les maisons, passer et

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se suivre sans succéder. Or, un des paradoxes du système dotal médiéval, c'est que les femmes, grâce à leur dot, ne sont pas complètement exclues du processus de dévolution des biens : elles sont et ne sont pas héritières de leurs ancêtres. Elles risquent ainsi, toujours grâce à leur dot, de rentrer dans la continuité temporelle des biens de la famille et donc de la famille elle-même. Car grâce à leur dot qui leur permet d'entrer dans les maisons des hommes par mariage, les femmes n'engendrent pas que des mâles pour le lignage, elles inaugurent aussi une autre ligne, une autre succession. Les femmes sont donc à la fois destinataires et agents dans le processus de transmission des biens: à défaut de pouvoir les déshériter totalement, les hommes s'efforcent de neutraliser leurs biens dotaux en les réduisant à de simples créances et de faire en sorte que ce patrimoine féminin soit dénué de tous les pouvoirs inhérents à la fonction de transmission, car c'est elle qui engendre la permanence et permet d'agir sur le temps. Pour entretenir cette puissante illusion d'optique qu'est la maison des pères, il faut enlever aux biens qui passent aux femmes et qui passent par les femmes toute dimension temporelle. Ce livre raconte l'histoire de ce combat mené par les Florentins de la fin du Moyen Âge pour réduire les droits successoraux des femmes, contrôler aussi bien leur pouvoir patrimonial que leur capacité de transmission et les maintenir à titre de suivantes dans la succession et la continuité des familles. Mais il raconte aussi que ce combat n'est jamais complètement victorieux.

<http://hdl.handle.net/1814/19217>

COBHAM, David, DIBEH, Ghassan (ed/s)

Money in the Middle East and North Africa: Monetary Policy Frameworks and Strategies
London/New York, Routledge, 2011, Routledge Political Economy of the Middle East and North Africa, Product of workshop No. 5 at the 10th MRM 2009; Product of workshop No. 5 at the 10th MRM 2009; Monetary policy in the Middle East and North African (MENA) countries remains an understudied area; this book fills an important gap by examining monetary policy frameworks and monetary policy strategies in the region. Building on the editors' earlier book, *Monetary Policy and Central Banking in the Middle East and North Africa*, which focused on central bank independence issues and on exchange rate regimes, this book emphasises monetary policy strategies. Part I contains an overview of the financial markets and institutions which condition the choice of monetary policy strategy in the countries of the region, followed by single-country studies on aspects of the monetary policy frameworks of Lebanon, Egypt, Jordan, the Palestinian Territory and Turkey. Part II includes analyses of the prospects for inflation targeting in Egypt, Morocco and Tunisia, of the monetary transmission mechanism in the Gulf Cooperation Council countries, of the relative advantages of inflation targeting and exchange rate fixity with reference to Egypt, of the problem of fiscal dominance in Egypt, and of the inflationary implications of exchange rate fixity for Saudi Arabia and Kuwait. The contributors are experts from universities inside and outside the MENA region, from central banks in the region and from outside institutions such as the European Central Bank and the International Monetary Fund.

<http://hdl.handle.net/1814/19214>

COLSON, Renaud, FIELD, Stewart

The Transformation of Criminal Justice: Comparing France with England and Wales, Les transformations de la justice pénale : Une comparaison franco-anglaise
Paris, L'Harmattan, 2011, Bibliothèques de droit pénal,
Bilingual publication / Édition bilingue. Foreword by Lord PHILLIPS. Avant-propos de Robert BADINTER.;

In France and in England and Wales, the official discourses underpinning the many reforms of criminal justice of the last 30 years tend to stress three principal objectives: increased procedural guarantees for individuals, greater repressive efficacy and the modernisation of the machinery of justice. These values, which are depicted in different technical and ideological forms on both sides of the Channel, have directed profound changes in English and French procedural traditions. What does the comparison of these recent transformations in criminal justice reveal? The first point to emphasize is that the incessant pace and massive scale of these reforms indicates the development of a changing relationship with tradition in criminal process. The second is to note that procedural approaches and institutional forms that have historically been very different seem to be showing increasing signs of similarity. The third observation is that the political visions that underpin change, with all their contradictions and tensions,

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are equally shared on both sides of the Channel., En France comme en Angleterre, les réformes de la justice pénale qui se succèdent depuis une trentaine d'années répondent, alternativement ou cumulativement, à trois mots d'ordre distincts : équité procédurale, efficacité répressive et modernisation administrative. Ces objectifs, qui se déclinent sous des formes idéologiques et techniques très différentes des deux côtés de la Manche, affectent profondément les équilibres historiques des procédures dont ils inspirent les évolutions législatives et jurisprudentielles. Que nous révèle la comparaison contextuelle de ces transformations institutionnelles ? Le premier constat est celui du caractère massif des changements en cours dont le rythme et l'ampleur illustrent, tant en droit français qu'en droit anglais, le lien de plus en plus contingent existant entre les réformes de la justice et les traditions juridiques nationales. Le deuxième constat est celui d'une proximité nouvelle entre des formes d'organisation judiciaire et des logiques procédurales jusqu'alors très différenciées, mais qui convergent lentement. Le troisième constat est celui de la constitution d'un imaginaire politique commun susceptible d'expliquer les évolutions du droit observées dans les deux pays, y compris dans leurs contradictions apparentes.

<http://hdl.handle.net/1814/20654>

CRAIG, Paul P., DE BURCA, Grainne (ed/s)

The Evolution of EU Law, 2nd ed

Oxford, Oxford University Press, 2011,

The European Union has undergone major changes in the last decade, including Treaty reform, and a significant expansion of activity in foreign and security policy, and justice and home affairs. In the first edition of this influential textbook, a team of leading lawyers and political scientists reflected upon the important developments in their chosen area over the time since the EC was formed. This new edition continues this analysis ten years on. Taking into account the social and political background, and without losing sight of the changes that came before, in each chapter the contributors analyze the principle themes and assess the legal and political forces that have shaped its development. Each author addresses a specific topic, event, or theme, from the European Court of Justice to Treaty reform; the enlargement of the EU to administrative law; the effect of EU law on culture to climate change. Together the chapters tell the story of the rapid development of EU law - its past, present, and future.

<http://hdl.handle.net/1814/16314>

CREMONA, Marise (ed/s)

Market Integration and Public Services in the European Union

Oxford/New York, Oxford University Press, 2011, Collected Courses of the Academy of European Law, XIX/2,

In a period when the nature and scope of the European internal market is hotly contested, this collection offers a topical analysis of the most pressing issues relating to market integration and public services in the EU. As the debate continues over the balance between state control and market freedom, questions are also raised about the relationship between EU regulation and national policy choices and the 'joint responsibility' of the Union and the Member States. Outlining the most important current issues relating to market integration and public services in the EU, this book also addresses the underlying, systemic questions of the relation between public services and markets, and services and the consumer.

Chapters also examine the application of state aids and procurement law to public services. The final two chapters focus on two public service sectors where the mix of Treaty rules, case law, and legislation has operated in rather different ways: public service media and health services.

<http://hdl.handle.net/1814/16155>

CREMONA, Marise, MONAR, Jörg, POLI, Sara (ed/s)

The External Dimension of the European Union's Area of Freedom, Security and Justice

Bruxelles/Bern/Berlin/Frankfurt am Main/New York/Oxford/Wien, P.I.E. Peter Lang, 2011, Cahiers du Collège d'Europe/College of Europe Studies, 13,

During the last decade the rapid growth of justice and home affairs as an internal policy making domain of the European Union has led to the Union emerging as an increasingly important international actor in this field. This book covers the institutional and legal framework of the external dimension of EU justice and home affairs; issues of policy interaction as well as specific challenges; policy responses and

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results in the fields of migration policy; judicial cooperation; counter-terrorism; and cooperation with major international partners. Taking into account the changes introduced by the Treaty of Lisbon as well as the priorities set by the 2010-2014 Stockholm Programme the book provides an in-depth exploration of the political and legal dynamics of a major new dimension of the EU.

<http://hdl.handle.net/1814/18916>

CRESCENZI, Riccardo, RODRIGUEZ-POSE, Andres

Innovation and Regional Growth in the European Union

Berlin and New York, Springer, 2011,

This book investigates the EU's regional growth dynamics and, in particular, the reasons why peripheral and socio-economically disadvantaged areas have persistently failed to catch up with the rest of the Union. It shows that the capability of the knowledge-based growth model to deliver its expected benefits to these areas crucially depends on tackling a specific set of socio-institutional factors which prevents innovation from being effectively translated into economic growth. The book takes an eclectic approach to the territorial genesis of innovation and regional growth by combining different theoretical strands into one model of empirical analysis covering the whole EU-25. An in-depth comparative analysis with the United States is also included, providing significant insights into the distinctive features of the European process of innovation and its territorial determinants. The evidence produced in the book is extensively applied to the analysis of EU development policies.

<http://hdl.handle.net/1814/19397>

CULPEPPER, Pepper D.

Quiet Politics and Business Power: Corporate Control in Europe and Japan

New York, Cambridge University Press, 2011, Cambridge Studies in Comparative Politics,

Does democracy control business, or does business control democracy? This study of how companies are bought and sold in four countries – France, Germany, Japan and the Netherlands – explores this fundamental question. It does so by examining variation in the rules of corporate control – specifically, whether hostile takeovers are allowed. Takeovers have high political stakes: they result in corporate reorganizations, layoffs and the unraveling of compromises between workers and managers. But the public rarely pays attention to issues of corporate control. As a result, political parties and legislatures are largely absent from this domain. Instead, organized managers get to make the rules, quietly drawing on their superior lobbying capacity and the deference of legislators. These tools, not campaign donations, are the true founts of managerial political influence.

<http://hdl.handle.net/1814/15019>

D'ASCOLI, Silvia

Sentencing in International Criminal Law The Approach of the Two ad hoc Tribunals and Future Perspectives for the International Criminal Court

Oxford, Hart Publishing, 2011, Studies in International and Comparative Criminal Law - no. 6,

(Published version of EUI Ph.D. thesis, 2008.);

This book deals with sentencing in international criminal law, focusing on the approach of the UN ad hoc Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR). In contrast to sentencing in domestic jurisdictions, and in spite of its growing importance, sentencing law is a part of international criminal law that is still 'under construction' and is unregulated in many aspects. International sentencing law and practice is not yet defined by exact norms and principles and as yet there is no body of international principles concerning the determination of sentence, notwithstanding the huge volume of sentencing research and the extensive modern debate about sentencing principles. Moreover international judges receive very little guidance in sentencing matters: this contributes to inconsistencies and may increase the risk that similar cases will be sentenced in different ways. One purpose of this book is to investigate and evaluate the process of international sentencing, especially as interpreted by the ICTY and the ICTR, and to suggest a more comprehensive and coherent system of guiding principles, which will foster the development of a law of sentencing for international criminal justice. The book discusses the law and jurisprudence of the ad hoc Tribunals, and also presents an empirical analysis of influential factors and other data from ICTY and ICTR sentencing practice, thus offering quantitative support for the doctrinal analysis. This publication is one of the first to be entirely devoted to the process of

sentencing in international criminal justice. The book will thus be of great interest to practitioners, academics and students of the subject.

<http://hdl.handle.net/1814/16820>

DE SIO, Lorenzo

Competizione e spazio politico. Le elezioni si vincono davvero al centro?

Bologna, Il Mulino, 2011,

Il comportamento elettorale viene spiegato per lo più in base al cosiddetto “teorema dell’elettore mediano”, secondo cui i partiti, per vincere le elezioni, devono spostarsi progressivamente verso il centro, fino a diventare indistinguibili l’uno dall’altro. E tuttavia questo modello, semplicemente, non funziona. Se funzionasse, dovrebbe vincere sempre chi si trova al centro dello spazio politico, mentre sappiamo che possono avere successo candidati fortemente sfavoriti dalla loro “collocazione spaziale”, ovvero lontani dal punto mediano. Ciò perché gli elettori non sono ostaggi del proprio orientamento politico, ma votano considerando anche fattori slegati da posizioni di parte. Determinante a questo proposito è il grado di interesse per la politica: gli elettori meno coinvolti sono maggiormente capaci di esprimere un voto svincolato dall’orientamento politico. Questo interessante modello alternativo, che spiega risultati altrimenti incomprensibili, viene testato sulla base di sondaggi riguardanti venti consultazioni elettorali in Italia, in Francia e negli Stati Uniti nell’arco di trent’anni.

<http://hdl.handle.net/1814/17758>

DELLA PORTA, Donatella, DIANI, Mario

Los Movimientos Sociales

Madrid, UCM-CIS, 2011, Debate Social Series,

This is the Spanish translation of ‘Social Movements: An Introduction (Blackwell, 2006)’ and contains an epilogue by Eduardo ROMANOS;

Con un lenguaje claro, ameno y accesible, la obra de Donatella della Porta y Mario Diani sigue siendo, hoy por hoy, una referencia obligada para los investigadores, además de un estudio imprescindible para los que buscan acercarse por primera vez a la vertiginosa, compleja y multidimensional realidad de los movimientos sociales: desde las protestas de los años 60 hasta los movimientos feministas, pacifistas, ecologistas o antiglobalización más recientes. Sus autores presentan no sólo el “estado de la cuestión”, sino también la sistematización de todo un campo del conocimiento alrededor de cuatro conjuntos de preguntas que responden, a su vez, a cuatro niveles de análisis en la estructura interna de la obra: ¿podemos concebir los movimientos sociales como expresiones de un conflicto?, ¿cómo se transforman los problemas sociales en objetivos potenciales de la acción colectiva? y ¿cómo se llega a la movilización, haciendo frente a los riesgos y costes de la protesta? Por último, los autores se preguntan cómo afectan ciertos contextos culturales, sociales y/o políticos a la forma que adopta un movimiento social y a sus correspondientes posibilidades de éxito. Los movimientos sociales constituye sin duda un clásico en la aproximación al fenómeno de la acción colectiva desde una perspectiva integradora.

<http://hdl.handle.net/1814/19839>

DELLA PORTA, Donatella

Democrazie

Bologna, Il Mulino, 2011,

Il volume presenta una sintesi critica e aggiornata delle diverse concezioni di democrazia che si contrappongono sulla scena politica contemporanea. Quella “liberale” presuppone identità già formate fuori dal processo democratico, che deve limitarsi a garantire il loro libero gioco. La concezione “partecipativa” presume interessi collettivi esterni al sistema democratico, ma propone il coinvolgimento dei cittadini al di là del momento elettorale. Per la concezione “deliberativa” la democrazia coincide con il riconoscimento della fondatezza dell’opinione altrui, nel dibattito pubblico. This volume introduces to the debate on challenges and opportunities for contemporary democracies, presenting also results of empirical research on recent transformations. After developing a typology of conceptions and practices of democracy, the author discusses normative definitions as well as empirical evidences on representative, participatory and deliberative forms. The volume closes with some reflections on

e-democracy as well as global democracy.

<http://hdl.handle.net/1814/18714>

DESMAZIERES, Agnès

L'inconscient au paradis : Comment les catholiques ont reçu la psychanalyse

Paris, Payot, 2011,

(Published version of EUI PhD thesis, 2009.);

En fondant la psychanalyse, Freud provoque les catholiques dans leurs convictions religieuses et morales. Après lui, l'Église peut-elle nier toute jouissance dans l'acte sexuel ? Parler de péché est-il source de culpabilité ? La religion est-elle seulement une illusion ? S'appuyant sur une documentation extrêmement riche, provenant en particulier des archives secrètes du Vatican, l'historienne Agnès Desmazières raconte comment des catholiques, médecins et théologiens, se sont réunis pour faire pression sur le Saint-Siège afin d'obtenir une reconnaissance de la psychanalyse. Elle éclaire les enjeux intellectuels de cette affaire qui se joue en Europe comme aux États-Unis, explique les compromis nécessaires, les obstacles rencontrés, les échecs, telles les mises à l'index de Marc Oraison et d'Angelo Hesnard, mais aussi les succès, à l'image de la rencontre avec Pie XII en 1953, qui signifie l'ouverture officielle des catholiques à la psychanalyse. Une histoire tout au long de laquelle plane l'ombre du Saint-Office, qui mène la lutte contre la libéralisation des mœurs.

<http://hdl.handle.net/1814/18374>

DIEDRICHS, Udo, FABER, Anne, TEKIN, Funda, UMBACH, Gaby (ed/s)

Europe Reloaded: Differentiation or Fusion?

Baden-Baden, Nomos, 2011,

The European Union (EU) has come under pressure from different sides: First, it is undergoing a period of institutional and political reforms which are, however, progressing only slowly. Secondly, its shape is being influenced decisively by the inclusion of new member states. The guiding question of the volume is: In how far may the development of the EU be described and explained in relation to the two competing terms "differentiation" and "fusion"? The term "fusion", coined by Wolfgang Wessels, describes European integration as the dynamic process of more and more political tasks being exercised by the EC/EU as a result of the insufficiency of national capacities to act independently in a time of interdependent problems and structures. However, this development is accompanied by a process of growing institutional and procedural differentiation and complexity of the EU system. Each chapter of the volume analyses the interrelation between the two central dynamics "fusion" and "differentiation" in the EU system. The key terms "differentiation" and "fusion" are thus applied by high-ranking academics from across Europe with regard to European politics, policies and the evolution of the European polity.

<http://hdl.handle.net/1814/16014>

DOMEIER, Norman, AUGUSTI, Eliana, PRUTSCH, Markus, VON GRAEVENITZ, Fritz Georg

Inter-Trans-Supra? Legal relations and power structures in history

Saarbrücken, AV Akademikerverlag, 2011,

The work is a collection of contributions presented at the 15th European Forum of Young Legal Historians, which took place from 1 to 4 April 2009 at the European University Institute in Florence. The Association of Young Legal Historians (www.aylh.org) is an international network of junior researchers interested in interdisciplinary work on legal history. Every year, the AYLH organises the European Forum of Young Legal Historians.;

This edited volume covers a range of topics on two main themes. On the one hand, the volume focuses on hierarchies and power structures in legal history and analyses legal historical topics from an inter-, trans- and/or supra-national perspective, transcending the borders of national imagined communities. On the other, contributions specialised on specific national legal cultures look at the interplay between legal and power relations, expressing the mechanism of social inclusion and exclusion. Both approaches demonstrate the nexus between law and power structures in the global history of the last millennia.

<http://hdl.handle.net/1814/21059>

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EHLERMANN, Claus-Dieter, MARQUIS, Mel (ed/s)

European Competition Law Annual 2009: The Evaluation of Evidence and its Judicial Review in Competition Cases

Oxford/Portland, Hart Publishing, 2011,

In 2009, the Workshop participants were: Rafael Allendesalazar, Kelyn Bacon, Judge Gerald Barling, Simon Bishop, Judge Joachim Bornkamm, Judge Michael Boudin, Jochen Burrichter, Dennis Carlton Fernando Castillo de la Torre, Justin Coombs, Lorenzo Copp,i Claus-Dieter Ehlermann, John Fingleton Ian Forrester, Judge Nicholas Forwood, Eric Gippini-Fournier, Barry Hawk, Alberto Heimler, Per Hellström, Pieter Kalbfleisch, Robert Kwinter, Bruno Lasserre, Philip Lowe, Mel Marquis, Damien Neven Judge Aindrias Ó Caoimh, Luis Ortiz Blanco, John Ratliff, J. Thomas Rosch, Heike Schweitzer, Mario Siragusa, Jacques Steenbergen, James Venit, Judge Nils Wahl, Judge Vaughn Walker; Every year, top-level market regulators, academics and legal practitioners attend the Annual Competition Workshop organised at the European University Institute in Florence. The speakers are invited to discuss a particular set of critical issues in the field of competition law and policy. The entire content of the proceedings - both the oral discussions and the written contributions - are published in the European Competition Law Annual series. This is the fourteenth in the series, reproducing the debate which in 2009 examined the evaluation of evidence and its judicial review in competition cases. The issues discussed included, among others, the burden of proof, the standard of proof and the standard of review with respect to antitrust infringement decisions and merger decisions, both at the level of the EU and at the national level in a number of Member States.

<http://hdl.handle.net/1814/18454>

EHMER, Josef, EHRHARDT, Jens, KOHLI, Martin (ed/s)

Fertility in the History of the 20th Century: Trends, theories, policies, discourses

Special issue of Historical Social Research, 2011, 36, 2, (1-296),

In this special issue, a pluridisciplinary group of scholars discuss the complex interrelationship among fertility trends, population theories, policies and public discourses. Whereas the three former fields have been intensely studied in demography and its neighboring disciplines, there is still little work on population discourses, and even less that link them to the trends, theories and policies of population. The editors hope to stimulate the scientific debate on this topic, to raise awareness of these interconnections, and to contribute to more theoretical integration. The special issue is organized in three sections: The first one discusses approaches to the study of fertility across historical periods. The second section focuses on discourses and politics and their practical impact on reproductive behavior. The third section concentrates on recent trends in fertility, mainly in Europe and East Asia.

<http://hdl.handle.net/1814/20874>

EHRHARDT, Jens

Ehrenamt: Formen, Dauer und kulturelle Grundlagen des Engagements

Frankfurt am Main, Campus, 2011, Campus Forschung,

Ehrenamtliches Engagement ist ein Grundpfeiler unserer Gesellschaft. Trotzdem ist bislang unbekannt, über welche Zeiträume Ehrenämter ausgeübt werden. Anhand empirischer Analysen zeigt Jens Ehrhardt, dass sich Freiwillige meist nur für kurze Zeit engagieren und dass dieses soziale Feld durch starke Fluktuationen gekennzeichnet ist. Er identifiziert fünf Grundformen des Engagements mit unterschiedlichem Nutzen für die Menschen, die sie ausüben: religiös motiviertes Engagement, statusbezogene Tätigkeiten, solche in Zweckvereinen und in Gemeinschaften sowie Engagement, das auf den Erwerb von Wissen ausgerichtet ist.

<http://hdl.handle.net/1814/17174>

ELLERMAN, A. Denny, BUCHNER, Barbara K., CARRARO, Carlo (ed/s)

Allocation in the European Emissions Trading Scheme: Rights, Rents and Fairness

Cambridge, Cambridge University Press, 2011,

Previously published in hardback in 2007.;

A critical issue in dealing with climate change is deciding who has a right to emit carbon dioxide.

Originally published in 2007, Allocation in the European Emissions Trading Scheme provided the first

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in-depth description and analysis of the process by which rights to emit carbon dioxide were created and distributed in the European Union. This was the world's first large-scale experiment with an emission trading system for carbon dioxide and was likely to be copied by others if there was to be a global regime for limiting greenhouse gas emissions. The book comprises contributions from those responsible for putting the allocation into practice in ten representative member states and at the European Commission. The problems encountered in this process, the solutions found, and the choices they made, will be of interest to all who are concerned with climate policy and the use of emissions trading to combat climate change.

<http://hdl.handle.net/1814/15699>

ERIKSSON, Mikael

Targeting Peace: Understanding UN and EU Targeted Sanctions

Farnham/Abingdon, Ashgate, 2011,

(Published version of EUI PhD thesis, 2009.);

In recent years, the international community has increasingly come to abandon the use of comprehensive sanctions in favour of targeted sanctions. Unlike adopting a coercive strategy on entire states, actors like the United Nations (UN) and the European Union (EU) have come to resort to measures that are aimed at individuals, groups and government members. Targeted sanctions involve adopting measures such as asset freezes, travel bans, commodity sanctions, as well as arms embargoes. Eriksson argues that recent changes in the practice of sanctions from comprehensive to targeted sanctions requires a new way of understanding international sanctions practice. Not only do we need to rethink our methodology to assess recent practice, but also to rethink the very theory of sanctions. This valuable new perspective provides recent thinking on targeted sanctions, trends in practice and unique case studies for evaluation. Based on substantial research, this is a must-read for students, scholars and practitioners interested in international politics.

<http://hdl.handle.net/1814/15854>

FRANCA FILHO, Marcilio Toscano

A Cegueira da Justiça. Diálogo Iconográfico entre Arte e Direito

Porto Alegre, Fabris Editor, 2011,

The book is an iconographic essay on the blindness of Justice. The first book on this topic in Portuguese. From a dialogue between Law and Art, 27 images of paintings, sculptures and engravings of the Goddess of Justice are analyzed in order to make a history of the artistic representation of Lady Justice over the centuries.

<http://hdl.handle.net/1814/17134>

FRANCIONI, Francesco, RONZITTI, Natalino (ed/s)

War by Contract: Human Rights, Humanitarian Law, and Private Contractors

Oxford, Oxford University Press, 2011,

Provides a comprehensive analysis of the application of human rights and international humanitarian law to the work of private military and security companies. Addresses questions of a highly topical nature, such as the use of private contractors in the fight against piracy, the accountability and criminal and civil liability of such contractors, and remedies available to victims. Combines legal research with an analysis of how policies are shaped, highlighting the need for legal analysis in a politically sensitive field. The growth in scope and importance of the private military and security industry in the past decade has challenged the role of the state as the main provider of defence and security functions. At the same time it has put under stress the state's authority to properly oversee the conduct of private contractors and has raised the question of whether existing rules of domestic law and international law are adequate to ensure their accountability in the event of abuse. This book addresses this question through the lens of international human rights law and international humanitarian law. It presents a systematic analysis of the way in which these two bodies of international law, applicable in times of peace and in the event of armed conflict, may be interpreted and implemented in a way so as to fill possible accountability gaps. Human rights and humanitarian law obligations are analysed from the point of view of their applicability to the states involved, to international organisations, and to the companies and their individual employees. Victims' access to civil remedies and the criminal prosecution of private contractors, as well

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as new policy issues, such as the use of private contractors in the fight against piracy, are also covered in the book.

<http://hdl.handle.net/1814/15422>

FRANSEN, Luc

Corporate Social Responsibility and Global Labor Standards: Firms and activists in the making of private regulation

London, Routledge, 2011, Routledge Studies in International Business and the World Economy, How effective are multinational companies at improving working conditions in their supply chains? This book focuses on a crucial dynamic in private efforts at regulating labor standards in international production chains. It addresses questions regarding the quality of rules (Are existing efforts to privately regulate labor standards credible?) as well as business demand for private regulation (To what extent are different types of regulation adopted by companies?). This volume seeks to understand the underlying issue of whether private regulation can be both stringent and popular with firms. The study analyzes the nature and origins of, the business demand for and the competition between all relevant private regulatory organizations focusing on clothing production. The argument of the book focuses on the interaction between activists and firms, in consensual (developing and governing private regulatory organizations) and in contentious forms (activists exerting pressure on firms). The book describes and explains an emerging divide in the effort to regulate working conditions in clothing production between a larger cluster of less stringent and a smaller cluster of more stringent private regulatory organizations and their supporters. The analysis is based on original data, adopting both comparative case study and inferential statistical methods to explain developments in apparel, retail and sportswear sectors.

<http://hdl.handle.net/1814/20176>

GALLAGHER, Michael, LAVER, Michael, MAIR, Peter

Representative Government in Modern Europe, 5th revised edition

London, McGraw-Hill, 2011,

With a total population of some 500 million, the unified countries of modern Europe constitute the world's largest collection of successful capitalist democracies. Yet within it, there are distinct clusters of states, each with its own characteristics, historical allegiances and political processes. Combining superb scholarship and rigorous empirical data with an accessible and engaging writing style, *Representative Government in Modern Europe* remains the leading textbook on comparative European politics. The fifth edition reflects key events and changes including the impact of the world financial and economic crisis; the EU's adoption of the Lisbon Treaty; and the election of a centre-right governments in Germany and the UK. Retaining its comprehensive thematic approach to Europe as an integrated whole, while reflecting the continued importance of the EU, the new edition explores the key themes emerging in European politics: - the importance of political leadership, - the rise of the populist and extreme right, - the personalisation of politics, - ethnicity, - citizen participation.

<http://hdl.handle.net/1814/16654>

GARBEN, Sacha Margaretha Maria

EU Higher Education Law. The Bologna Process and Harmonization by Stealth

Alphen aan den Rijn/Frederick, Kluwer Law International, 2011, European Monographs Series Set, (Published version of EUI Ph.D. thesis, 2010.);

In March 2010, the European Higher Education Area was officially launched, proclaiming the culmination of a ten-year timeframe projected at Bologna in 1999, when the education ministers of 29 European states signed a declaration that would fundamentally influence the future of their higher education systems. Forty-seven countries, including all EU Member States and other countries as far afield as Kazakhstan, now take part in the so-called 'Bologna Process'. Remarkably, this vast enterprise, which has led to rapid and sweeping changes in almost all higher education systems in Europe, has taken place outside the framework of the European Union and the Council of Europe. In fact, as this important legal analysis shows, it appears that with the Bologna Process the Member States have tried to sidestep the EU's growing influence on higher education. Although the Bologna Process has generated an impressive literature addressing what it might mean, where it suddenly came from, and how it has become so powerful, until now the legal implications of the process, and its tense

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relationship with EU law, have been left almost entirely unexamined. This work fills that gap. Among the often controversial issues raised are the following: - avoidance of the democratically legitimate procedures of the EU's institutional framework for cultural reasons connected with state sovereignty; - the scope of EU legal competence for various kinds of activities in the educational sector; • specific areas of overlap between EU law and the Bologna Process and their implications; • voluntary intergovernmental cooperation as a paradigmatic global shift of internationalization policies in education; - the idea that the university is being redefined, from a social institution to an industry; - the increasingly influential role in the process, by means of funding and coordination, of the European Commission; • financial support programmes and devices to enhance credit and degree recognition; • students as recipients of services; and - teachers and the free movement of workers. The author describes how the scope of the Bologna Process was significantly broadened during a series of meetings during the decade, analyses the relevance of the case law of the European Court of Justice and provides a detailed description of the adoption of the process into the national laws of France, Germany and the United Kingdom. A concluding normative assessment scrutinizes the process on the basis of democracy, transparency and accountability. As the first study of the legitimacy of Bologna from a European law perspective - and by extension of the 'Europeanization' of higher education, including the role of the EU, EU law, and law in general – this is a critically important contribution to a contentious debate that clearly holds great significance for the future of law and society. Educators and education policymakers are sure to read and study it with interest.
<http://hdl.handle.net/1814/16821>

GATTO, Alexandra

Multinational Enterprises and Human Rights Obligations under EU Law and International Law
Cheltenham/Northampton, Edward Elgar, 2011,
(Published version of EUI Ph.D. thesis, 2007.);

This book examines how the European Union could do more to ensure that EU-based multinational enterprises (MNEs) respect human rights when operating in third world countries. Alexandra Gatto identifies the primary obligations of MNEs as developed by international law, and investigates how the EU has promoted the respect of human rights obligations by the MNEs to date. The significant gap between the EU's commitment to the respect and promotion of human rights, the potential to regulate the conduct of MNEs, and the EU's reluctance to impose human rights obligations on MNEs, is thoroughly explored. It is suggested that the current human rights law should be developed, and this timely book recommends that the EU should firmly link the promotion of MNEs' human rights obligations to international human rights law, thereby supporting the constitution of an international law framework within the UN. *Multinational Enterprises and Human Rights* will be of very great interest to scholars of EU or International Human Rights as well as NGOs and policymakers in international organizations and corporations that support corporate social responsibility and human rights.
<http://hdl.handle.net/1814/18174>

GIBBS, Alun Howard

Constitutional Life and Europe's Area of Freedom, Security and Justice
Farnham, Ashgate, 2011, Applied Legal Philosophy,
(Published version of EUI PhD thesis, 2009.);

The challenge of thinking about the place of constitutionalism beyond the conventional categories of the nation state has become a principal concern for legal and political scholars. This book casts this issue in a different light by exploring the implications for the constitutionalism of legal integration in the European Union's 'area of freedom, security and justice'. In doing so it makes a novel contribution to an understanding of the European Union as a political community beyond the state, but in addition explores how this entails thinking differently about what is essential concerning constitutionalism. The book argues that instead of seeking to theorise constitutional foundations we actually begin to encounter the constitutional life implied by political and legal practices in the European Union and as exemplified here by 'the area of freedom, security and justice'.
<http://hdl.handle.net/1814/19035>

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GLACHANT, Jean-Michel, AHNER, Nicole, DE HAUTECLOCQUE, Adrien (ed/s)

EU Energy Law & Policy Handbook 2011, 2nd ed.

Brussels, Claeys & Casteels Publishing, 2011,

What is the European energy strategy for 2011-2020 and beyond? Which role will the new European regulatory agency ACER play? What is the road ahead to achieve the 20/20/20 targets? How is the issue of security of supply and infrastructure addressed? This 2nd edition of the EU Energy Law & Policy Yearbook is the outcome of the 6th Claeys & Casteels annual conference (Brussels 19th/20th January 2011). It introduces the reader to the most recent opinions, assessments and tendencies in EU energy law and policy making. The views presented include those of the EC, major industry players and prominent academics. The topics investigated include: the energy policy of new EC in the light of the recent European Council; the priorities of the EC for the internal energy market and the future of ACER; EU competition and state aid policy in the energy markets; steps for achieving the 20/20/20 targets and beyond; EU policy on energy security and infrastructure. Providing ample insights on highly topical issues, this book will foster the debate among academics and policymakers, industry and public authorities, conference participants and non-participants, and all those involved or interested in the field of EU energy policy.

<http://hdl.handle.net/1814/19466>

GLACHANT, Jean-Michel, FINON, Dominique, DE HAUTECLOCQUE, Adrien (ed/s)

Competition, Contracts and Electricity Markets: A new perspective

Cheltenham, Edward Elgar, 2011, Loyola de Palacio Series on European Energy Policy,

This book fills a gap in the existing literature by dealing with several issues linked to long-term contracts and the efficiency of electricity markets. These include the impact of long-term contracts and vertical integration on effective competition, generation investment in risky markets, and the challenges for competition policy principles. On the one hand, long-term contracts may contribute to lasting generation capability by allowing for a more efficient allocation of risk. On the other hand, they can create conditions for imperfect competition and thus impair short-term efficiency. The contributors - prominent academics and policy experts with inter-disciplinary perspectives - develop fresh theoretical and practical insights on this important concern for current electricity markets. This highly accessible book will strongly appeal to both academic and professional audiences including scholars of industrial, organizational and public sector economics, and competition and antitrust law. It will also be of value to regulatory and antitrust authorities, governmental policymakers, and consultants in electricity law and economics.

<http://hdl.handle.net/1814/19465>

GOEBEL, Thomas Michael

Argentina's Partisan Past: Nationalism and the politics of history

Liverpool, Liverpool University Press, 2011,

Argentina's Partisan Past is a challenging new study about the production, the spread and the use of understandings of national history and identity for political purposes in twentieth-century Argentina. Based on extensive research of primary and published sources, it analyses how nationalist views about what it meant to be Argentine were built into the country's long drawn-out crisis of liberal democracy from the 1930s to the 1980s.

<http://hdl.handle.net/1814/17257>

HALDÉN, Peter

Stability without Statehood. Lessons from Europe's History before the Sovereign State

Houndmills/Basingstoke Hampshire/New York, Palgrave Macmillan, 2011,

(Published version of EUI PhD thesis, 2006.);

The way the sovereign state is taken for granted in political theory prevents an explanation of historical and contemporary organizations and phenomena different from this ideal type. Peter Haldén bypasses the state and the problems it causes by constructing an understanding of politics and a research model based on classical and early modern republican political theory. This enables historical analysis without anachronism and a new interpretation of the European Union. By comparing the EU with the Holy Roman Empire (1648-1763) and the antebellum United States (1776-1865), he explains that the EU's

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international weakness is a result of its strength as a security system that stabilizes Europe. The author argues that continued American support and embedding in NATO is necessary in order for the EU to act on the world stage and to stabilize Europe in the long run. Through these theoretical innovations, he explores alternatives to state-building in the Third World.
<http://hdl.handle.net/1814/18354>

HALLBERG, Pekka, KARAPUU, Heikki, OJANEN, Tuomas, SCHEININ, Martin, TUORI, Kaarlo, VILJANEN, Veli-Pekka

Perusoikeudet, 2nd revised ed., Fundamental Rights

Helsinki, WSOYpro/Werner Söderström Iakitiö, 2011, Oikeuden perusteokset,

This book by six main authors and a number of associate authors constitutes a commentary of the fundamental rights provisions in the Constitution of Finland of 1999. It comprises of some 900 pages of text plus a number of annexes, starting with Chapters 1 and 2 of the Constitution. Each provision in Chapter 2 of the Constitution is discussed in a separate chapter covering the origins, contents and application of the fundamental right in question. In addition, there are separate chapters on general issues such as categories of fundamental rights, limitations on fundamental rights, the relationship between international human rights law and constitutional rights in Finland, fundamental rights in EU law, the operation of fundamental rights in the legislative process, the application of fundamental rights in courts, and on the international protection of fundamental and human rights.

<http://hdl.handle.net/1814/20894>

HANRETTY, Chris

Public Broadcasting and Political Interference

Abingdon/New York, Routledge, 2011, Routledge Research in Political Communication,

(Published version of EUI Ph.D. thesis, 2009.);

Public broadcasters, like the BBC and the Italian broadcaster RAI, are some of the most important media organisations in the world. Politicians are often tempted to interfere in the workings of these broadcasters and when this happens, the results are highly controversial, as both the Blair and Berlusconi governments have discovered. *Public Broadcasting and Political Interference* explains why some broadcasters are good at resisting politicians' attempts at interference, and have won a reputation for independence - and why other broadcasters have failed to do the same. It takes a comparative approach of broadcasters in different countries, including the United Kingdom, Italy, Spain and Sweden arguing political independence for public service broadcasters is important because of its contribution to democracy allowing voters alternative sources of information which allow them to choose between electoral alternatives.

<http://hdl.handle.net/1814/17876>

HEITMEYER, Wilhelm, HAUPT, Heinz-Gerhard, MALTHANER, Stefan, KIRSCHNER, Andrea (ed/s)

Control of Violence: Historical and International Perspectives on Violence in Modern Societies

New York, Springer, 2011,

Modern societies are increasingly confronted with forms of violence that appear unpredictable and uncontrollable. Are the existing control regimes such as police, state surveillance institutions, and legal systems able to effectively contain phenomena such as school shootings, terrorism, or violence in fragile states, and what would help them become more effective? What is the relationship between state rule and self-control in limiting violence? Taking an historically and internationally comparative perspective, the contributors to this innovative book examine these violent phenomena as well as the preconditions and mechanisms of their control. Taking into consideration the fundamentally ambivalent character of control, they explore how institutions and strategies of control retroact on and thus re-shape societies. Moreover, they address general aspects of violence control in modern societies such as the concept of individual self-control, the impact of changing social institutions and the role of religion. The contributions to this volume explore violence on the micro-, meso-, and macro-levels of social organization, creating a cohesive theoretical framework for understanding violence on each of these levels. *Control of Violence in Modern Societies* will be of great interest to researchers studying violence, particularly to those studying the phenomenon in a global context, be it from a criminological,

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a sociological or from a public health perspective.

<http://hdl.handle.net/1814/15060>

HERITIER, Adrienne, RHODES, Martin (ed/s)

New Modes of Governance in Europe: Governing in the Shadow of Hierarchy

Basingstoke, Palgrave Macmillan, 2011, Palgrave Studies in European Union Politics,

The contributors to this volume define governance as a specific mode of production of norms and public goods created via co-production; where the co-producers transcend different levels in Europe's multi-level polity. These 'new' forms of governance reflect the growing importance of public-private decision networks involving different levels and types of public authority. Such forms incorporate a new style of decision making that is heavily dependent on non-hierarchical and mutually-interdependent relationships along with a novel problem-solving style aimed at building consensus. Based on the research of the EU-6th framework funded research consortium on 'New Modes of Governance in the European Union', this volume explores the roots, execution and applications of the new forms of governance and evaluates their success. It also examines the possible structural consequences of the application of these modes at European and national levels, and their implications for democratic accountability.

<http://hdl.handle.net/1814/15296>

HOBOLT, Sara B., FRANKLIN, Mark N. (ed/s)

Electoral Democracy in the European Union

Special Symposium of Electoral Studies, 2011, 30, 1, 1-246, [EUDO Public Opinion Observatory]

Publication based on research carried out in the framework of the European Union Democracy Observatory (EUDO) of the Robert Schuman Centre for Advanced Studies, European University Institute., The journal issue has been produced in the framework of the PIREDEU Project, one of the projects carried out by the EUDO Public Opinion Observatory.;

<http://hdl.handle.net/1814/19907>

JOERGES, Christian, PETERSMANN, Ernst-Ulrich (ed/s)

Constitutionalism, Multilevel Trade Governance and International Economic Law

Oxford, Hart Publishing, 2011, Studies in International Trade Law - no. 12,

This is a book about the ever more complex legal networks of transnational economic governance structures and their legitimacy problems. It takes up the challenge of the editors' earlier pioneering works which have called for more cross-sectoral and interdisciplinary analyses by scholars of international law, European and international economic law, conflict of laws, international relations theory and social philosophy to examine the interdependences of multilevel governance in transnational economic, social, environmental and legal relations. Two complementary strands of theorising are expounded. One argues that globalisation and the universal recognition of human rights are transforming the intergovernmental 'society of states' into a cosmopolitan community of citizens which requires more effective constitutional safeguards for protecting human rights and consumer welfare in the national and international governance and legal regulation of international trade. The second emphasises the dependence of the functioning of international markets and liberal trade on governance arrangements that respond credibly to safety and environmental concerns of consumers, traders, political and non-governmental actors. Enquiries into the generation of international standards and empirical analyses of legalisation and judicialisation practices form part of this agenda. The perspectives and conclusions of the more than 20 contributors from Europe and North-America cannot be uniform. But they converge in their search for a constitutional architecture which limits, empowers and legitimises multilevel trade governance, as well as in their common premise that respect for human rights, private and democratic self-government and social justice require more transparent, participatory and deliberative forms of transnational 'cosmopolitan democracy'. This second paperback edition replaces Chapters 15 to 18 of the first edition published in 2006 by four new chapters examining the alternative conceptions of 'International Economic Law' and 'Multilevel Governance' from diverse public and private, national and international law perspectives.

<http://hdl.handle.net/1814/18141>

KALMBACH, Karena

Tschernobyl und Frankreich. Die Debatte um die Auswirkungen des Reaktorunfalls im Kontext der französischen Atompolitik und Elitenkultur

Frankfurt am Main/Berlin/Bern/Bruxelles/New York/Oxford/Wien, Peter Lang, 2011, Zivilisationen & Geschichte. Bd. 7,

Die französische Debatte um die Auswirkungen von Tschernobyl nahm ihren Ausgangspunkt in einem politischen Skandal: 1986 verzichtete Frankreichs Regierung auf Schutzmaßnahmen, da die französischen Nuklearexperten den Standpunkt vertraten - und bis heute vertreten -, dass der radioaktive Niederschlag keine Gefahr für die französische Bevölkerung darstellen würde. Diese Sichtweise wurde umgehend in Frage gestellt und führte zu einer intensiven Debatte darüber, ob hier bewusst eine Gefährdung der Bevölkerung in Kauf genommen wurde, um das französische Atomprogramm zu schützen. Um die Intensität dieser Auseinandersetzung und die mit ihr verbundenen Implikationen zu verstehen, muss man sie in den Kontext von Frankreichs Atompolitik und Elitenkultur einordnen. Hierbei wird deutlich, dass es nicht allein um die Auswirkungen von Tschernobyl geht, sondern um die Macht der französischen « nucléocratie ».

The French debate on the impact of Chernobyl is not, in the first place, a debate about the impact of Chernobyl in Eastern Europe – rather, it is about how many people died, and will die, because of Chernobyl in France. It is about the national political scandal caused by the fact that the French government did not undertake any counter measures against the radioactive fallout, since the French nuclear experts claimed – and continue to claim – that the Chernobyl fallout would not do any harm to the French population. This point of view was contested from the beginning on and led to an intensive debate over the possibility that the French government and the nuclear experts consciously lied to the French people and jeopardised with their health in order to protect the French nuclear program from any criticism. In addition to an analysis of the discourses that developed from 1986 to 2006, this study focusses on the question of how the debate on the impact of Chernobyl influenced the French commemoration of the 20th anniversary in 2006 and vice versa. Furthermore, this study sheds light on the implications for the French nuclear politics that are tied to this commemoration. The French ‘memory of Chernobyl’ can be summed up in the phrase: ‘The cloud that stopped at the border.’ But in order to understand the significance of this ‘image’ it is necessary to place the debate on the impact of Chernobyl, this memory is based on, in the context of the general criticisms that are brought up against the French nuclear politics and elite culture. By doing this, this study argues that the commemoration of Chernobyl serves as a ‘proxy war’ in the fight against the power of the French ‘nucléocratie’.

Le débat français autour des effets de Tchernobyl n'est pas à proprement parler un débat autour des effets de Tchernobyl en Europe de l'Est – non, il s'agit d'un débat autour de la question du nombre de gens qui sont morts et vont mourir à cause de Tchernobyl, en France même. Ce débat tourne autour du scandale politique généré par l'absence de contre-mesures prises par le gouvernement français contre les effets des retombées radioactives semées par l'accident nucléaire d'avril 1986. Les experts du nucléaire français proclamaient, et proclament jusqu'à aujourd'hui, que les retombées de Tchernobyl ne présentaient aucun danger pour la population française. Ce point de vue a été contesté dès le début et a donné lieu à une vive discussion concernant la position du gouvernement et des experts du nucléaire français qui auraient menti consciemment aux gens et mis leur santé en danger afin de protéger le programme nucléaire français contre toute forme de critique possible. Suivant une analyse des discours qui avaient cours entre 1986 et 2006, cette étude se focalise sur la question de la manière dont ce débat autour des effets de Tchernobyl a influencé la commémoration en France pour le 20ième anniversaire de l'accident et inversement, ainsi que sur les implications pour la politique nucléaire française qui y sont liées. Le ‘mémoire de Tchernobyl’ des Français peut être résumée par la phrase suivante: ‘Le nuage qui s'est arrêté aux frontières’. Mais afin de comprendre la signification de cette ‘image’, il est nécessaire de centrer le débat autour des effets de Tchernobyl, ce sur quoi ce mémoire est fondé, dans le contexte des critiques générales formulées contre le programme nucléaire français et contre la reproduction et la fonction des élites en France, comme il est fait dans cette étude. En mettant en évidence ces rapports, il apparaît très clairement que la commémoration de Tchernobyl sert de ‘guerre proxy’ dans la lutte contre le pouvoir de la ‘nucléocratie’ française.

<http://hdl.handle.net/1814/17574>

Books

KLINGER, William

Germania e Fiume: La questione fiumana nella diplomazia tedesca (1921-1924)

Trieste, Deputazione di Storia Patria per la Venezia Giulia, 2011, Fonti e studi per la storia della Venezia Giulia, Serie prima: Fonti Vol. XIII,

(Published version of EUI PhD thesis, 2007. La traduzione dal tedesco dei documenti è stata curata da Sebastiano Blancato.);

<http://hdl.handle.net/1814/20274>

KOUKI, Hara, ROMANOS FRAILE, Eduardo (ed/s)

Protest beyond Borders: Contentious Politics in Europe since 1945

Oxford/New York, Berghahn books, 2011, Protest, Culture & Society, Volume 5,

The protest movements that followed the Second World War have recently become the object of study for various disciplines; however, the exchange of ideas between research fields, and comparative research in general, is lacking. An international and interdisciplinary dialogue is vital to not only describe the similarities and differences between the single national movements but also to evaluate how they contributed to the formation and evolution of a transnational civil society in Europe. This volume undertakes this challenge as well as questions some major assumptions of post-1945 protest and social mobilization both in Western and Eastern Europe. Historians, political scientists, sociologists and media studies scholars come together and offer insights into social movement research beyond conventional repertoires of protest and strictly defined periods, borders and paradigms, offering new perspectives on past and present processes of social change of the contemporary world.

<http://hdl.handle.net/1814/19863>

KRATOCHWIL, Friedrich

The Puzzles of Politics: Inquiries into the genesis and transformation of international relations

Abingdon & NY, Routledge, 2011,

The Puzzles of Politics brings together for the first time a collection of his key essays to explain his approach to international relations and how his thinking has developed over the last 30 years. It addresses topical themes and issues central to his work including sovereignty, law, epistemology, boundaries, global governance and world society. The book includes a framing introduction written for this volume in which Kratochwil provides an intellectual biography providing context as well as an introduction to his work. This important volume will be of very strong interest to students and scholars of international relation, political theory and law.

<http://hdl.handle.net/1814/14475>

KUIPERS, Jan-Jaap

EU Law and Private International Law: The interrelationship in contractual obligations

Leiden/Boston, Martinus Nijhoff Publishers, 2011, Nijhoff studies in European Union law,

(Published version of EUI PhD thesis, 2011.);

European Union Law and Private International Law both attempt to resolve a conflict of laws. There is however a certain tension between the two disciplines. The present book proposes suggestions to enhance their mutual understanding. The Rome I Regulation on the Law Applicable to Contractual Obligations has unified the conflict of laws rules of the Member States. The influence of the European Union upon Private International Law goes however beyond positive harmonisation. There is a certain tension between European law and PIL. European law is concerned with whether the imposition of a rule constitutes a restriction to the internal market whereas PIL does not seek to neutralise the disadvantages that result from differences between national laws but instead tries to locate the geographical centre of the legal relationship. The present book attempts to identify the methodological disharmony between the two legal disciplines in the regulation of cross border contracts and proposes suggestions to enhance their mutual understanding.

<http://hdl.handle.net/1814/19915>

LEGERER, Anton

Tatort: Versöhnung. Aktion Sühnezeichen in der BRD und in der DDR und Gedenkdienste in Österreich

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Leipzig, Evangelische Verlagsantalt, 2011,
(Published version of EUI Ph.D. thesis, 2007.);

Versöhnung - ein schwer fassbares, ursprünglich der Auseinandersetzung mit dem jüdischen Gott entstammendes Ritual - findet in den deutschen Nachfolgestaaten des Dritten Reiches und in Österreich konkrete Umsetzung: Die Aktion Sühnezeichen bzw. Aktion Sühnezeichen Friedensdienste in der BRD (1958) und DDR (1961) sowie Gedenkdienste in Österreich (1992) bieten Plattformen für zwischenmenschliche und symbolische Versöhnungshandlungen zwischen den Nachkommen in den Tätergesellschaften und Betroffenen der nationalsozialistischen Verfolgungs- und Vernichtungspolitik und deren Nachkommen.

<http://hdl.handle.net/1814/17935>

MANZANO BAENA, Laura

Conflicting Words: The Peace Treaty of Münster (1648) and the political culture of the Dutch Republic and the Spanish monarchy

Leuven, Leuven University Press, 2011,

(Published version of EUI PhD thesis, 2007.);

The Peace of Münster, signed between the Catholic Monarchy and the United Provinces in 1648, went against the political culture of both polities. The fact that the Spanish Monarchy definitively accepted the independence of its former subjects clearly negated the policy put forward by the Monarchy during the “eighty” years that the war lasted and to the Monarchy’s declared main goals. For the United Provinces, signing a peace with the archenemy without having brought liberty and religious freedom to ten of the seventeen provinces that formed part of the ancient Burgundian circle was also considered by important groups in the “rebel” provinces as a defection. Portraying the political culture of both the Catholic Monarchy and the United Provinces, this work analyses the views held in both territories concerning the points which were discussed in pamphlets and treatises published during the peace negotiations. It also traces the origin of the arguments presented, showing how they were transformed during the period under study, and discusses their influence, or presence, in the diplomatic negotiations among the ambassadors of the United Provinces and the Catholic Monarchy in the German town of Münster. These discussions are inserted in the wider framework of a Christian realm that had to reassess its own values as a consequence of the confessionalisation process and the Thirty Years’ War, which affected not only the Empire but, in one way or another, all Central and Western Europe.

<http://hdl.handle.net/1814/18634>

MARIMON, Ramon, GUARDIANCICH, Igor, MARIATHASAN, Mike, ROSSI, Eva

Survey on Research Funding for the Social Sciences in Europe

Florence, European University Institute, 2011,

Published in collaboration with the European Economic Association, European Sociological Association and the European Consortium for Political Research;

From mid-2010 through early 2011, the Academic Careers Observatory (ACO) of the Max Weber Programme (MWP) carried out three separate surveys of economists, sociologists and political scientists, the majority of whom held university positions. These individuals were invited to answer an on-line questionnaire regarding research funding in the social sciences in Europe. Each distinct survey was respectively carried out in partnership with the European Economic Association (EEA), the European Sociological Association (ESA), and the European Consortium for Political Research (ECPR). Overall, we received 3,802 valid responses from among the 19,944 invitations sent: 2,384 economists, 766 sociologists and 652 political scientists. The total response rate is 19.1 per cent. This survey is divided into two parts. Part I analyses the sociology of each profession, gathering personal information and assessing the respondent’s current working position. Part II focuses on the research funding experience of the respondents, revealing both the specifics of the respondent’s research funding, as well as their subjective perceptions of the funding application and fruition processes. Both parts of the survey show remarkable consistency in the responses of economists, sociologists and political scientists; differences are small and confined to specific areas. Much more relevant is the variation across European Research Area (ERA) countries, which share distinct academic traditions,

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irrespective of the discipline of the respondent.

<http://hdl.handle.net/1814/19183>

MARTINICO, Giuseppe

Lo spirito polemico del diritto europeo. Studio sulle ambizioni costituzionali dell'Unione

Roma, Aracne Editrice, 2011, Quaderni di Teoria del diritto e dello Stato. Rivista europea di cultura e scienza giuridica, 5,

According to many scholars, the rejection of the Constitutional Treaty and the disappointment caused by the contents of the Lisbon Treaty — defined by Somek (2007) as a mere post-Constitutional Treaty — mark the failure of any possible constitutional ambition for the European Union (EU). This book aims at challenging this point both from a theoretical point of view — by describing the EU as an example of “evolutionary constitutionalism” — and a pragmatic one (i.e., looking at the functioning of concrete constitutional experiences). My idea is that the latest attempts at amending the EU treaties — the period of the “Conventions” — can be traced back to the genus of mega-constitutional politics and starting from this parallelism I argue that the so-called constitutional “failure” of the EU is actually a confirmation of the current constitutional nature of the EU rather than the proof of the impossibility of transplanting the constitutional discourse to the EU level.

<http://hdl.handle.net/1814/20504>

MATTHEE, Rudi, FLORES, Jorge (ed/s)

Portugal, The Persian Gulf and Safavid Persia

Leuven, Peeters, 2011, Acta Iranica, 52,

The Portuguese were the first Europeans to play a major commercial, military and diplomatic role in the Persian Gulf basin. They first appeared before Hormuz in 1507, established a toll house on the island in 1515, and remained active in the wider region for the next two centuries. This book commemorates the quincentennial of their arrival in the Persian Gulf. Its contributors offer an array of fresh research on their activities on Hormuz and beyond, examining these from a variety of angles, with special attention to the wider context involving the adjacent Safavid, Ottoman and Mughal states. The essays presented here explore the commercial and military activities of the Portuguese, their rivalry with the Ottoman state for naval control in the Gulf, and their interaction with Safavid Persia by way of missionary ventures, diplomacy and travel, but also represent new and exciting research on the historiographical record of their presence in the form of cartography and the discourse about Persia it generated in Portugal.

<http://hdl.handle.net/1814/18435>

MCDONNELL, Duncan, NEWELL, James (ed/s)

Outsider Parties

Special issue of Party Politics, 2011, 17, 4,

This special issue discusses parties in Europe which by the nature of their ideology, rhetoric and positions on government participation, have placed themselves and/or been placed by others, ‘outside’ the sphere of potential governing parties, but have subsequently come in from the cold and entered government. Following an introduction by the editors, it features articles examining the governing experiences of such ‘outsider parties’, including pieces by Kurt Richard Luther on the Austrian Freedom Party; Daniele Albertazzi, Duncan McDonnell and James Newell on the Northern League and Rifondazione Comunista in Italy; Tim Bale and Richard Dunphy on radical left parties in coalition administrations; Anwen Elias and Filippo Tronconi on autonomist parties in government.

<http://hdl.handle.net/1814/20506>

MENDES, Joana

Participation in EU Rule-making: A Rights-Based Approach

Oxford, Oxford University Press, 2011, Oxford Studies in European Law,

(Published version of EUI Ph.D. thesis, 2009.);

* Provides a detailed analysis of the Court of Justice and the Court of First Instance case law on the right to be heard in adjudicatory and rulemaking procedures, including a critical discussion of seminal cases

* Presents a critical overview of participation in EU governance, from the early years of integration to the EU post-Lisbon * Develops a powerful legal argument for the extension of participation rights in EU law,

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to offer better protection to those affected by European regulation * Offers a legal insight into matters usually studied by political scientists, contrasting the perspective of the courts on participation with the broader perspective of the political process The limited scope of participation in the making of EU law remains a continued source of controversy, featuring prominently in recent institutional and political developments that have been shaping the EU's constitutional framework - most intensely in the follow up of the Commission's White Paper on Governance. Yet little attention has been paid to participation rights as a means of ensuring the procedural protection of persons affected by EU regulation in its diverse forms. This is a dimension of the rule of law that has been largely ignored by EU legislative and judicial bodies. Not only the legislator, but also the Court of Justice and the Court of First Instance tend to adhere to excessively formal conceptions of participation rights that are premised on the right to be heard in individual procedures, as well as to a restrictive view regarding the relationships between the citizens and the administration. This book shows why, in the face of new regulatory developments, these conceptions are currently inadequate to ensure the legal protection of rights and interests affected by EU regulation. Combining a conceptual analysis with thorough empirical scrutiny, this book assesses the scope of participation rights in EU law against their rationales and underlying legal values. It makes a case for the extension of participation rights to new situations and new types of procedures, in particular those that would generally fall within the category of rulemaking. It brings distinct normative insights into a crucial theme of EU administrative law, and makes a topical and timely contribution to the increasingly notable theme of public participation in EU regulation.
<http://hdl.handle.net/1814/16822>

MICKLITZ, Hans-Wolfgang (ed/s)

The Many Concepts of Social Justice in European Private Law

Cheltenham/Northampton, Edward Elgar, 2011,

This insightful book, with contributions from leading international scholars, examines the European model of social justice in private law that has developed over the 20th century. The first set of articles is devoted to the relationship between corrective, commutative, procedural and social justice, more particularly the role and function of commutative justice in contrast to social justice. The second section brings together scholars who discuss the relationship between constitutional order, the values enshrined in the constitutional order and the impact of constitutional values on private law relations. The third section focuses on the impact of socio-economic developments within the EU and within selected Member States on the proprietary order of the EU, on the role and function of the emerging welfare state and the judiciary, as well as on nation state specific patterns of social justice. The final section tests the hypothesis to what extent patterns of social justice are context related and differ in between labour, consumer and competition law. *The Many Concepts of Social Justice in European Private Law* will prove to be of great interest to academics of law, as well as to private lawyers and European policymakers.

<http://hdl.handle.net/1814/19735>

MILLET, François-Xavier

Le contrôle de constitutionnalité des lois de transposition : Étude de droit comparé France - Allemagne

Paris, Editions L'Harmattan, 2011, Collection : Logiques juridiques,

Le contrôle de constitutionnalité des lois a principalement pour fonction de garantir le respect de la hiérarchie des normes en général et l'autorité de la Constitution en particulier. Or, son exercice se heurte aujourd'hui au droit dérivé de l'Union européenne. En vertu des principes de primauté et de l'effet utile, aucun contrôle ne devrait être théoriquement exercé par les juridictions nationales. Cependant, s'il est effectivement concevable que la ratification par les Etats membres des traités originaires vaille acceptation de l'ensemble du droit dérivé, il paraît plus difficilement soutenable que des lois nationales, actes de puissance publique exprimant la volonté générale, puissent échapper à tout contrôle de constitutionnalité du seul fait qu'elles réalisent la transcription de règles européennes. L'immunité juridictionnelle de telles lois pourrait permettre une violation de la hiérarchie des normes internes d'autant plus fréquente que des textes toujours plus nombreux ont pour objet principal la transposition du droit dérivé de l'Union. Face à cette situation, il semble pertinent de recourir au droit

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comparé afin de déterminer dans quelle mesure les juridictions constitutionnelles européennes acceptent de ne plus exercer leur contrôle de constitutionnalité des lois de transposition au nom de l'application uniforme du droit de l'Union, inhérente à sa nature même.
<http://hdl.handle.net/1814/18417>

MOUHOT, Jean-Francois

Des esclaves énergétiques : réflexions sur le changement climatique histoire environnementale

Seysse, Editions Champ Vallon, 2011, L'environnement a une histoire,
Préface de Jean-Marc JANCOVICI;

Ce livre explore les liens historiques et les similarités entre esclavage et utilisation contemporaine des énergies fossiles et montre comment l'histoire peut nous aider à lutter contre le changement climatique. Il décrit d'abord le rôle moteur de la traite dans l'industrialisation au xviii^e siècle en Grande-Bretagne, puis explique comment l'abolition de l'esclavage peut être pensée en lien avec l'industrialisation. En multipliant les bras «virtuels», les nouveaux esclaves énergétiques que sont les machines ont en effet progressivement rendu moins nécessaire le recours au travail forcé. L'ouvrage explore ensuite les similarités troublantes entre l'utilisation des énergies fossiles aujourd'hui et l'emploi de la main-d'œuvre servile hier, et les méthodes utilisées par les abolitionnistes pour parvenir à faire interdire la traite et l'esclavage. Ces méthodes peuvent encore inspirer aujourd'hui l'action politique pour décarboner la société.

<http://hdl.handle.net/1814/18654>

MUNARI, Tommaso (ed/s)

I verbali del mercoledì. Riunioni editoriali Einaudi 1943-1952

Torino, Einaudi, 2011,

Prefazione di Luisa Mangoni;

Quando ormai anche le stagioni sembrano aver perso la loro naturale cadenza, a ritmare il passaggio del tempo, sopravvivono, implacabili e a regolari intervalli, le polemiche sulla casa editrice Einaudi. L'occasione può variare. Si tratti di Delio Cantimori consulente della casa editrice; dell'iniziale rifiuto di Se questo è un uomo di Primo Levi; di Renato Poggioli collaboratore non difeso dagli attacchi di parte comunista; di Pavese e del suo Taccuino; della soggezione nei riguardi del Pci; dei modi con cui venne acquisita alla sinistra una egemonia sulla cultura italiana; fin della personalità e «megalomania» di Giulio Einaudi: quello che in ogni caso si può dire è che ciò che l'Einaudi fu, continua ad essere un tarlo di cui uomini e organismi culturali, spesso di minor rilievo, non riescono a liberarsi. La domanda sottintesa è sempre la stessa: perché? e, come? La pubblicazione di questi verbali, curati con attenzione e competenza da Tommaso Munari, non potrà dare una risposta esauriente, ma vuole almeno essere un invito alla riflessione su quel «metodo Einaudi» che le riunioni del mercoledì contribuirono non poco, da un certo momento in poi, a caratterizzare. Come al solito, i documenti si propongono di far luce sui fatti e di disintossicare l'atmosfera; come sempre, i documenti vengono incontro solo in parte, e a volte in parte ridotta, alle discordanti aspettative in essi riposte.

<http://hdl.handle.net/1814/19094>

O'MALLEY, Aidan

Field Day and the Translation of Irish Identities: Performing Contradictions

Basingstoke/New York, Palgrave Macmillan, 2011,

(Published version of EUI Ph.D. thesis, 2004.);

In the 1980s, Field Day brought together some of the most important names in Irish artistic life—Brian Friel, Stephen Rea, Seamus Deane, Seamus Heaney, Tom Paulin, David Hammond and Thomas Kilroy—to articulate a cultural intervention into the deadly stalemate of the Northern Irish 'Troubles'. At the heart of the enterprise was an annual theatre tour around the island of Ireland that visited cities and small villages, playing in theatres and community venues. These plays did not tackle the 'Troubles' directly, but brought their audiences to places such as pre-Famine Ireland, the world of Greek tragedy, pre-Revolutionary Russian provinces and apartheid South Africa. Informed by poststructuralist thinking and archival materials, this book argues that the political and postcolonial salience of these dramas lies in the ways in which they foregrounded acts of cultural translation in order to disrupt disabling

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constructions of Irish identity that had contributed to engendering the 'Troubles'.

<http://hdl.handle.net/1814/17654>

PEIRÓ, Ignacio, ALARES LÓPEZ, Gustavo (ed/s)

Pensar la historia, celebrar el pasado: Fiestas y conmemoraciones nacionales, siglos XIX-XX

Jerónimo Zurita, 2011, 86, Special issue,

El dossier «Pensar la Historia, celebrar el pasado. Fiestas y conmemoraciones nacionales siglos XIX-XX» que ocupa buena parte de las páginas de este número explora las relaciones entre pasado y conmemoración desde múltiples perspectivas. Lo hace con amplitud geográfica, mostrando ejemplos precedentes de Alemania y de Francia, de Portugal, Rumanía, Chile, Perú, y también de España. Y lo hace también desentrañando las mecánicas que operan en diversos tipologías de conmemoración oficial. Así David Marcihacy se adentra en la recuperación del pasado americano de España que llevaron a cabo los gobiernos de la Restauración y en cómo el proyecto americanista fue incorporado dentro del programa regeneracionista. En la misma línea de analizar las relaciones entre nacionalismo e historia se sitúa la aportación de Rene Dalisson sobre evolución de la fiesta nacional francesa desde los tiempos de la Revolución hasta la actualidad.

<http://hdl.handle.net/1814/21094>

PETRAS, Eva

"A Splendid Return": The intellectual reception of the Catholic social doctrine in Hungary (1931-1944)

Budapest, John Wesley Theological College, 2011, *Complementa Studiorum Historiae Ecclesiasticae*, 1,

(Published version of EUI PhD thesis, 2003.);

<http://hdl.handle.net/1814/18854>

PUTZ, Christa

Verordnete Lust: Sexualmedizin, Psychoanalyse und die "Krise der Ehe", 1870-1930

Bielefeld, Transcript Verlag, 2011, *1800-200 Kulturgeschichten der Moderne*, 3,

(Published version of EUI PhD thesis, 2009.);

Ende des 19. Jahrhunderts begannen Mediziner/-innen, Sexualforscher/-innen und Psychoanalytiker/-innen, Störungen der sexuellen Lust bei Männern und Frauen als Krankheiten zu erforschen und zu therapieren. Angetrieben wurden diese Bemühungen von historisch neuen Idealen lustbetonter Heterosexualität und veränderten Erwartungen an die Ehe. Dieses Buch zeichnet den wissenschaftlichen Diskurs nach und legt seine theoretischen und kulturellen Voraussetzungen offen. Die Dokumentation konkreter Fälle veranschaulicht seine Reichweite und praktischen Auswirkungen auf die Patientinnen und Patienten.

<http://hdl.handle.net/1814/21014>

QUENNOUËLLE-CORRE, Laure, CASSIS, Youssef (ed/s)

Financial Centres and International Capital Flows in the Nineteenth and Twentieth Centuries
Oxford, Oxford University Press, 2011,

As interest in financial markets intensifies, stimulated by the financial crisis of the early twenty-first century, this book aims to enrich our understanding of the workings and history of financial centres in the nineteenth and twentieth centuries, and the determinants of their success and failure. The book brings together leading authorities in the field to examine the direction of international capital flows historically in light of the nature of the banking system, market organization, the regulatory framework, and contextual political and diplomatic factors. Contributions discuss competition, collaboration, withdrawal, and re-emergence of financial centres in Europe, America, and Asia over the past two centuries. Written from a historical perspective but taking full account of recent studies in financial economics, the book, with contributions from leading international scholars, provides new research and approaches to a highly topical issue and sheds light on the recent financial crisis and its aftermath.

<http://hdl.handle.net/1814/18488>

RAJKOVIC, Nikolas Milan

The Politics of International Law and Compliance. Serbia, Croatia and The Hague Tribunal
Abingdon/New York, Routledge, 2011, Routledge Research in Comparative Politics,
(Published version of EUI PhD thesis, 2009.);

Leading the debate on the domestic effect of the growing influence of international adjudication, this invaluable text examines Serbia and Croatia's erratic record of compliance with the International Criminal Tribunal for the Former Yugoslavia (ICTY). Since the demise of the Milosevic and Tudjman regimes, Serbian and Croatian governments have been inconsistent in cooperating with the ICTY, despite the conditions of EU membership and US financial incentives. This study reconstructs events before, during and after extradition to build up a picture of the complex politics involved in ICTY relations, and provides a conceptual framework to study compliance in international relations and law. Through this analysis, a historical tracing of varied factors of political influence and a conceptualization of compliance is provided, resulting in a rich interdisciplinary work embracing political science, international relations and social theory. By scrutinizing the social meanings and political practices which become attached to prescribed norms in compliance processes, this book provides a highly-relevant insight into contemporary meanings of 'compliance'.

<http://hdl.handle.net/1814/18375>

RANCI, Pippo (ed/s)

Economia dell'energia

Bologna, Il Mulino, 2011, Collana "Manuali",

IL volume fornisce le nozioni di base indispensabili per comprendere le implicazioni economiche delle scelte energetiche, le ragioni delle politiche per l'energia e gli strumenti per attuarle. Su due aspetti gli autori si soffermano particolarmente: sulla liberalizzazione dei servizi a rete (elettricità e gas) e la regolazione, che nel nuovo assetto assume caratteri molto diversi dalla vecchia regolazione del monopolio; sul nesso tra sicurezza delle forniture di energia e prevenzione del cambiamento climatico, con il problema di individuare politiche capaci di conciliare i due obiettivi.

<http://hdl.handle.net/1814/20641>

RECCHIA, Stefano, URBINATI, Nadia (ed/s)

Cosmopolitismo e Nazione: Scritti sulla democrazia, l'autodeterminazione dei popoli, e le relazioni internazionali

Roma, Elliot Edizioni, 2011, Collana Antidoti,

This anthology gathers Giuseppe Mazzini's most important essays on democracy, nation building, and international relations. These neglected writings remind us why Mazzini was one of the most influential political thinkers of the nineteenth century--and why there is still great benefit to be derived from a careful analysis of what he had to say. Mazzini (1805-1872) is best known today as the inspirational leader of the Italian Risorgimento. But, as this book demonstrates, he also made a vital contribution to the development of modern democratic and liberal internationalist thought. In fact, Stefano Recchia and Nadia Urbinati make the case that Mazzini ought to be recognized as the founding figure of what has come to be known as liberal Wilsonianism. The writings collected here show how Mazzini developed a sophisticated theory of democratic nation building--one that illustrates why democracy cannot be successfully imposed through military intervention from the outside. He also speculated, much more explicitly than Immanuel Kant, about how popular participation and self-rule within independent nation-states might result in lasting peace among democracies. In short, Mazzini believed that universal aspirations toward human freedom, equality, and international peace could best be realized through independent nation-states with homegrown democratic institutions.

<http://hdl.handle.net/1814/20204>

RENDA, Andrea

Law and Economics in the RIA World: Improving the use of economic analysis in public policy and legislation

Cambridge, Intersentia, 2011,

The use of economics in public policy, in the form of ex ante Regulatory Impact Analysis (RIA), is

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strongly advocated by international organizations such as the OECD and the World Bank. In the US and the EU, hundreds of RIAs are produced every year to justify public intervention in the form of regulation. But reality shows that in many other countries the adoption and implementation of this tool has been patchy at best. At the same time, the economics used in RIA is heavily challenged by scholarly developments such as behavioral economics, neuroeconomics and the study of social norms, and was also unable to predict and cure the financial crisis that hit the global economy in 2007. The book claims that RIA should incorporate recent developments in the law and economics literature and provides an analysis of the potential contribution of positive, normative and functional schools of law and economics to the practice of RIA. The book contains thematic applications to policy fields such as environmental protection, energy efficiency, financial markets, antitrust, cyberspace and telecommunications. The book provides far-reaching recommendations on the future of law and economics, as well as on the organization of RIA systems around the world, particularly in the US and the EU.

<http://hdl.handle.net/1814/20700>

SAARILAHTI, Ilkka

Les procédures budgétaires de l'Union européenne de 2009 à 2011. Du traité de Nice au traité de Lisbonne

Florence, European Press Academic Publishing, 2011,

Cet ouvrage donne un éclairage précis sur les négociations budgétaires annuelles de l'Union européenne pour la période 2008-2011. Il analyse les principales questions auxquelles les négociateurs ont dû faire face ainsi que les solutions qu'ils ont préconisées. Un accent particulier a été mis sur le déroulement des négociations menées entre le Parlement européen, le Conseil et la Commission, suite à l'entrée en vigueur du traité de Lisbonne qui a changé l'équilibre interinstitutionnel de leurs pouvoirs. Cet ouvrage fournit également une image chiffrée et compréhensible des budgets de l'Union européenne de 2009 à 2011, sous forme de graphiques et de tableaux.

<http://hdl.handle.net/1814/19855>

SARTOR, Giovanni, CASANOVAS, Pompeu, BIASIOTTI, Maria Angela, FERNÁNDEZ-BARRERA, Meritxell (ed/s)

Approaches to Legal Ontologies: Theories, Domains, Methodologies

Dordrecht/Heidelberg/London/New York, Springer, 2011, Law, Governance and Technology Series, Vol. 1,

Legal ontologies have proved crucial for representing, processing and retrieving legal information, and will acquire an increasing significance in the emerging framework of the Semantic Web. Despite the many research projects in the field, a collective reflection on the theoretical foundations of legal ontology engineering was still missing. This book bridges the gap, by exploring current methodologies and theoretical approaches to legal ontologies. It gathers 16 papers, each of them presenting issues and solutions for ontology engineering related to a particular approach to, or aspect of, the law: comparative law, case-based reasoning, multilingualism, complex- systems, sociolegal analysis, legal theory, social ontology, ontology learning, computational ontology, service ontology, cognitive science, document modelling, large legal databases, scientific, linguistic and legal-technology perspectives. The book will thus interest researchers in legal informatics, artificial intelligence and law, legal theory, legal philosophy, legal sociology, comparative law, as well as developers of applications based on the intelligent management of legal information, in both e-commerce and e-government (e-administration, e-justice, e-democracy).

<http://hdl.handle.net/1814/15561>

SARTOR, Giovanni, PALMIRANI, Monica, FRANCESCONI, Enrico, BIASIOTTI, Maria Angela (ed/s)

Legislative XML for the Semantic Web. Principles, Models, Standards for Document Management

Dordrecht/Heidelberg/London/New York, Springer, 2011, Law, Governance and Technology Series, Vol. 4,

This volume examines the basic layers of the standard-based creation and usage of legislation. In

particular, it addresses the identification of legislative documents, their structure, the basic metadata and legislative changes. Since mature technologies and established practices are already in place for these layers, a standard-based approach is a necessary aspect of the up-to-date management of legislative resources. Starting out with an overview of the context for the use of XML standards in legislation, the book next examines the rationale of standard-based management of legislative documents. It goes on to address such issues as naming, the Akoma-Ntoso document model, the contribution of standard-based document management to handling legislative dynamics, meta-standards and interchange standards. The volume concludes with a discussion of semantic resources and a review on systems and projects.

<http://hdl.handle.net/1814/18715>

SCHNYDER, Marco

Famiglie e potere. Il ceto dirigente di Lugano e Mendrisio tra Sei e Settecento

Bellinzona, Casagrande, 2011, Collana «Itinerari»,

(Published version of EUI PhD thesis, 2008.);

Il libro di Marco Schnyder, nutrito da ricerche nuove e sostenuto da un ampio lavoro di sintesi sulla società suddita dei baliaggi subalpini, colma un vuoto della storiografia e ne fa un'opera estremamente preziosa per chi si interessa di società di montagna e, più in generale, di storia del potere (dalla prefazione di Laurence Fontaine). È di Giovanni Battista Riva (1646-1729) - figlio di Antonio, speciale e borghese di Lugano - il volto severo ritratto in copertina. Giovanni Battista è protagonista di un'ascesa sociale di rilievo che si concretizza e si manifesta nella costituzione di un ingente patrimonio fondiario, in un'intensa pratica creditizia e clientelare, nell'accesso alle più importanti magistrature in patria e nell'acquisizione di prestigiosi titoli all'estero. Nel 1691 è accolto nell'esclusivo patriziato di Lucerna, nel 1698 è creato conte dal duca Farnese di Parma e nel 1721 acquista la signoria di Mauensee, nella campagna lucernese. Il percorso di Giovanni Battista è notevole, eccezionale per il prestigio raggiunto, ma anche rappresentativo, per dinamiche e aspirazioni, degli orizzonti di un notevole di rango dei borghi di Lugano e Mendrisio in epoca moderna. I baliaggi di Lugano e Mendrisio - territori sudditi degli Svizzeri dall'inizio del Cinquecento alla fine del Settecento - situati sull'importante asse di transito nord-sud del San Gottardo, sono una regione periferica, ma non marginale, caratterizzata da una situazione di frontiera e di appartenenze multiple: politica (giurisdizione temporale svizzera), ecclesiastica (diocesi di Como e Milano), linguistico-culturale-religiosa (popolazione italoфона cattolica dipendente da un sovrano germanofono, sia cattolico che riformato) e geografica (tra la pianura padana e le Alpi). Un contesto geopolitico che dà forma al potere: la chiave del successo è "essere qualcuno ovunque". In una sorta di vasta biografia collettiva del ceto dirigente di Lugano e Mendrisio, Famiglie e potere guida il lettore nei vicoli dei borghi e nelle campagne, spalancando virtualmente le porte delle dimore signorili e degli edifici pubblici del tempo. Il potere è così affrontato in tutte le sue dimensioni - politica, economica, sociale, religiosa e culturale - per coglierne la natura, la rappresentazione e l'esercizio nella quotidianità. In sintonia con la storiografia della postmodernità l'autore diffida di letture rigidamente dicotomiche ed inserisce i rapporti di potere in configurazioni relazionali fondate sulla negoziazione e la mediazione. Questa indagine di ampio respiro, travalicante i secoli e le frontiere, contribuisce a rinnovare il panorama storiografico svizzero, gettando nuova luce non solo sulla società dei baliaggi e sul funzionamento dell'Antica Confederazione elvetica, ma anche sulla natura del potere nell'Europa moderna., Cet ouvrage constitue la première étude approfondie sur le fonctionnement du pouvoir et le rôle des élites dans une région sujette des cantons sous l'Ancien Régime. Travail exemplaire d'histoire sociale, la recherche de Marco Schnyder mobilise les acquis de l'histoire sociale et culturelle, notamment à travers l'analyse des réseaux familiaux et les rapports entre sujets et seigneurs. L'auteur fait aussi une large place aux aspects symboliques du pouvoir des dynasties familiales dans les villes et bourgs des bailliages qui forment aujourd'hui le Tessin. L'échelle de l'analyse permet de mettre en évidence les interstices dans lesquels les acteurs exploitent au mieux les ressources à leur disposition pour négocier des avantages ou garantir la pérennité de leur position sociale.

<http://hdl.handle.net/1814/15875>

SCHROEDER, Ursula C.

The Organization of European Security Governance: Internal and External Security in Transition

Abingdon/New York/London, Routledge, 2011, Security and Governance,
(Published version of EUI Ph.D. thesis, 2007.);

The Organization of European Security Governance investigates what impact the changing nature of security challenges has had on the organization of security governance in Europe. As the most pervasive security challenges today are difficult to classify as either internal or external, the traditional divide between domestic and international security has become blurred. In response, European leaders have emphasized the need to develop comprehensive and horizontal approaches to security in the European Union. But has the European Union been able to deliver a coherent response to this new security environment? In a detailed comparative study of two crucial policy fields - EU counter-terrorism and post-conflict crisis management - the book outlines the scope of the ongoing transformation of Europe's security order, examines its challenges and explains its defects.

<http://hdl.handle.net/1814/17556>

SCOTT, Colin, CAFAGGI, Fabrizio, SENDEN, Linda (ed/s)

The Challenge of Transnational Private Regulation: Conceptual and Constitutional Debates
Malden, Wiley-Blackwell, 2011,

There has been an exponential growth of transnational private regulatory regimes in recent years, with a corresponding increase in the complexity of legal and political implications. This book presents the first extensive treatment of the constitutional dimensions of transnational private regulation, including its sources of power and modes of accountability. Building on established strands in the literature addressing 'private power' and 'public/global authority,' essays explore the conceptual bases on which these distinctions have been built. Contributions from international experts analyze the influence of globalization on national legal orders, examining different regimes in the light of both vertical (private global/public-local) and horizontal (public/private global) complementarity. Readings move beyond previous considerations of global regulation that focus on an elaboration of traditional public law modes of governance by pointing to alternatives rooted in market and community activities, and revealing the potential for reconceptualising the effects of networks in governing network participants. This approach addresses the shift from hierarchical to heterarchic governance and recognises the need to re-conceptualize the bases of legitimacy for such regimes at both the national and supranational level. The Challenge of Transnational Private Regulation offers illuminating insights into an emerging form of governance in the twenty-first century world.

<http://hdl.handle.net/1814/17274>

SKOUTARIS, Nikos

The Cyprus Issue: The four freedoms in a Member State under siege

Oxford, Hart Publishing, 2011, Modern Studies in European Law,
(Published version of EUI Ph.D. thesis, 2009.);

This is a book on the interrelationship of the EU legal order and the Cyprus issue. The book addresses a question which is of great significance for the legal order of the EU (as well as for Cypriots, Turks and Greeks), namely how the Union deals with the de facto division of the island. Despite the partial normalisation of relations between the two ethno-religious groups on the island, Cyprus' accession to the EU has not led to its reunification, nor to the restoration of human rights, nor a complete end to the political and economic isolation of the Turkish Cypriot community. Ironically enough, the accession of the island to the EU actually added a new dimension to the division of the island. According to Protocol 10 on Cyprus to the Act of Accession 2003, the Republic of Cyprus joined the Union with its entire territory. However, due to the fact that its Government cannot exercise effective control over the whole island, pending a settlement, the application of the *acquis* is 'suspended in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not have effective control.' Given this unprecedented (for an EU Member State) situation of not controlling part of its territory, the book analyses the limits of the suspension of the Union *acquis* in the areas north of the Green Line. In other words, the *telos* of this particularly challenging research is to map the partial application of Union law in

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an area where there are two competing claims of authority.

<http://hdl.handle.net/1814/16018>

SORENSEN, Michael Kuur

Young Hegelians Before and After 1848: When theory meets reality

Frankfurt am Main, Peter Lang, 2011, Forschungen zum Jungehegelianismus. Quellenkunde, Umkreisforschung, Theorie, Wirkungsgeschichte, Volume 18, (Published version of EUI PhD thesis, 2010.);

This book shows that the 1848 revolutions played a key role in the development of the political thought of the Young Hegelians, Arnold Ruge, Bruno Bauer, Moses Hess and Karl Marx. They all developed revolutionary ideas in the 1840s and hoped for revolutionary events as those that occurred in 1848, but their theories failed to predict the outcome of the revolution. By an empirical analysis this work clearly demonstrates that the Young Hegelians under study changed their theoretical outlooks as a direct result of the 1848 revolutions. It is argued that the mechanism for this change is intellectual disillusionment, that these intellectuals became disillusioned with the theories they had developed in the 1840s because they experienced the 1848 revolutions as an intellectual failure. The book examines the question of how intellectuals deal with their failure to predict the world, and how theory and the change of theory are related to actual historical events.

<http://hdl.handle.net/1814/19294>

STAMM, Isabell, BREITSCHMID, Peter, KOHLI, Martin (ed/s)

Doing Succession in Europe. Generational Transfers in Family Businesses in Comparative Perspective

Zurich/Basel/Geneva, Schulthess Juristische Medien AG, 2011,

Family enterprises make up the majority of all businesses across Western Europe. Nonetheless, they are seen as an endangered species. Succession is an especially critical moment for their survival. The succession process is shaped by the dynamics of generational relations in the family. Different institutional contexts between countries create diverse conditions for the negotiation between the generations. "Doing Succession in Europe" examines whether and how succession processes in European family businesses vary. Scholars of the family, capitalism, welfare state and law discuss comparative findings and ideas; business and legal experts highlight the concrete practices.

<http://hdl.handle.net/1814/18116>

TALPIN, Julien

Schools of Democracy: How ordinary citizens (sometimes) become competent in participatory budgeting institutions

Colchester, ECPR Press, 2011, ECPR monographs,

(Published version of EUI PhD thesis, 2007.);

Schools of Democracy offers a vivid analysis of the long-term impact of engagement in participatory budgeting institutions in Europe. While democratic innovations flourish around the world, there have been great hopes for their potential to revitalize representative government and solve the increasing apathy of the public. Based on a rich ethnographic study in France, Italy and Spain, this book shows how participatory institutions can encourage personal involvement, by creating the procedural and social conditions conducive to the formation of a competent and involved citizenry. Rather than deliberation itself, it seems that informal discussions and interactions between a diverse public allow mutual learning and the beginning of a political trajectory for people at the margins of the public sphere. However, this book also shows that citizens can become disappointed by the little decision-making power they are granted, as they leave the process often more cynical than before.

<http://hdl.handle.net/1814/21060>

TRIANDAFYLLIDOU, Anna, MODOOD, Tariq, MEER, Nasar (ed/s)

European Multiculturalisms: Cultural, religious and ethnic challenges

Edinburgh, Edinburgh University Press, 2011, This publication stems out of the EMILIE project

(<http://emilie.eliamep.gr>) 'A European approach to multicultural citizenship: Legal, political and

educational challenges' funded by the European Commission, Directorate General for Research, Sixth

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Framework Programme during the period 2006-2009.;

This work proposes a common European intellectual framework to evaluate recent developments in European multiculturalism. The heightened security awareness in the wake of the 9/11 attacks and the London and Madrid bombings has resulted in a 'crisis of multiculturalism'. Now is the time to look at the renewed challenges that multiculturalism faces today. Each chapter in this interdisciplinary book reviews the actual state of affairs in several countries in relation to the theories behind immigrant minority claims. With a special focus on Muslim immigrants, the contributors look at the value issues entrenched in multiculturalism and the policy challenges and measures adopted to address them. The book focuses on 7 European countries - Belgium, Britain, Denmark, France, Germany, Greece and Spain giving an overview of different approaches to multiculturalism and looks at issues of citizenship, diversity, civic recognition, gender, religious diversity & education, integration, anti-discrimination policies and social policy. The core objectives are 1) to chart the legal, political and educational challenges posed by migration-related religious, ethnic and cultural diversity in European countries, 2) to reflect theoretically on those challenges and the value systems involved 3) to assess the policy solutions adopted in different countries, 4) to compare between different policies/ models and the ways they are implemented, and 5) to discuss whether all solutions are bound in their national contexts or whether they are relevant across Europe.

<http://hdl.handle.net/1814/19514>

VANNESTE, Tiji

Global Trade and Commercial Networks: Eighteenth-Century Diamond Merchants

London, Pickering & Chatto Publishers, 2011, Perspectives in Economic and Social History, (Published version of EUI PhD thesis, 2009.);

At the heart of this study on cross-cultural trade lies a concrete case-study of a network of diamond merchants operating in the early eighteenth century. Trust was an important element within this cross-cultural network and a significant factor in its success. This trust was formed, over time, by the exchange of correspondence, allowing commercial friendships and a system of reciprocity to emerge. Such trusted exchange also allowed a system of credit – used for almost all trading agreements as well as becoming important in itself – to develop. Most of the merchants examined in this study belonged to a group of outsiders: an English Catholic in Antwerp, Sephardic and Ashkenazi Jews in London and Amsterdam, and French Huguenots in Lisbon, to name a few. Traditionally, such diasporas have been seen as key to the development of a globalized economy. Vanneste argues that whilst this is generally correct, it is nonetheless hard to reconcile the idea of such intricate, trusted relationships with people who were detached from their surrounding societies. He suggests that these diasporas must be embedded in the social environment of the host society in a more profound way than previously assumed, and that such cohesion allowed the development of trusted trading networks and an early modern globalization.

<http://hdl.handle.net/1814/19234>

VERVOORT, Manuela, BRUYNINCKX, Tim

Fiscale rechtspraakoverzichten: staatssteun en fiscaliteit 1999-2009

Bruxelles, Larcier, 2011,

Hoewel tot op vandaag nog steeds onderbelicht, wordt staatssteun alsmear meer een relevant topic in de dagdagelijkse rechtspraak. Dat toenemend belang zet zich tevens door in het fiscaal recht. Het staatssteunrecht beslaat in het kader van recht van de Europese Unie slechts drie verdragsartikelen, een handvol verordeningen en een aantal soft law-instrumenten (richtsnoeren, kaderregelingen, ...). Het belang van de rechtspraak van de Europese hoven is (daarom) omgekeerd evenredig. Thans ontbreekt evenwel een instrument voor de praktizijn die zich met staatssteun geconfronteerd ziet in diens fiscale praktijk. Dit boek, waarin de rechtspraak van de Europese hoven omstandig aan bod komt, wil hieraan verhelpen.

<http://hdl.handle.net/1814/20595>

WILLS, Aidan, VERMEULEN, Mathias

Parliamentary Oversight of Security and Intelligence Agencies in the EU

Brussels, European Parliament, 2011,

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Annex B.I of the report (on page 350) "Parliamentary Scrutiny of Justice and Home Affairs Agencies" is written by Bruno DE WITTE and Jorrit J. RIJPMAN. Based on research in the framework of the project 'EURO Institutions' ;

This study evaluates the oversight of national security and intelligence agencies by parliaments and specialised non-parliamentary oversight bodies, with a view to identifying good practices that can inform the European Parliament's approach to strengthening the oversight of Europol, Eurojust, Frontex and, to a lesser extent, Sitcen. The study puts forward a series of detailed recommendations (including in the field of access to classified information) that are formulated on the basis of indepth assessments of: (1) the current functions and powers of these four bodies; (2) existing arrangements for the oversight of these bodies by the European Parliament, the Joint Supervisory Bodies and national parliaments; and (3) the legal and institutional frameworks for parliamentary and specialised oversight of security and intelligence agencies in EU Member States and other major democracies.

<http://hdl.handle.net/1814/19057>

WINGENS, Matthias, WINDZIO, Michael, DE VALK, Helga, AYBEK, Can (ed/s)

A Life-Course Perspective on Migration and Integration

Dordrecht, Springer, 2011,

Over the last four decades the sociological life course approach with its focus on the interplay of structure and agency over time life course perspective has become an important research perspective in the social sciences. Yet, while it has successfully been applied to almost all fields of social inquiry it is much less used in research studying migrant populations and their integration patterns. This is puzzling since understanding immigrants' integration requires just the kind of dynamic research approach this approach puts forward: any integration theory actually refers to life course processes. This volume shows fruitful cross-linkages between the two research traditions. A range of studies are presented that all apply sociological life course concepts to research on migrants and migrant groups in Europe. The book is organized thematically, indicating different important domains in the life course. Using a wide variety of methodological approaches, it covers both quantitative studies based on population census data and survey material as well as qualitative studies based on interviews. Attention is paid to the life courses of those who migrated themselves as well as their offspring. The studies cover different European countries, relating to one national context or a particular local setting in a city as well as cross-country comparisons. Overall the book shows that applying the sociological life course approach to migration and integration research may advance our understanding of immigrant settlement patterns as well as further develop the life course perspective.

<http://hdl.handle.net/1814/19054>

ZALFEN, Sarah

Staats-Opern? Der Wandel von Staatlichkeit und die Opernkrisen in Berlin, London und Paris am Ende des 20. Jahrhunderts

München, Oldenbourg/Wien, Böhlau Verlag, 2011, Die Gesellschaft der Oper, Bd. 7,

Im 20. Jahrhundert wurden europaweit aus Hofoper, Bürgeroper und kommerziellen

Opernunternehmen Staatsoper. Sie waren subventionierte und institutionalisierte Teile staatlicher

Strukturen, staatlich verantwortetes kulturelles Gemeingut und Symbole des Staates. In ihrem

exemplarisch Vergleich von drei Opernkrisen und -reformen zeigt Sarah Zalfen, wie sich mit der Rolle

des Staates in den jüngster Zeit auch "seine" Opern wandeln: Zeiten knapper Kassen zwingen die

Opernhäuser zu Einsparungen, lösen sie aber auch aus ihrer institutionellen Abhängigkeit. Die

ausdifferenzierten kulturellen Bedürfnisse heutiger Gesellschaften unterminieren eine Setzung, welche

Kultur wertvoll und förderungswürdig ist. Hoheitliche Repräsentationszeremonien verlieren in der

Medien vermittelten Gegenwart ihre Eindeutigkeit.

<http://hdl.handle.net/1814/19134>

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The Framework for Supporting Renewable Energy in Europe: Implementing Directive 2009/28/EC

Martha M. ROGGENKAMP and Ulf HAMMER (eds), European Energy Law Report VIII, 12th Edition, Antwerpen, Intersentia, 2011, 93–116; [Loyola de Palacio Energy Policy Programme], <http://hdl.handle.net/1814/20099>

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Varying Hurdles for Low-Skilled Youth on the Way to the Labour Market

Matthias WINGENS, Michael WINDZIO, Helga DE VALK and Can AYBEK (eds), A Life-Course Perspective on Migration and Integration, Dordrecht, Springer, 2011, 55–74; <http://hdl.handle.net/1814/19055>

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Muriel ROUYER, Catherine DE WRANGEL, Emmanuelle BOUSQUET and Stefania CUBEDDU (eds), Regards sur le cosmopolitisme européen: Frontières et identités, Bruxelles/Bern/Berlin/Frankfurt am Main/New York/Oxford/Wien, Peter Lang, 2011, Europe des cultures/Europe of cultures - Volume 3, 143-158; <http://hdl.handle.net/1814/20400>

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EU Human Rights and the Reserved Powers of the Member States

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Bénédicte FAUVARQUE-COSSON, Etienne PAUTAUT and Judith ROCHFELD (eds), La Citoyenneté européenne, Paris, Société de la Législation Comparée, 2011, 63-76, Trans Europe Experts; <http://hdl.handle.net/1814/20397>

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<http://hdl.handle.net/1814/17626>

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<http://hdl.handle.net/1814/20875>

VON DANWITZ, Thomas

The Concept of State Aid in Liberalized Sectors

Marise CREMONA (ed.), *Market Integration and Public Services in the European Union*, Oxford/New York, Oxford University Press, 2011, *Collected Courses of the Academy of European Law*, XIX/2, 103-116;

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Spotlight on China: Piracy, enforcement, and the balance dilemma in intellectual property law

Annette KUR (ed.) with Marianne LEVIN (contr.), *Intellectual Property Rights in a Fair World Trade System: Proposals for Reform of TRIPS*, Cheltenham/Northampton, Edward Elgar, 2011, 61-105;

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AGUZZONI, Luca

Three Essays in Competition and Consumer Policy

EUI PhD theses, Department of Economics

Defence date: 3 October 2011 Examining Board: Professor Pascal Courty, University of Victoria, Canada, Supervisor Professor Luigi Guiso, European University Institute Professor Giorgio Fagiolo, Sant'Anna School of Advanced Studies Professor Saul Lach, The Hebrew University

The thesis is made up of three chapters: The first chapter estimates the effects of antitrust investigations on the market value of the investigated firms. This analysis offers insights on the performance of competition policy and its enforcement. The interest is on investigations carried out by the Italian Competition Authority between 1991 and 2007. We find that the start of the investigation is associated with an average drop of 0.6% in the market value of investigated firms and a later infringement decision implies an average drop of 1%. The event associated with the highest impact is the decision of the last Court of Appeal. When the last Court upholds the Authority's infringement decision the market value of firms drops between 3% and 6%. Interestingly, there is no effect when the last Court annuls the Authority's decision. The second and third chapters study the effects, on retail fuel prices, of a price comparison policy (a typical consumer policy intervention) introduced in the Italian pay-toll highways refueling market. In particular, the second chapter performs an empirical analysis while the third chapter presents an agent based computational economic (ACE) model, which aims to rationalize the empirical evidence and to inform the policy design. Differently from what was expected (by policy makers and consumers associations), the empirical analysis finds that the price comparison policy is associated with a small, but statistically significant, increase in the average price of fuel (0.55 euro cents per liter). Nevertheless, despite this average increase in fuel prices, the policy might help (active) consumers make informed choices and save around 1 euro cent per liter. The ACE model predicts that the introduction of price comparison has a limited effect on market prices as price competition among retailers is only marginally fostered. In addition, the model suggests that consumers that make use of price comparison might save around 0.5 euro cents per liter. These results are consistent with the empirical findings in suggesting that the price comparison policy had a limited impact on fuel retail prices and the overall effect on consumers is mixed.

<http://hdl.handle.net/1814/18994>

ALBANESE, Matteo Antonio

Storia di una sconfitta: le Brigate Rosse e la Gauche Prolétarienne di fronte alla globalizzazione

EUI PhD theses, Department of History and Civilization

Defence date: 10 June 2011, Prof. Heinz Gerhard Haupt (EUI) – Supervisor, Prof. Stephen Smith (EUI), Prof. Marc Lazar. (Sciences-Po Paris), Prof. Antonio Costa Pinto (Istituto de Ciencias Sociaes, University of Lisbon)

Perché due gruppi dal background simile come le Brigate Rosse e la Gauche Prolétarienne che condivisero molte scelte politiche e di repertori d'azione quali il sequestro politico ebbero una storia così divergente? Perché nello stesso anno il gruppo francese decise di sciogliersi mentre le Br cominciarono la loro spirale omicida? Queste sono le domande che hanno mosso questa ricerca. Attraverso l'ausilio di discipline differenti quali la sociologia politica la storia economica e sociale e la storia comparata ho cercato di rintracciare nella crisi che attraversò la fine degli anni '60 e l'inizio del decenni successivo come chiave interpretativa per fornire alcuni elementi nuovi alla discussione sull'esplosione della violenza come forma organizzate della politica in quegli anni. L'analisi delle rivendicazioni e del discorso politico dei due gruppi mi ha permesso di rintracciare la loro percezione della crisi e del cambiamento che stava avvenendo nei due paesi come un elemento che avrebbe condizionato alcune delle scelte che portarono alla scelta di uccidere da parte delle Br ed a quella di ritirarsi nell'ambito della militanza culturale da parte della GP. Intorno a questo tema centrale ruotano problematiche quali quella inerente alla globalizzazione. Le Br e la GP saranno tra le prime organizzazioni nel mondo ad utilizzare questa categoria. Come stava mutando in questa prospettiva lo Stato? In quali termini processi sovra-nazionali investivano sempre di più la quotidianità dei rapporti sociali e politici nei due paesi presi

in considerazione e come questi mutamenti incontrarono le pratiche violente? Dalla documentazione acquisita in archivi differenti e dallo studio della carte processuali quale fonte storica si evince un quadro nuovo anche della relazione tra le due organizzazioni prese in considerazione ed il quadro politico in generale e con i partiti comunisti in particolare. Ripercorrendo dunque i primi anni della vita di queste due realtà pur tenendo conto di una certa diacronia, possiamo ricostruire un quadro generale che ci parla di legame sociale e politico tra trasformazioni profonde e gruppi che pensarono e praticarono la violenza come strumento della politica.

<http://hdl.handle.net/1814/18396>

ALMORZA HIDALGO, Amelia

Género, Emigración y Movilidad Social en la Expansión Atlántica: Mujeres Españolas en el Perú colonial (1550-1650)

EUI PhD theses, Department of History and Civilization

Defence date: 13 December 2011, Examining Board: Prof. Bartolomé Yun Casalilla (EUI) - Supervisor Prof. Giulia Calvi (EUI) Prof. Nancy van Deusen (Queen's University, Kingston, Ontario) Prof. Jean Paul Zúñiga (EHSS, Centre de Recherches Historiques, Paris)

This research focuses on the Spanish women involved in the transatlantic emigration to the Viceroyalty of Peru during the period 1550 to 1650. Through the analysis of passenger records, travel's licenses and personal correspondence, I study the specific characteristics of women emigration to America, its particular evolution and constrains, emphasizing the role played by women in the family groups of travel. The research uses a transnational approach with documents from both Spanish and American archives. The combination of sources from both sides of the Atlantic allows me to link the evolution of the marriage market in the city of Lima with the process of Spanish female emigration. Moreover, by selecting diverse case studies this thesis analyzes the opportunities that Spanish women had to succeed, and how their options changed over the period due to the appearance of the new Creole elite. The increasing difficulties in the marriage market and the restricted access to the elite motivated the social problem of single Spanish women in colonial Lima. This conflict was already solved by informal ties of mutual help and the creation of formal institutions of charity and convents. By focusing on issues like gender, emigration and social mobility, this dissertation analyzes the social constrains of women both in Spain and Peru and the existence of a family structure that allowed them to participate in the emigration flow. Furthermore, this migration process and the subsequent settlement in America produced the empowerment of women during the first decades of the colony.

<http://hdl.handle.net/1814/20066>

ANDRIYCHUK, Oles

The Constitutional Foundations of Competition: Economic freedom and its (self-) limitation

EUI PhD theses, Department of Law

Defence date: 17 December 2011, Examining Board: Professor Hanns Ullrich, EUI (supervisor), Professor Giorgio Monti, EUI Professor, Andreas Heinemann, University of Zurich, Professor Philippe Coppens, Catholic University of Leuven

The task of this thesis is to provide a conceptual analysis of the phenomenon of competition law. It argues that the competitive process represents a distinctive feature of liberal democracy. The suggested constitutional recognition of competition implies that its legal status can be reduced neither to the cost-benefit calculus nor consumer welfare benchmark. This research proceeds as follows. The introductory chapter offers an overview of the main topics. The next chapter looks at the historical evolution of the concept of competition and explores the phenomenon of competition from the perspective of economic theory. The third chapter analyses the conceptual foundations the US and EU competition laws. The fourth chapter addresses the main theoretical background of the competitive process, comparing the role of competition in political, cultural and economic systems, developing the normative premises of the research. The fifth chapter concentrates on mechanics of balancing, which reflects the main methodological aspects of coexistence of competition with other economic and social values. In the sixth chapter the phenomenon of competition is explored from the broader legal theoretical perspective, contextualising the competitive process with the main theoretical problems of jurisprudence. It concentrates upon the jurisprudential aspects of the problem of balancing, trying to

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apply the techniques, developed in the previous chapter to the legal discourse with the purpose to demonstrate the significance of the competitive process not only in economic, political and cultural aspects, but also for the law itself. The final chapter explains the normative proposal, which this analysis puts forward, explores its practical implications and summarises the main finding of the overall research.

<http://hdl.handle.net/1814/20060>

ARAJÄRVI, Noora Johanna

The Changing Nature of Customary International Law: Methods of interpreting the concept of custom in international criminal tribunals

EUI PhD theses, Department of Law

Defence date: 4 February 2011, Examining Board: Professor Pierre-Marie Dupuy, EUI and Graduate Institute of International and Development Studies, Geneva (Supervisor), Professor Martin Scheinin, EUI (Co-supervisor), Professor Claus Kreß, University of Cologne, Professor Fausto Pocar, University of Milan

Article 38(1) of the Statute of the International Court of Justice lists the sources of international law: treaties, customary international law, general principles, judicial decisions and the teachings of the most highly qualified publicists. Traditionally, the formation of customary international law is constituted of two elements, state practice and *opinio juris*, in other words, the action of states and the subjective belief that the action is required by law. On occasions, however, the rules labelled under customary international law are not found through the process of establishing state practice and *opinio juris*, but stem from other normative considerations, as the case-study of international criminal tribunals illustrates. This thesis examines the nature of customary international law and the 'modernised' version of it; what distinguishes the traditional and novel concepts; where do they arise from - the process of their formation; and their relationship with other sources of international law. The critical analysis concentrates on this transformed process of discovering rules categorised as customary international law, and the impact of this novel process on the understanding of the nature of customary international law, as well as on the legitimacy of the resulting rules. The thesis does not, finally, purport to renounce the expansion of the sources of international law, but rather directs the criticism on the methods of finding customary international law and the compliance to the principle of legality, and notes that criminal trials may not be the appropriate venues for the discovery of novel sources of law or the explicit extension of the scope of existing sources.

<http://hdl.handle.net/1814/16055>

BARA, Anna

Siberian bosses : elite formation and legitimization in Russia from a regional perspective (1991-2004)

EUI PhD theses, Department of History and Civilization

Defence date: 14 October 2011, Examining Board: Prof. Arfon Rees, EUI - Supervisor Prof. László Bruszt, EUI Prof. Cameron Ross, University of Dundee Prof. Marie Mendras, Sciences Po, Paris School of International Affairs

The political power to direct society is legitimate only when it expresses the identity of society and is attached to social values and norms. The problem is that, in Russia, the demolition of the Communist ideology and the disappearance of the country's borders as defined by the Soviet Union called the essence of Russian identity into question. This question was mainly answered in negative terms by rejecting the Soviet model of social and individual existence. The paradox is that the majority of the new political elites in fact possessed rather extensive records of political, professional and personal commitments to the now defunct Soviet constitutional order. This thesis undertakes to illustrate the elements upon which the newly institutionalized elites subsumed themselves into self-legitimizing narratives with the goal of obtaining, maintaining and exercising power in the remote Russian regions. Provided that the cohort of central elites had been historically recruited from the pool of regional elites, the findings of the thesis present a viable study of successful narratives of legitimization for the securing of elite positions far beyond the regional level.

<http://hdl.handle.net/1814/19424>

BASTEN, Christoph

Four Essays in Applied Economics

EUI PhD theses, Department of Economics

Defence date: 29 April 2011, Examining Board: Prof. Erich Battistin, University of Padova Prof. Luigi Guiso, Supervisor, European University Institute Prof. Andrea Ichino, University of Bologna Prof. Erzo F. P. Luttmer, University of Dartmouth

The four papers constituting this thesis cover a range of different topics, thus reflecting the breadth of issues I have worked on in the course of my PhD. All seek to rely as little as possible on prior assumptions, and to approximate as far as the context allows the ideal of a fully randomized experiment. The papers are listed in the chronological order in which I have worked on them, and are now briefly discussed in turn. Chapters 1 and 2, which are joint work with Frank Betz, investigate the extent to which the Protestant Reformation has influenced respectively preferences for leisure (chapter 1) and preferences for redistribution and state intervention (chapter 2) in present-day Switzerland. Both focus on a region in the South-West of Switzerland, part of which was forced in the 16th century to convert to Protestantism whereas the other part was to remain Catholic. 15th century population figures along with a wide range of qualitative evidence allow us to demonstrate the equality of the two regions before the event, and hence the causal nature of the present-day differences found. By complementing our Instrumental-Variable analysis with a Spatial Regression Discontinuity Design that focuses on those municipalities situated nearby the historical religious border, we are furthermore able to address potential concerns about remaining confounders in the domains of geography, proximity to France, and proximity to the nearby city of Geneva. The first paper, on preferences for leisure, speaks to the very active recent literature that seeks to empirically test Weber [1904]'s famous hypothesis whereby the Protestant Reformation has led to a more pronounced "work ethic" and thereby increased economic prosperity. It stands out from prior work in the literature for employing direct measures of "work ethic" as well as for focusing specifically on those "Ascetic" strands of Protestantism which Weber [1904]'s hypothesis is based on. We find that traces of a "Protestant work ethic" can be found until the present-day, in attitudes as well as actual working behavior, but we do not find significant effects on present-day income per capita. Looking beyond the Weber debate, this evidence is interesting also as an example of how a historic event, through the channel of culture, can have effects that persist until the present day. The second paper moves from self-regarding to political preferences, analyzing attitudes on the extent to which the government should intervene in the market, and the extent to which it should redistribute the returns generated therein. We confirm the hypotheses implied by the works of the sociologists Esping-Andersen [1990] and Manow [2002] whereby *ceteris paribus* "Ascetic Protestantism" has led to weaker preferences for redistribution and government intervention than Roman Catholicism. These differences are then found to manifest themselves also in a range of economic outcomes, such as measures of the inequality of pre-tax income within each municipality. They can be seen to refute Marx [1904]'s view whereby existence determines consciousness rather than consciousness existence. Chapters 3 and 4, joint work with Andreas Fagereng and Kjetil Telle, focus on the labor market and household finance, with very direct implications for public policy. Both make use of Norwegian administrative data, which are based on the highly reliable and comprehensive Norwegian tax registers, and cover the universe of Norwegian tax payers. Chapter 3 uses these data to track the paths of income, wealth and holdings in different asset classes around the year of job loss. Panel data techniques and the complementary use of information on plant downsizings allow us to find clear evidence that households start to accumulate additional savings and to reallocate these to less risky and more liquid asset classes from about 2 years before their job loss, subsequently deplete these and further savings to cushion consumption while unemployed, and finally start rebuilding their savings to the initial level, all within +/- 4 years of their job loss. We also find that the extent to which households employ such consumption smoothing strategies is smaller for those with lower initial holdings and for the young, that it does not seem to vary significantly with unemployment spell length, and that it is higher (*sic*) for those whose income shock is more permanent. The above-mentioned evidence on the importance of prior holdings is evidence in favor of liquidity constraints, but is only tentative due to the likely endogeneity of these prior holdings. This limitation is addressed in the 4th chapter. This investigates the responsiveness of job search duration, which can be interpreted as a form of consumption, to quasi-randomly assigned lump-sum severance payments. Identification is achieved by

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exploiting discontinuities in the available amounts along the age and time dimensions. We thus find that that each NOK 1,000 of severance pay lowers the propensity to start a new job on any day within the first 24 months of job loss by about 1.4% relative to the group not receiving any severance pay. Such an effect has previously only been investigated and found for Austria, where the generosity of unemployment insurance is low relative to most other OECD economies other than the US. Our finding that such an effect exists even in a country with as high and equitable private wealth and as generous unemployment insurance as Norway suggests that liquidity constraints are likely to be a relevant phenomenon also in many other OECD economies.

<http://hdl.handle.net/1814/20068>

BELAVUSAU, Uladzislau

Freedom of Expression: European and American constitutional models for Central and Eastern Europe

EUI PhD theses, Department of Law

Defence date: 30 May 2011, Examining Board: Professor Wojciech Sadurski, University of Sydney / EUI (Supervisor), Professor Giovanni Sartor, EUI / Università degli studi di Bologna (Co-Supervisor) Professor Jiří Přibáň, University of Wales, Cardiff, Professor Michel Troper, Université Paris X Nanterre This doctoral thesis inquires into the role and perspectives of the 'European' (mandatory) and 'USA' (persuasive) constitutional models of the right to freedom of expression for the constitutional debate in Central and Eastern Europe (CEE). This survey is based on the study of socio-legal developments in the Czech Republic, Hungary, and Poland, embracing the period of post-communist transition until 2010. The research focuses on three controversial issues in the realm of freedom of speech, namely (1) hate speech, (2) historical revisionism, and (3) pornography, before the U.S. Supreme Court and European Court of Human Rights. The essential novelty of the project is an assessment of European standards of free speech and non-discrimination beyond the mechanisms of the Council of Europe, encompassing the relevant aspects of EU law (judgements of the European Court of Justice and harmonised instruments) as mandatory standards for courts and legislators, including those in CEE. The research methodology transcends a standard case law assessment (comparative constitutional, public international, and EU law), normative jurisprudence and analytical philosophy, incorporating critical approaches stemming from post-structuralist scrutiny, rhetoric, sociology, legal history, history of ideas, and art criticism.

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BENEDETTI FASIL, Cristiana

Essays on Firm Dynamics, Endogenous Growth and International Trade

EUI PhD theses, Department of Economics

Defence date: 18 June 2011, Examining Board: Professor Omar Licandro, Supervisor, Instituto de Análisis Económico (CSIC) Professor Fernando Vega Redondo, European University Institute Professor Boyan Jovanovic, New York University Professor Hugo Hopenhayn, UCLA Recent empirical firm level studies reveal the structural heterogeneity of firms in process and product innovation, as well as the central role of product quality in determining world trade patterns and intensities. This calls for a better understanding of the link between firm heterogeneity and the innovation and export decisions of firms which are at the base of productivity growth and, hence, economic growth and development. My dissertation contributes to this debate focusing on the supply side. I propose a novel way to model the production technology of firms by introducing two attributes of firm heterogeneity: cost efficiency and product quality. The goal of the first thesis chapter is to study the effects of process and product innovation on firm dynamics, productivity and endogenous long run growth. In the second chapter an open economy framework with trade between symmetric countries is analyzed. Here the focus is on quantifying the impact of trade as well as trade liberalization on firm innovation dynamics and productivity- and aggregate growth. The third chapter abstracts from endogenous growth and examines the role of the two attributes of firm heterogeneity in shaping the trade patterns and intensities within and across developed and developing countries.

<http://hdl.handle.net/1814/17995>

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BOBEK, Michal

Comparative Reasoning in European Supreme Courts: A study in foreign persuasive authority

EUI PhD theses, Department of Law

Defence date: 16 March 2011

No abstract available

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BOSSY, Sophie

Utopia In Social Movements: A cross-national comparison of the political consumerist movement in France and the United Kingdom

EUI PhD theses, Department of Political and Social Sciences

Defence date: 22 November 2011, Examining Board: Professor Donatella della Porta (EUI, Supervisor)

Professor James Jasper (City University of New York) Professor Michal Keating (EUI, University of Aberdeen) Professor Lilian Mathieu (Ecole Normale Supérieure, Lyon)

This research investigates an often forgotten aspect of collective action, its imaginary dimension, by focusing on an overlooked concept: utopia. According to me, utopia is both a form of discourse and a set of particular practices. Thus, to be called utopian, a discourse has to include, first, a rejection of the existing society, and second, if not a clear conception of what another world might look like, at least the idea that another society is possible and desirable. And, to be called utopian, practices need to be an attempt to create here and now at least some of the features of this utopian discourse, in the hope of a spread in the rest of society. This definition of utopia has been inscribed in a theoretical reflection linking the concept to the other explanatory dimensions of social movements in order to see how bringing utopia in the debate can highlight some neglected aspects of collective action. In order to investigate the presence and the impact of utopia, I have decided to conduct a comparative case study within a single social movement: political consumerism. I understand political consumerism as a social movement in which a network of individual and collective actors criticize and try to differentiate themselves from traditional consumerism by politicizing the act of buying in order to search for and promote other types of consumption. Thus I have observed four groups from two countries, France and the UK: two convivia of the Slow Food organization, a group of de-growth promoters surrounding the Casseurs de Pub and an intentional community living with the principles of ecovillages called Redfield Community. Through the study of these groups, I have been able to uncover the “grammatical structure” of their utopias and, then, the content of these utopias. Once this done, I have observed the interactions between utopian discourses and utopian practices. Individually, utopias, through these interactions, end up shaping the whole life of the activists and, collectively, they have consequences for many of the choices groups make. They constrain them so that they choose means that are consistent with their ends, but they also help them move beyond some of the difficulties the groups meet. These interactions also involve an emotional work that is both directed towards the activists themselves and towards outsiders. Finally, I have looked at the dialectical relationship that exists between utopia and the involvement people have in collective action. Activists use their utopias more or less consciously to have an impact on society, convince others of the rightness of their cause and protect themselves against attacks from others. Moreover, utopia has a role in the positioning of these groups in the spaces of social movements and politics.

<http://hdl.handle.net/1814/20061>

BURKE, Ciarán J.

The Equitable Theory of Humanitarian Intervention

EUI PhD theses, Department of Law

Defence date: 24 November 2011, Examining Board: Prof. Martin Scheinin, European University

Institute (Supervisor) Prof. Francesco Francioni, European University Institute Prof. Martti

Koskenniemi, University of Helsinki Dr. Christopher Rossi, University of Iowa”

This thesis aims at the resolution of a dilemma which has been bothering international lawyers for at least two decades, namely whether armed intervention as a response to gross and massive human rights violations is ever legally justified without the authorization by the Security Council pursuant to Chapter VII of the United Nations Charter. Thus far, international lawyers may be said to have been

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caught between giving a negative answer on the basis of the rules in the Charter, and a 'turn to ethics', i.e. declaring humanitarian intervention legitimate on moral grounds, while leaving questions of legality to the side. These two camps may be termed 'positivists' and 'moralists' respectively. In this thesis, a third solution to this dilemma is proposed. The idea is presented that many equitable principles may qualify as 'general principles of law recognised by civilised nations' – the third principal source of international law, a conclusion based upon detailed research of both national legal systems and the international legal system itself. These principles, having normative force in international law, are then used to craft an equitable framework for humanitarian intervention. It is argued that the dynamics of their operation allow them to interact with the UN Charter regime and customary international law in order to fill gaps in the existing legal structure and soften the rigours of strict law in extreme circumstances. It is asserted that many of the arguments of the moralists are justified, albeit based upon firm legal principles rather than ethical and philosophical theory. The equitable framework proffered in the final chapter is designed to provide an answer to the question of how the concept of humanitarian intervention may be integrated into the realm of law. Certainly, this will not mean an end to controversies regarding concrete cases of humanitarian intervention. However, it will enable the framing of such controversies in legal terms, rather than as a choice between the law and morality.

<http://hdl.handle.net/1814/20055>

BØLSTAD, Jørgen

Principles, Interests and Beliefs: Public opinion on international aid

EUI PhD theses, Department of Political and Social Sciences

Defence date: 15 July 2011, Examining Board: Professor Mark N. Franklin, European University Institute (Supervisor), Professor Stein Kuhnle, Hertie School of Governance and University of Bergen Professor Alain Noël, Université de Montréal, Professor Sven Steinmo, European University Institute

Why do some individuals show more support for international aid than others? And are people in donor countries less supportive of the idea of aid than those in recipient countries? These are the primary questions motivating this thesis, and the results can be summarized by four main findings. One is that the level of economic development, which determines a country's status as a potential aid donor, has a strong influence on support for aid, as citizens of more developed countries are considerably less in favor of increasing aid than others are. The second finding is that, among donor countries, the level of development is positively related to several forms of opposition to the donation of aid. This appears partly due to the fact that more developed countries have donated more aid, for a longer period. Respondents in countries that donate more are more likely to find current levels of international aid sufficient, and this may explain part of the between-country differences. In other words, people in donor countries may find the extent of international aid satisfactory at lower levels than those in other countries. Most notably, however, people in more developed countries are more likely to state disinterest as a reason for not supporting aid, and this reason is the only one that has a clear impact on aggregate levels of support. There is also some evidence that greater donations increase skepticism regarding the impact of aid, but it is not clear that this affects aggregate support. Furthermore, the third finding is that individual beliefs regarding the impact of aid are endogenous to support for aid. While such beliefs appear to influence the support for aid at the individual level, there is also a significant effect of support on the beliefs themselves. The fourth finding is that the negative relationship between economic development and support holds for all but the very least developed countries of the world. It appears that respondents in the latter countries are living under such conditions they lack the critical opinions typically found in more developed countries, making it hard to compare them to those from more developed countries.

<http://hdl.handle.net/1814/18401>

CALCAGNO, Claudio A.

Essays on imperfect competition

EUI PhD theses, Department of Economics

Defence date: 19 September 2011, Examining board: Elena Carletti, Internal Supervisor Massimo Motta, External Supervisor, Universitat Pompeu Fabra Thibaud Vergé, Chief Economist, Autorité de la Concurrence (French NCA) Paul Seabright, Université des Sciences Sociales de Toulouse

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This thesis in applied microeconomics explores different aspects of imperfect competition. All three chapters are motivated by recent developments in real-world economies. First, I explore the implications of a recent reform by the European Commission whereby victims of antitrust injury can seek stand-alone private damages (SPDs) directly before courts. I show that any gain in deterrence has to be traded off against costly litigation and enforcement costs, and that these tradeoffs are heterogeneous across market sizes. SPDs can improve welfare only if the competition authority is sufficiently effective: private damages are a complement to (good) public enforcement, not a substitute. Finally, in the case of a resource-constrained competition authority, whilst a “hands-off” approach might have been warranted absent SPDs, this is no longer true once stand-alone actions are introduced. Second, I investigate under what conditions exclusion can arise under collective behaviour, in a setting with an efficient downstream entrant. Tacitly collusive equilibria can be sustained either by jointly excluding the entrant or through entry-accommodating strategies. The latter class of equilibria entails vertically integrated incumbents collusively extracting the rent deriving from the entry of a more efficient downstream competitor. I show that, for intermediate discount factors, whenever the entrant is not too much more efficient than the incumbents, the integrated firms find exclusionary collusive equilibria more profitable than entry-accommodating collusive equilibria. Moreover, exclusionary collusive equilibria arise as a (profitable) outcome when the entrant’s cost is uncertain (and equilibrium tariffs will be such that only very efficient entrants will be allowed in). The retail petrol market (the object of recent antitrust scrutiny) is then analysed as a useful setting to apply my framework. Third, in a paper with Bertsch and Le Quement, we study some possible implications of the bailout regimes witnessed in the aftermath of the recent financial crisis. Notwithstanding the well-known effects of State aid on moral hazard, governments setting up aid schemes to ailing banks (or firms more generally) may increase the likelihood of (tacit) collusion in industries characterised by idiosyncratic shocks. In particular, we show that, in a repeated-game setting, a systematic bailout regime increases the expected profits from cooperation and simultaneously raises the probability that competitors will still be in business to carry out punishment against cheaters. This is detrimental for welfare for intermediate discount factors or (for any discount factor) whenever the direct rescue costs are too large.

<http://hdl.handle.net/1814/19422>

CALLIGARO, Oriane

Negotiating Europe: EU promotion of Europeanness and non-institutional actors since the 1950s

EUI PhD theses, Department of History and Civilization

Defence date: 8 July 2011, Examining Board: Prof. Kiran Klaus Patel (EUI), Prof. Rainer Bauböck (EUI), Prof. Juan Díez Medrano (University of Barcelona), Prof. François Foret (ULB, Brussels)

The concept of Europe is a strong symbolic underpinnings of European integration. Europe functions as a mobilizing metaphor, a sign of recognition that indicates belonging to a community in formation. At the institutional level, the mobilization of narratives on Europe participates in the promotion of Europeanness. It aims to render the project of European integration, which is perceived by most Europeans as abstract and technocratic, more concrete, and to arouse feelings of belonging to the European Union. Europeanness is understood as a flexible and contingent relation to the category ‘Europe’ and not necessarily as an identification with a fixed substance. The goal of this thesis is to demonstrate that the promotion of Europeanness does not constitute the kind of overarching identity policy that imposes a homogenous interpretation of European identity. Rather, I argue that promoting Europeanness is a process of negotiation in which entrepreneurs of Europeanness within the European institutions involve non-institutional actors and charge them to invent and communicate representations of Europe. Both the negotiation and the hybrid and multilayered representations of Europe that it produces are investigated through four case studies: the academic world and specifically, the historians, negotiations over European cultural heritage, the second European City of Culture Florence 1986 and the iconography of the euro. The thesis adopts a socio-constructivist approach in which the promotion of Europeanness is considered as a collaborative and social process. It implies the invention of new rules and norms and the resort to inter-institutional agreements, unwritten administrative procedures and informal modes of behavior. The investigation into various types of promotion of Europeanness reveals that, although ‘unity in diversity’ is systematically proclaimed, a celebrative and

teleological approach to Europe is remarkably resilient, advocated not only by the European Commission but also by Members of the EP, representatives of national governments level and non-institutional actors.

<http://hdl.handle.net/1814/18397>

CASAL BÉRTOA, Fernando

The Institutionalization of Party Systems in East Central Europe: Explaining variation

EUI PhD theses, Department of Political and Social Sciences

Defence date: 6 June 2011, Examining Board: Prof. Peter Mair, European University Institute (Supervisor), Prof. Laszlo Bruszt, European University Institute, Prof. Ferdinand Müller-Rommel, University of Lüneburg, Prof. Leonardo Morlino, Istituto di Scienze Umane (Florence)

This dissertation aims at providing an answer to the question of how party system institutionalization occurs and why it varies so much across countries, through a comparative analysis of the process of party system institutionalization in East Central European democracies (i.e. Czech Republic, Hungary, Poland, and Slovakia). This work seeks to enhance the literature in three different ways. First of all, party and party system institutionalization are clearly considered as two different, although related, phenomena. Second, and building on Mair (1996, 2001), it attempts to advance party system analyses by improving the operationalization of institutionalization. In this context, a new operationalization which is both conceptually and empirically superior to the existing ones is suggested. Finally, and contrary to the tendency of explaining party system formation and development using either an institutional or a sociological approach, a serious effort is made to bring the two approaches together when examining the process of party system institutionalization in new democracies. The analysis here undertaken indicates that party system institutionalization in new East Central European democracies has been enhanced by both supportive institutional structures (i.e. political parties, electoral systems, type of regime) and strong “cleavage” structuration. The idea is that as individual political parties institutionalized (i.e. develop stable roots in society and solid organizations), they help voters to make the political expression of social cleavages more consistent, thereby avoiding instability in the patterns of inter-party competition for government. Second, party system format, itself a function of the type of electoral system adopted, also plays a role. The logic is that the lower the number of parties, the lower the transaction costs and the potential conflicts in terms of partisan interaction are likely to be. Third, in clear contrast to parliamentary regimes, semi-presidentialism has a negative effect (both direct and indirect) on the process of party system institutionalization. Finally, the type of cleavage development is considered to have a positive (cumulative) or negative (cross-cutting) effect on the process of systemic institutionalization.

<http://hdl.handle.net/1814/18402>

CHECHI, Alessandro

The Settlement of International Cultural Heritage Disputes: Towards a lex culturalis?

EUI PhD theses, Department of Law

Defence date: 7 March 2011, Examining Board: Prof. Francesco Francioni, European University Institute (Supervisor) Prof. Riccardo Pavoni, University of Siena Prof. Ernst-Ulrich Petersmann, European University Institute Prof. Marc-André Renold, University of Geneva

International practice in the past twenty years has shown the proliferation of a great variety of disputes concerning cultural heritage. However, no specialized dispute settlement mechanism is in place to deal with this type of dispute. Existing treaties do not set up any kind of special tribunal and do not provide the means for controlling the consistent application of their norms. As a result, controversies ought to be settled through traditional dispute settlement mechanisms, such as mediation, arbitration and litigation. However, this ad hoc fashion of dealing with cultural heritage disputes is not without consequences. The most serious problem is that the final settlement mostly depends on the forum selected by the litigants and on the applicable law. This dissertation discusses whether an improvement in the manner in which disputes are dealt with may at the same time enhance the safeguarding of cultural heritage. This research analyses the substantive and procedural issues involved in the settlement of international disputes concerning tangible cultural heritage in order to define the limits of the existing legal and institutional frameworks. Subsequently, it examines two possible solutions to overcome the lack of

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specialized dispute settlement mechanisms. The first is the establishment of a new international court. However, it is concluded that this does not constitute a feasible option for the time being. The second option centres on existing fora and proposes to rethink how adjudicators may better take account of the values and priorities underlying the policies of States, international organizations and other stakeholders. Furthermore, the examination of this option aims to identify a number of culture-sensitive principles. This thesis argues that the growing use and dissemination of jurisprudence containing these principles on the part of adjudicators can be conducive to the development of a *lex culturalis*, namely an autonomous, composite body of law aiming to enhance the protection of cultural heritage and to exclude the mechanical application of the norms enacted for normal business transactions involving ordinary goods.

<http://hdl.handle.net/1814/16056>

CIARI, Lorenzo

Essays in Economic Policy

EUI PhD theses, Department of Economics

Defence date: 12 September 2011, Examination Board: Prof. Pascal Courty, supervisor, University of Victoria Prof. Luigi Guiso, EUI Prof. Jacques Mairesse, CREST Prof. Marcello Pagnini, Banca d'Italia
No abstract available.

<http://hdl.handle.net/1814/18814>

CORNELI, Flavia

Global Imbalances: Saving and Investment Imbalances

EUI PhD theses, Department of Economics

Defence date: 13 April 2011, Jury Members: Prof. Giancarlo Corsetti, University of Cambridge and EUI, Supervisor Prof. Árpád Ábrahám, EUI Prof. Mark Aguiar, University of Rochester Prof. Christopher Carroll, Johns Hopkins University

The goal of the present thesis is to analyze the diverging savings and investment behavior among countries. The purpose of this work is to suggest possible explanations for the so called .global imbalances. In particular, the focus is on the negative asset positions of the US and the positive asset positions of emerging economies. The .rst two chapters study the effects of capital market liberalization among countries with structural differences and in particular different financial market depth. Global imbalances are generated by higher propensity to save as well as lower propensity to invest in financially underdeveloped countries, with respect to countries with better financial institutions. The analysis is able to reproduce medium term net capital flows towards financially advanced economies as a result of financial integration. Moreover, capital liberalization generates welfare losses for emerging economies and a reduction of their capital convergence towards the steady state. The third chapter focuses on one of the most debated aspects of international capital movements, namely sovereign reserve accumulation by emerging countries, as a form of precautionary saving to be employed to face liquidity crises. The analysis investigates the determinants of the opportunity cost of holding reserves, and finds that countries optimally decide to hold a positive amount of reserves. Countries' lenders set the cost of debt by taking into account countries' decisions and their economic and financial characteristics.

<http://hdl.handle.net/1814/17181>

CORONA, Daniela

Il Consiglio dei Ministri nella procedura di codecisione: problematiche giuridiche e prassi istituzionale

EUI PhD theses, Department of Law

Defence date: 1 July 2011

No abstract available

<http://hdl.handle.net/1814/18411>

DAVIDSSON, Johan

Unions in Hard Times. Labour Market Politics in Western Europe: Two Patterns of Reform

EUI PhD theses, Department of Political and Social Sciences

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Defence date: 19 September 2011, Examining Board: Professor Sven Steinmo, European University Institute (Supervisor) Professor Pepper Culpepper, European University Institute Professor Bruno Palier, Science-Po (Paris) Professor Giuliano Bonoli, IDHEAP

How can we understand labour market reforms in the era that has been described as governed by retrenchment and austerity? This thesis proposes that the patterns of reform that can be seen in Europe can be explained by the varying degrees of unions' institutional power resources (IPRs). In the former period of expansion, unions could opt for maximalist solutions, but in the period of liberalisation and retrenchment they are forced to resort to secondbest solutions. To defend their power over the long term, their organisational interest, unions have had, on the one hand, to defend their own role in the deliberation and administration of policy reform, and on the other hand, to defend specific policies in which they have a vested interest (IPRs). This has meant that unions have agreed to deregulation and cutbacks, but only with regard to those policies which do not threaten to undermine their IPRs. Unfortunately, for labour market outsiders those policies have corresponded to policies that benefit insiders. Thus, in countries with strong IPRs, as in France and Sweden, we see dualist reform pattern whereas in countries with weak IPRs, as in the UK, we see a liberal reform pattern with general deregulation and cutbacks. This thesis makes three contributions to the literature. First, by looking at institutional power instead of traditional power resources (union density, socialdemocratic parties in government) we can see that unions in France, while having few members and low-level coordination capacities, in fact have been more powerful than unions in Sweden. Second, we see a dualist reform pattern also in Sweden, a country known for its universal welfare system and encompassing unions. Despite the more encompassing union structure, unions have opted for similar second-best solutions as in France. Third, there has been a debate in the literature about whether dualisation (dual reform) has a dynamic that makes it persistent over time or if it is rather a first step towards liberalisation (liberal reform). The thesis contributes to this debate by arguing that dualisation persists when and where there exist strong IPRs. In Sweden, we can see that in policy areas where IPRs are strong there has been dual reform (employment protection) and where IPRs have been undermined there has been an emerging trend towards liberal reform (unemployment insurance, active labour market policy). Thus, we have a counterfactual where IPRs exist in one policy area but not in others in the same country. The thesis also includes a negative case, the UK, where IPRs were never established.
<http://hdl.handle.net/1814/18614>

DE FILIPPI, Primavera

Copyright in the Digital Environment : Ontologies of copyright and digital works

EUI PhD theses, Department of Law

Defence date: 18 October 2011, Examining Board: Professor Giovanni Sartor, EUI, Supervisor Professor Hans-W. Micklitz, EUI Dr. Maurizio Borghi, Brunel University Professor Molly S. van Houweling, UC Berkeley School of Law

The advent of Internet and digital technologies has radically transformed the way information is being produced and consumed. The consequences for copyright law are twofold. While digital media provide new opportunities for authors to produce and disseminate their works to the public, they simultaneously encourage and facilitate copyright infringement. Traditionally, in order to ensure compliance with the law, the copyright regime could rely upon the properties of physical media to constitute a natural barrier against copyright infringement. As the medium went digital, however, its properties became a catalyst for infringement. Designed for the physical world, the structure of the copyright does not adequately address the issues inherent to digital media. Private regulation therefore came into play in order to resolve the problem. While restrictive licensing agreements combined with technological measures of protection purport to reestablish a technological barrier against copyright infringement, permissive licenses such as Creative Commons purport to reduce the scope of protection granted by default under the law. Although differing in method, these approaches share a common goal: to realign the properties of the work with the properties of the digital medium by readjusting the legal attributes and technical characteristics of digital copies. As a legal concept, however, the notion of a copy must be precisely defined. After performing an ontological analysis of the copyright regime within the scope of the Functional Requirements for Bibliographic Records and the Information Artifact Ontology, the research concludes that physical copies fundamentally differ from their digital counterpart. While the former

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qualify as a token, the latter qualify as a class that is capable of multiple instantiations. Moreover, given that the identity of a digital copy can no longer be defined by its physical characteristics, it is fundamentally for the copyright license to determine the scope of the copy to which it refers.
<http://hdl.handle.net/1814/19443>

DEL HIERRO LECEA, Pablo

Beyond Bilateralism: Spanish-Italian relations and the influence of the major powers, 1943-1957

EUI PhD theses, Department of History and Civilization

Defence date: 16 June 2011, Examining Board: Prof. Kiran Klaus Patel (EUI) – Supervisor, Prof. Federico Romero (EUI), Prof. Fernando Guirao (University Pompeu Fabra), Prof. Andrew Rotter (Colgate University)

The aim of this work is to study Spanish-Italian diplomatic relations in the period 1943-1957. However, and in spite of the fact that the question of Spanish-Italian diplomatic relations between 1943 and 1957 will remain at the heart of this research, this is not merely a history of bilateral relations. In fact, the present work contends that this bilateral relationship cannot be studied in isolation and that a broader context is key, in order to obtain a full understanding of it. In this way, this research will also focus on how these two countries responded to the challenges of the post-war period, and how they struggled to pursue a more independent foreign policy with respect to the major powers. Hence, it is clearly important to analyse the degree of influence which Great Britain first and the United States afterwards exerted both in Spain and Italy and over their relations. The role of France will also be scrutinised, although it will be under a different light, since France did not possess the material capabilities to display a hegemonic policy in Western Europe after 1943. However, the French role in Spanish- Italian relations cannot be ignored either, especially after 1950 when the diplomats at the 'Quai D'Orsay' began to intervene more actively in the affairs of the two neighbouring states. Therefore, this research will also address the question of how much room for manoeuvre the Spanish and the Italian Governments really had in the diplomatic field. By accomplishing these objectives, the present research will enrich the existing field of scholarship of both the Spanish and Italian foreign policies after the Second World War and, at the same time, it will contribute to obtaining a better understanding of international relations in Western Europe during the post-war period and, especially the role of the major powers.

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DEZALAY, Sara

Revamping Law by Circumventing the State: Non-governmental organizations in the international management of social violence on the African continent

EUI PhD theses, Department of Law

Defence date: 21 June 2011, Examining Board: Professor Pierre-Marie Dupuy, Graduate Institute of International and Development Studies, Geneva (EUI Supervisor), Professor Johanna Siméant CESSP-CNRS Paris I-Sorbonne (External Supervisor) Professor Ron Levi Departments of political science and sociology University of Toronto, Professor Christian Reus-Smit, EUI, Political and Social Sciences Department

This thesis explores the social usages of the law in scholarly and professional spaces, in the North, that are sites of production and legitimation of tools devised to diagnose and prescribe solutions over armed conflicts on the African continent since the end of the Cold war. Based on the hypothesis of the "weak" character of an internationalized space of conflict management, it aims at tracing the triggers and logic of a "sens commun réformateur" over armed conflicts in the South, expressed in a three-pronged emphasis over prevention, pacification and punishment. It favors an empirical entry, the usages of the law by non-governmental organizations based in the United States and Western Europe. Its focus is restricted to social usages of the law ranging from the legitimation of military interventions to para-judicial tools such as "Alternative dispute resolution" to judicial international arenas. Divided in three parts, it traces firstly, the genesis and turn, expressed in policy and scholarly discourses and practices, towards a political economy of intervention, justified as triggered by the diagnosed failure of the recipient State in the African South, and articulated with a redefinition of intervention as a continuum ranging from prevention to military interventions. It shows, secondly, how non-governmental forms of

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intervention have been integrated within this redefinition of intervention as a modality not only of circumventing recipient States, but also of rebuilding social peace in the South, i.e. of building a “bottom up” State, and analyzes the redefinition of forms of legitimation of non-profit modalities of interventionism. It explores, thirdly, the instrumental role played by the law as a symbolic capital and a moral resource in accommodating a tension between constraint, including in the moral and legal arsenal deployed to justify military interventions, and order, in that the effect is one of legitimation within objectified legal hierarchies.

<http://hdl.handle.net/1814/18413>

ESPÍRITO-SANTO, Ana

The Symbolic Value of Descriptive Representation: The case of female representation

EUI PhD theses, Department of Political and Social Sciences

Defence date: 13 December 2011, Examining Board: Professor Mark Franklin (EUI, Supervisor)

Professor Joni Lovenduski (University of London, External Co-Supervisor) Professor Mona Lena Krook (Washington University in St. Louis) Professor Fabrizio Bernardi (EUI)

Most of the studies on political underrepresentation have tried to explain the factors that account for the underrepresentation of some groups in political power. The present research project focuses on the link between descriptive and symbolic representation and seeks to understand what consequences a more proportional political environment produces on the attitudes of both underrepresented and overrepresented groups towards the political system. Women remain among the least politically represented groups and therefore this project focuses on and analyses them in various political positions. Two dimensions of the relationship between citizens and politics are analysed: the level of political engagement and the evaluation of the political system. While there is a clear gender gap in the former, the same does not apply to the latter. This dissertation reaches three important achievements. The first one is to develop the first theoretical framework of the potential causal mechanisms that are likely to operate behind the impact that female politicians have on both women and men. The second is to show that men can indeed be positively influenced but mainly to clarify that the way they evaluate the political system is nearly the only way they are affected – their level of political engagement does not change. The third achievement is to show that, while most scholarship has been focusing on the topic political involvement, the presence of female politicians seems to be more connected to the way women evaluate the political system. This means that the ‘role model effect’ is not the main mechanism at work here. Instead, the idea that the presence of women is necessary to represent women’s interests and the fact that they are seen as bringing something new into the political world appear more influential factors. Altogether the signs of the impact of the presence of female politicians are modest.

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FALEK, Pascale

A precarious life : East European female Jewish students in interwar Belgium

EUI PhD theses, Department of History and Civilization

Defence date: 29 October 2011, Examining Board: Prof. Philipp Ther (EUI) - Supervisor Prof. Giulia

Calvi (EUI) Prof. Victor Karady (Central European University) Prof. Jean-Philippe Schreiber (Université Libre de Bruxelles)

More than one thousand East European Jewish women came to Belgium during the interwar years to pursue higher education. Who were these women? What political, economic and social developments caused these young women to leave their home countries at such a young age and embark on a foreign adventure? Furthermore, why did they end up at Belgian universities? And what kind of experiences did they have in Belgium? The aim of this study is to contribute to the question of transnational student migration by focusing on a case study that serves to combine social class, gender and foreignness. This work will attempt to demonstrate that these women encountered obstacles on several levels: as foreigners, as Jews and as women. Combining quantitative and qualitative analysis, this study mainly relies on methodological tools utilized in social history and migration history. Combining macro and micro level perspectives, the narrative follows the life trajectory of female students by examining the situation in their home country, their social backgrounds and their pursuit of education. Precariousness was the price these women had to endure to rise up the social ladder. East European Jewish women

who migrated to study in Belgium took major risks: they left their homeland, and with it the secure, comfortable middle-class environment that most of them grew up in. They consciously made the choice to challenge their condition and they ventured that they would improve their lives and achieve their dreams by taking such a gamble. They were independent, determined and emancipated they were full of fighting spirit and had real ambitions to prosper. These women knew that the insecurity they opted for was necessary to advance further and to succeed in life.

<http://hdl.handle.net/1814/19425>

FARRAND, Benjamin

The Pan-European Licensing of Digital Music: The effect of the harmonisation of copyright and the role of collecting societies

EUI PhD theses, Department of Law

Defence date: 12 December 2011, Examining Board: Professor Giovanni Sartor, European University Institute (Supervisor Internal) Professor Heike Schweitzer, University of Mannheim (Internal) Professor Roberto Caso, University of Trento (External) Professor Bernt Hugenholtz, University of Amsterdam (External)

The pan-European licensing of digital music for the non-commercial consumer is a highly topical issue in copyright law at the present time. Whereas the EU continues to strive for the further harmonisation of the internal market, markets for digital services remain an exception, where barriers are artificially raised, rather than brought down. Yet why is harmonisation in this area so difficult to achieve? This thesis seeks to explain the reasons why creating a harmonised market for digital services is difficult to achieve by approaching the question in a multi-disciplinary way. It focuses not only on how the harmonisation of other aspects of copyright law have led to the development of laws which actually hinder the development of online services, but also on why copyright law has developed in such a restrictive manner, by focusing on the role of industry lobbyists and policy makers in the development of contemporary 'digital' copyright law. These findings are considered in light of economic analysis of the copyright system, in order to demonstrate why the continued increases in levels of protection and terms of duration of copyright are not only unsupported by economic evidence, but actually appear to hinder the development of new technologies and systems of distribution, making it increasingly difficult to create a single market for digital media distribution. Finally, this thesis will consider the role of collecting societies both online and offline, and how these institutions lead to a further fragmentation of a single market for digital media. While their existence in the physical monitoring of performances may be considered as a 'necessary evil', their existence in online distribution markets do not appear to be supported by either law or economic evidence. The thesis will therefore conclude by considering whether further changes to copyright law should be reconsidered in light of the negative impact that they may have on not only consumers, but creative artists themselves.

<http://hdl.handle.net/1814/20057>

FERNÁNDEZ-BARRERA, Meritxell

User-Generated Knowledge through Legal Ontologies: How to bring the law into the Semantic Web 2.0

EUI PhD theses, Department of Law

Defence date: 6 December 2011, Examining Board: [Prof.] Giovanni Sartor, EUI [Prof.] Dennis Patterson, EUI [Prof.] Danièle Bourcier, CERSA (CNRS, Université Paris II) [Prof.] Pompeu Casanovas Romeu, Autonomous University of Barcelona (Institute of Law and Technology)

This thesis presents a study of the epistemological and cognitive assumptions which currently underlie knowledge acquisition for legal ontology engineering. The hypothesis is that such assumptions might have a qualitative effect on the final ontologicalterminological resources and therefore on the performance of the systems which use them. The first part of the thesis presents the state of the art in legal ontology engineering (the computational concept of ontology, a review of available legal ontologies and modelling methodologies). The second part of the thesis shows that currently knowledge acquisition in legal ontology learning is limited to very concrete legal genres, namely, legislation, case law and legal doctrine. The third part presents a case study in which two different legal genres are used for building a consumer law ontology: a traditional legal genre, Italian consumer regulation, and a Web

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2.0 genre, namely an online corpus of citizens' queries regarding consumer justice. Results proof the impact of legal genre variation on the construction of the domain ontology. Thus main findings suggest that Web 2.0 corpora are a rich source for the construction of ontological resources, and at the same time these new types of ontological resources might be useful in e-government applications aimed at increasing online communication with citizens. The framework in which the study is conducted is the convergence between Web 3.0 and Web 2.0. This convergence implies the addition of one level of complexity to the main goal of the Semantic Web (or Web 3.0). Indeed, whereas Web 3.0 applied to the legal domain implies the automatic semantic interpretation of traditional legal sources (i.e. laws, judgements, administrative decisions), and Web 2.0 implies distributed models of production of knowledge by unknown users (i.e. blogs, blawgs, forums, social networks), the convergence of both implies the semantic processing of textual input produced by laymen in a distributed way. From the point of view of governance models this technical endeavour has a direct impact on the design of new e-government platforms for public service provision and citizen participation. The study has thus a twofold relevance: technical, as far as legal knowledge acquisition methodologies and legal ontology modelling are concerned; and socio-institutional, given the importance of semantic processing of laymen input for the design of new relational patterns between citizens and institutions.

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FERREIRA DO VALE, Hélder

Changes from below : intergovernmental politics in democratizing federations

EUI PhD theses, Department of Political and Social Sciences

Defence date: 8 March 2011, Examining Board: Prof. Alexander Trechsel, European University Institute (EUI Supervisor) Prof. Adrienne Héritier, European University Institute Prof. Marta Arretche, University of São Paulo Prof. Xavier Coller, University Pablo Olavide

Who are more powerful in a federation, national or subnational politicians? As the cases of democratic Brazil, Spain and South Africa show, there is no straightforward answer to this question. As the power of politicians in a federation can be periodically changed, in democratizing federations such as Brazil (1988-2002), Spain (1979-2004), and South Africa (1994-2007) subnational politicians have been constantly bargaining to increase their autonomy vis-à-vis national politicians through a process of federalization and decentralization. In the light of these processes, I explain how and why the locus of authority has changed after a democratic constitutional pact has been reached between national and subnational political elites in the three cases. In the comparison, I observe that in democratizing countries where decentralization and federalization (independent variable) unfold under a bargained interaction between levels of government, the subnational political actors can gain institutional and policy autonomy (dependent variable) to shift the balance of power to the subnational levels (e.g. municipalities and states/provinces). In building a causal chain of events that explains changes in the intergovernmental balance of power, I show how and why decentralization-cumfederalization leads to de facto subnational autonomy in Brazil, Spain and South Africa. This research suggests that when changes in the intergovernmental dynamics occurred in Brazil, Spain, and South Africa, they were mainly endogenously generated by a mechanism that has reinforced over time the prevailing interest of subnational political elites reached at the time of the all-encompassing constitutions. The research findings indicate that despite the variations in the strategies of intergovernmental actors to shift the intergovernmental balance of power, the subnational interests have prevailed most of the time through decentralization and federalization processes. In all three cases intergovernmental relations changed from a centralized to a more dispersed distribution of authority, and from an imposed form of cooperation to a more bargained one. In order to search for external validation, I compare the abovementioned findings against the experiences of three additional countries —India, Malaysia and Mexico. These countries have shown that, despite being federations, intergovernmental bargaining has been limited and the processes of decentralization and federalization have been undermined by national political elites. This case-oriented research accomplishes the following goals: theoretically, it proposes a model that explains change and shifts of intergovernmental balance of power across countries; and, empirically, it presents the conditions under which intergovernmental balance of power can be changed.

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GALTUNG, Irene

Lawyers or Liars? Is world hunger suable in court?

EUI PhD theses, Department of Law

Defence date: 21 October 2011, Examining Board: Professor Francesco FRANCONI, EUI (supervisor) Professor Martin SCHEININ, EUI, United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism Professor Olivier DE SCHUTTER, University of Louvain, United Nations Special Rapporteur on the right to food Professor Christopher MC CRUDDEN, Oxford University

If, the right to food (which includes the right to safe drinking water) is a justiciable right (i.e. a right that is claimable in court), then people can claim it, which is precisely why it is argued to be non-justiciable. Indeed, then 1 billion people can claim it. According to the thesis, this is the key question in law: Is the right to food and water justiciable in court? Yes, the thesis affirms, despite hostile opposition by lawyers and non-lawyers alike. The thesis aims at contributing to the legal debate on the meaning of the right to food, i.e. it aims explicitly at exploring the justiciability of the right to food. The thesis does so by seeking to provide, for the first time, what the thesis calls, a systematic “legal map” of its justiciability, under national and international law. It seeks to piece together this puzzle in law. While legal scholarship exists on the justiciability of the right, this stops short of providing – literally – a legal map of the issue. This subject is particularly contentious today, due to the recent dramatic rise in food prices, and now financial crisis. The relevance of the subject can, thus, readily be seen. The thesis is about justice for 1 billion people. This is why the thesis asks two key questions relating to the right to food. First, can the right be claimed? Second, can the claim be righted? Both questions aim at improving the lives of the poorest. In this sense, they represent today’s leading puzzles in law about how this may be achieved. According to the thesis, these puzzles are present (at all levels of law) from national constitutions, to international conventions, to customary international law, i.e. the law is surprisingly and infelicitously ambiguous as to whether one of the most fundamental rights can be claimed in a court of law. The thesis will try to show that it is possible to claim multiple breaches of this right, against multiple duty-bearers. Simply stated, will such claims succeed in court? A lot depends on what judges are willing to make out of the texts before them.

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GERSTER, Daniel

Katholiken im Kalten Krieg : Ein Beitrag zur politischen Kultur der Bundesrepublik Deutschland, 1957-1983

EUI PhD theses, Department of History and Civilization

Defence date: 9 September 2011, Examining Board: Prof. Heinz-Gerhard Haupt (EUI) - Supervisor Prof. Martin van Gelderen (EUI) Prof. Benjamin Ziemann (University of Sheffield) Prof. Paul Nolte (Freie Universität Berlin)

The thesis examines how Catholics in West Germany participated in public discourses on war and peace during the major period of the Cold War (1957-1983). As a result, the study provides new insights into the transformations of religion and society after 1945. First, it reveals a fundamental and lasting re-codification of the political culture of Catholics in West Germany. While most Catholics had primarily focussed on the limitation of war, their attitudes changed towards positive and dynamic peace concepts during the 1960s and 1970s. At the same time, an increasing plurality of Catholic opinions was recognizable. Second, this re-codification of Catholic concepts of peace and war came closely along with a more general re-structuring of the Catholic discourse during the sample period. Part of this process was a general conflict about Catholic self-perception. Against this background, individualistic and pluralistic ideas stood against the continuing hierarchical conception of the Church. The re-structuring included institutional changes which corresponded to the aforementioned tensions. In addition, the process imposed a new understanding of the “Catholic public sphere”. Third, these interior transformations were deeply connected to a re-definition of the religious field. On the one hand, this process included a continuous involvement with other religious actors and, in the West German case, Protestants especially. On the other hand, discourses on peace and war easily exposed the boundaries between the religious and political spheres, especially as the power of public peace movements was growing. Against this background, the study reveals a politicisation of Catholic discourses during the

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1960s and 1970s followed by a withdrawal into the religious sphere during the 1980s, a strongly interdenominational decade. Finally, the participation of West German Catholics in public discourses on war and peace contributed the pacification of the Cold War in the long run. Catholics promoted a reduction in distrust between Western and Eastern countries by campaigning for reconciliation. At the same time, they increased their own commitment in development cooperation. Lastly, the positive peace concept decisively delegitimized an oversimplified, military security policy.

<http://hdl.handle.net/1814/19426>

GHELLI LUSERNA DI RORÀ, Caterina

Investor Protection After the Lehman Brothers Case

EUI LLM theses, Department of Law

Supervisor: Hans-W. Micklitz, Defence date: 12 December 2011

<http://hdl.handle.net/1814/20058>

GOÑI-PACCHIONI, Edwin Antonio

Essays on Labor and Development Economics

EUI PhD theses, Department of Economics

Defence date: 3 June 2011, Examining Board: Prof. Massimiliano Marcellino, EUI, Supervisor Prof.

Luigi Guiso, EUI Prof. Christian Dustmann, University College London Dr. William Maloney, The World Bank

This work comprises four essays in two related areas: labor and development economics. On the labor side, two essays study (i) the effects of sizeable policy reforms over labor informality and (ii) the relation between productivity and wages in a context of substantial informality and high turnover rates. On the development side, two essays provide a comparison between developed and developing countries in the following aspects: (iii) the degree of complementarity of production factors and their capacity to translate R&D investments into economic growth and (iv) the effects of fiscal redistribution over income inequality. Within the context of Latin America - the most income-unequal and labor-informal region in the world - this work intends to augment the understanding of the behavior, dynamics, interactions and contributions of productive factors (labor and innovative capital) and the effects that policies aimed at formalizing labor, innovating capital or redistributing factors retributions may have. The study applies recent measurement techniques and exploits rich novel datasets which combined with reformulated models help us to propose alternative appealing explanations. Lessons learnt from these four essays suggest that (i) job dynamics play a fundamental role in the success (or failure) of policies aimed at promoting labor formality. Against the conventional wisdom, we contend that reductions in hiring rather than increases in separation rates are the main determinants of informality increases following protectionist policies. (ii) Job dynamics also play a differentiating role in the determination of wage-productivity elasticities and income risk (with new hires reacting more than incumbents). (iii) Yet, returns of labor and physical capital are constant across countries and periods regardless the stage of development whereas they exhibit an inverted U shape for technological capital (this is, highest returns observed for mid developed cases). (iv) Comparable private returns of productive factors are mirrored in comparable market income inequality measures observed across some developed and developing regions. However, while in Europe fiscal redistribution helps to achieve better distributed disposable income, in Latin America fiscal redistribution has meager or even countervailing effects.

<http://hdl.handle.net/1814/17734>

GRANADOS ZAMBRANO, Paulina

Understanding Individuals' Beliefs

EUI PhD theses, Department of Economics

Defence date: 6 May 2011, Jury Members: Prof. Luigi Guiso Supervisor, EUI Prof. Andrea Ichino, University of Bologna Prof. Eleonora Patacchini, Università di Roma "La Sapienza" Prof. Andrea Repetto, Adolfo Ibañez University, Chile

We live in a world surrounded by uncertainty and within this uncertainty human beings have to decide every action, every turn of life. When individuals take decisions the true value of parameters relevant for that decision are usually unknown and rarely important ex-ante. The final outcome, realized ex-post, indeed depends on the true parameters, but the decision does not. It usually depends just on the beliefs

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individuals have about these parameters. The aim of this dissertation is to contribute to a better understanding of the formation of individuals' beliefs under realistic economic environments. Chapter 1 deals with the information acquisition decisions of individuals who face uncertainty about their own ability. At a theoretical level (Bénabou and Tirole, 2002), it has been shown that overconfident individuals (people with beliefs about themselves higher than reality) with time inconsistent preferences would more often prefer not to know their true ability before performing a certain task. A field experiment in the area of education is designed and implemented confirming the theoretical hypothesis. Chapter 2 explores the dynamics of beliefs with respect to the benefits of the introduction of the single currency (Euro) in Europe. The main result supports the existence of more optimistic beliefs during both the dates of the introduction of the Euro (the non-physical introduction in 1999 and the physical introduction in 2002) with respect to the period before and the period after the implementation. Finally, Chapter 3 explores the determinants of trust in order to better estimate the causal effect of trust on social efficiency. The reverse-causality problem is addressed by introducing an innovative set of instruments for trust from the field of neuroeconomics. The depurated effect is higher than in previous research, emphasizing the relevance of trust in increasing the efficiency of social organizations.

<http://hdl.handle.net/1814/17180>

GUÉRIN, Pierre

Essays in Applied Time Series Econometrics

EUI PhD theses, Department of Economics

Defence date: 12 September 2011, Jury Members: Prof. Massimiliano Marcellino, EUI, Supervisor Prof. Helmut Lutkepohl, EUI Prof. Monica Billio, Università Ca' Foscari di Venezia Prof. Eric Ghysels, University of North Carolina, Chapel Hill

In the first chapter of this thesis, I estimate Markov-switching models with time-varying transition probabilities to predict the US business cycle regimes. In particular, I evaluate the predictive power of real and financial indicators and find that the slope of the yield curve turns out to be the most reliable indicator for regime predictions. This first chapter paves the way for the next two chapters of this thesis that also use models with Markov-switching for analysing the business cycle. The second chapter (a joint work with Massimiliano Marcellino) combines the Markovswitching model with the Mixed Data Sampling (MIDAS) model. This new model uses information from variables sampled at different frequencies. We first show in a Monte-Carlo experiment that our estimation method yields accurate estimates. We then apply this new model to the prediction of both the business cycle regimes and GDP growth for the US and the UK. We find that the use of high frequency information and parameter switching performs better than using each of these two features separately. In the third chapter (a joint work with Laurent Maurin and Matthias Mohr), we estimate nine different models of the output gap (univariate, multivariate, linear and non-linear) and compute model-averaged estimates of the output gap. We find some evidence for changes in the slope of the trend of the Euro area output for few periods in 1974 and 2009. Moreover, our model-averages measures of the output gap reduce the uncertainty associated with the output gap estimates and soften the impact of data revisions. We then evaluate the forecasting performance of our output gap estimates for inflation and find that the output gap estimates improve on the forecasting performance of standard AR benchmarks for inflation although the inflation forecasts based on the output gap estimates exhibit a poor forecasting performance since 2008. The last chapter of this thesis (a joint work with Eric Ghysels and Massimiliano Marcellino) is an empirical evaluation of the risk-return relation. We use a MIDAS estimator of the conditional variance and model regime changes in the parameter entering before the conditional variance. We find evidence for a reversed risk-return relation in periods of high volatility, while we uncover the traditional positive risk-return relation in periods of low volatility. In particular, the high volatility regime is interpreted as a flight-to-quality regime. This finding is robust to a large range of specifications.

<http://hdl.handle.net/1814/18555>

GÖRANSSON, Frida-Louise

Le contrôle de la constitutionnalité des accords internationaux conclus dans le cadre de l'Union Européenne

EUI PhD theses, Department of Law

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Defence date: 14 March 2011, Examining Board: Per CRAMER (University of Gothenburg), Marise CREMONA (EUI), Bruno DE WITTE (Supervisor, former EUI and Maastricht University), Christophe HILLION (Universities of Leiden and Stockholm)

Ce travail étudie la tension, telle qu'elle ressort de la jurisprudence de la Cour de justice de l'Union, (la Cour) entre d'un côté la sauvegarde des principes *pacta sunt servanda*, de la sécurité juridique et de la protection de la confiance légitime entre des parties contractantes au niveau international et de l'autre côté la sauvegarde des principes de légalité et de l'autonomie de l'ordre juridique de l'Union. D'un point de vue théorique, le chapitre préliminaire présente les intérêts fondamentaux qui doivent être respectés dans la procédure de contrôle constitutionnel des accords internationaux pour ensuite examiner si tel est le cas par le contrôle tel qu'il est actuellement assumé. Ledit contrôle, objet de l'étude est celui assuré, à titre principal, par la Cour, mais aussi par les autres institutions de l'Union européenne. Il a pour objet les accords conclus par la Communauté et l'Union et aussi, dans une mesure limitée, les accords conclus par les États membres de l'Union. Il est mis en œuvre aussi bien *ex ante* qu'*ex post*. La thèse se base ensuite sur les notions exposées dans le chapitre préliminaire afin d'analyser dans la première partie et la deuxième partie les avis rendus par la Cour aussi bien que les jugements qui ont des conséquences pour les accords internationaux en vigueur. Le respect des principes *pacta sunt servanda*, de la sécurité juridique et de la protection de la confiance légitime entre parties contractants par l'Union européenne ne serait, en réalité, pas nécessairement incompatible avec le respect de l'autonomie de l'ordre juridique de l'Union, comme le prouve l'ambivalence de la procédure de contrôle préventif. Si on met l'accent sur la norme de référence du contrôle, on serait tenté de conclure qu'elle vise à garantir le respect de la règle qui découle d'un des traités sur l'Union, c'est-à-dire, le respect du projet d'intégration européenne. Si on insiste sur le caractère préventif du contrôle, c'est-à-dire sur le fait qu'il ne porte pas sur un accord déjà conclu, on dira que la procédure de l'article 218, paragraphe 11, TFUE, tend à respecter le droit international. La thèse expose comment le système de contrôle de constitutionnalité, surtout *ex ante* mais aussi *ex post*, est souvent instrumentalisé, aussi bien par les États membres de l'Union que par les institutions de l'Union pour défendre leurs intérêts et prérogatives. Afin de renforcer le mécanisme de contrôle *ex ante*, nous proposons qu'un contrôle politique systématique des négociations des accords internationaux soit exercé par les institutions et les États membres. La conséquence sera que tous les acteurs au niveau de l'Union seront impliqués et informés et tous auront l'occasion de soumettre à la Cour une demande d'avis s'ils l'estiment nécessaire. La procédure d'information pourra, s'inspirant du système des Nations Unies, prévoir que aucune entité de l'Union ne peut se prévaloir au niveau international d'un accord qui n'a pas fait l'objet de la consultation des autres acteurs au niveau de l'Union.

<http://hdl.handle.net/1814/15408>

HARBO, Tor-Inge

The Function of Proportionality Analysis in European Law

EUI PhD theses, Department of Law

Defence date: 28 January 2011, Examining Board: Prof. Ernst-Ulrich Petersmann (Supervisor), EUI Prof. Inger-Johanne Sand, University of Oslo Prof. Christian Joerges, University of Bremen Prof. Loic Azoulay, EUI

The aim of the thesis is to explore the function of proportionality analysis (PA) as a tool of judicial adjudication in European law. In this effort the author analyses in the first part of the thesis the way in which European supra-/international courts, notably the ECJ, the EFTA Court and the Human Rights Court, apply PA. The analysis reveals that PA is a flexible instrument of judicial review. In the second part of the thesis the application of PA by UK and Norwegian courts is discussed. The respective countries' courts have not traditionally applied PA but various reasonableness tests. The purpose of the investigation is thus to shed comparative light on PA by contrasting it with comparable assessment schemes. To the extent PA is taken on by the two national courts the investigation may display the persuasive nature of PA. The legal dogmatic approaches taken in part one and two of the thesis does only partly help determine the function of PA. A broader approach is needed to this end. In part three of the thesis the author firstly discuss what it means that PA consists of both rationality and reasonableness tests and thereafter whether PA is of a substantial or a procedural nature. Concluding that PA is of a procedural nature - securing a legal safeguard for individuals - it is nevertheless clear that

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PA implies the strengthening of the judiciary. This leads to an elaboration on the virtues and vices of 'judicial governance'. In this connection it is suggested that the establishment of PA as a (general) principle of law (together with the tri-partial structure) is a way in which courts may attempt to legitimise the extensive judicial power, which lies intrinsic in PA. The author then embarks upon a discussion of the nature and function of principles of law including the rule of law qualities of PA.

<http://hdl.handle.net/1814/16057>

HAUZENBERGER, Klemens

On the Dynamic Effects of Government Stimulus Measures in a Changing Economy

EUI PhD theses, Department of Economics

Defence date: 15 June 2011, Examining Board: Prof. Massimiliano Marcellino, EUI, Supervisor Prof. Helmut Lütkepohl, EUI Prof. Simon van Norden, HEC Montréal Prof. Marco Maffezzoli, Università Bocconi

No abstract available

<http://hdl.handle.net/1814/17875>

HERMANN, Julia

Being Moral: Moral competence and the limits of reasonable doubt

EUI PhD theses, Department of Political and Social Sciences

Defence date: 13 June 2011, Examining Board: Prof. Dennis Patterson, European University Institute (Supervisor), Prof. Rainer Bauböck, European University Institute, Prof. Alan Thomas, University of Tilburg, Prof. Marcus Willaschek, University of Frankfurt

In this thesis, I argue that we should conceive of morality as a set of overlapping practices and of moral knowledge first and foremost as the competence to participate in these practices. On the basis of a Wittgensteinian understanding of language and meaning, I defend two interrelated claims: the claim that some propositions are beyond reasonable doubt in moral practices and the claim that understanding moral principles amounts to the mastery of those practices. My reflections on a number of propositions which it seems impossible to doubt from a moral standpoint lead me to the view that for a morally competent agent, some propositions are removed from doubt. In conceiving of justification as a response to doubt based on reasons, I follow Wittgenstein and those contemporary philosophers who defend what are called 'contextualist' approaches. Given the close relationship between justification and doubt, the claim that some propositions are beyond reasonable doubt in moral practices implies that certain philosophical demands for justification make no sense. Like contextualists, I oppose both foundationalist and coherentist accounts of moral justification and moral knowledge. Unlike them, I argue that moral knowledge ultimately amounts to knowledge how. This practical knowledge involves cognitive as well as emotional capacities, which are developed through training. On the basis of my account of moral competence, I am able to reject the view that morality can be justified from an extra-moral standpoint. The 'why be moral question' turns out to be one of those purely philosophical questions which lack a role in practice. Despite denying the availability of any practice-independent standards of moral truth and critique, my account allows for moral criticism and moral progress.

<http://hdl.handle.net/1814/18403>

HÖS, Nikolett

Governance and Minimum Harmonisation in the field of European Labour Law and Social Policy

EUI PhD theses, Department of Law

Defence date: 20 January 2011, Examining Board: Prof. Marie-Ange MOREAU (European University Institute) Prof. Marise CREMONA (European University Institute) Prof. Catherine BARNARD (University of Cambridge) Prof. Claire KILPATRICK (London School of Economics and Political Science)

No abstract available

<http://hdl.handle.net/1814/16058>

INGULSTAD, Mats

Winning the Hearths and Mines: Strategic materials and American foreign policy, 1939-1953

EUI PhD theses, Department of History and Civilization

Defence date: 17 June 2011

No abstract available

<http://hdl.handle.net/1814/18399>

JAKUBOWSKI, Andrzej

The Effects of State Succession on Cultural Property: Ownership, control, protection

EUI PhD theses, Department of Law

Defence date: 13 June 2011, Prof. Francesco Francioni, European University Institute (Supervisor), Prof. Ernst-Ulrich Petersmann, European University Institute, Prof. Kurt Siehr, Max-Planck-Institute for Comparative and International Private Law, Prof. Wladyslaw Czaplinski, Polish Academy of Sciences

The purpose of this study was to investigate the legal effects of state succession on cultural property. This is not a new topic of international law. Indeed, the attempts to provide a legal framework for the cultural aspects of state succession have been undertaken in international practice and legal scholarship since at least the mid-nineteenth century. Initially, these were strictly bound to the origin of the European nation-state, determining its territorial boundaries accordingly to ethnic and cultural divisions. However, the concept of cultural property in international law has evolved towards a broader, more human-oriented idea of cultural heritage. Such a conceptual shift has occurred in the last fifty years, marked by the gradual recognition of the fundamental role performed by cultural manifestations in the preservation of human dignity and the continuous development of all mankind. This study discusses to what extent the practice and the theory of state succession reflect this evolution. It attempts to reconstruct the principles regulating interstate arrangements with regard to such matters, contextualizing them in a broad historical and geographical framework. Particular attention has been paid to the question of state succession to international cultural heritage obligations. This piece of work explores their content, sources and status in state succession. It explains that nowadays the preservation and enjoyment of cultural heritage do not constitute the exclusive concern of state sovereignty. On the contrary, such values are of general interest to the international community as a whole. Therefore, the study advocates a new doctrinal approach, based both on the principles of international cultural heritage law and human rights law. This implies the limitation of the contractual freedom of states in the matter of cultural agreements, in favour of the continuity of international cultural heritage obligations in cases of state succession. Finally, the study proposes a list of guiding principles relating to the succession of states in respect of tangible cultural heritage, which may contribute to the further development of international practice.

<http://hdl.handle.net/1814/18414>

JAZEXHIU, Olsi

Ottomans into Illyrians : passages to nationhood in 20th century Albania

EUI PhD theses, Department of History and Civilization

Defence date: 7 September 2011, Examining Board: Prof. Anthony Molho (EUI) - Supervisor Prof. Steve Smith (EUI) Prof. Nathalie Clayer (CNRS-EHESS, Paris) Prof. Bülent Bilmez (Istanbul Bilgi University)

This dissertation surveys specific episodes in the process of Albanian national formation. Its aim is to contest the official narrative of Albanian historiography which portrays the creation of the Albanian state and the Albanian national movement in a teleological and primordial manner. This present study underscores the resistance to the notion of "Albania" and a secular ethnic "Albanian" from local Muslim and Christian peoples in what, after 1913, was to constitute the modern nation-state of Albania. To present this we have analysed numerous personal memoirs, works of nationalist Albanians, poems and folk songs, newspaper articles and archival materials, school textbooks and personal interviews, which have been used to explain the development of Albanian nationalism. Our analysis commences in late Ottoman Albania, where the ideas of "Albania" and "Albanianism" were conceived within Albanian intellectual circles within the Ottoman Empire. After this we visit the period of Young Turk revolution and show how Albanianism was forced to compete with Young Turkism among the intellectual elites of Albania. A portion of our research deals with Tirana - the present-day capital of Albania - where the peasants and most Muslim urbanites rejected secular Albanianism and struggled against it. We also investigate the political factors and the importance that Great Powers played in the 1913 creation of the

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Albanian state. We explain why the creation of Albania did not create nationalist bliss among the people inhabiting Albania during this time. The Orthodox Christians of the south and Muslims of the center rejected outright and fought against the Albanian state, triggering its collapse in 1915. In the last chapters of our dissertation we show how Albania came into being again following the end of the First World War and the peace conference held in Paris. The crossroads in Albania's fate came with the Congress of Lushnja held in 1920 which led to the solidification of an Albanian secular state. The formation of this state gave the nationalists the tool by which they could now turn the country's Muslims and Christians into Albanians. We furthermore analyse the deliberations of the first Albanian parliament, the endeavors of the politicians and the policies of successive post-Lushnja governments that enabled the secularization of society and state. In the last part we analyse the national school system and its textbooks, both of which were produced and managed by the nationalists in order to produce "Albanians." This last portion examines selected textbooks through which Albanian nationalists sought to persuade the Muslims and the Christians of Albania that they were members of Europe's oldest people: Pelasgians and Illyrians.

<http://hdl.handle.net/1814/19427>

JESSE, Moritz

The Civic Citizens of Europe Legal Realities for Immigrants in Europe and the Legal Potential for their Integration

EUI PhD theses, Department of Law

Defence date: 17 January 2011, Examining Board: Prof. M.-A. Moreau, European University Institute (Supervisor) Prof. T. Kostakopoulou, University of Manchester Prof. R. Rubio Marin, European University Institute Prof. H. Schneider, University of Maastricht

'After all, integration is primarily a means of removing gross inequalities between various population groups'. It could be so simple. However, practice shows that it is not. This thesis looks at legal realities regarding the status of (regular) immigrants from third countries under European Union law as well as the national laws of Belgium, Germany and the UK. It investigates whether the legal situation is favourable or unfavourable for the inclusion of immigrants. The thesis is built on the assumption that the potential for inclusion of immigrants into a receiving society depends on opportunities for participation. Such opportunities are formally granted or denied by legislation which mandates the legal situation of non-nationals. In order to provide an authentic picture of the legal situation five indicators will be analysed in a comparative and critical way: (1) availability and scope of residence titles, (2) rights to family reunification, (3) rights to employment and occupation, (4) protection from discrimination, and (5) nature and legal value of integration measures. 'Civic citizenship' is used as a proxy for the 'ideal' legal status that would allow for full participation, legally spoken, in society on equal footing with natives without the conferral of nationality. In today's reality, where full legal membership in society is still expressed with reference to nationality, 'civic citizenship' would decouple legal membership to society and nationality through an approximation of rights of nationals and non-nationals. As the potential for inclusion is theoretically maximized when rights of immigrants and native members of society are equal, comparing the legal situation of immigrants to the ideal of 'civic citizens' is an elegant way of displaying whether inclusion is favoured, or not. The status of European Citizens residing in another Member State can be seen as very close to the ideal of 'civic citizenship' and is therefore a formidable comparator. The thesis develops differentiated findings: While legal realities faced by immigrants in the case studies are not generally unfavourable for inclusion, they are selective. 'Wanted' groups of immigrants, e.g. highly qualified workers, face relatively favourable conditions. These conditions might not be 'fit for purpose', however, they are favouring inclusion more than the legal situation faced by 'unwanted' groups, e.g. family members of already admitted immigrants. This is paradoxical because those who generally have fewer problems finding their way in new surroundings face legally more favourable conditions than those who traditionally find it harder to be 'included' in a new environment.

<http://hdl.handle.net/1814/16059>

JONES, Mark William

Violence and Politics in the German Revolution 1918-19

EUI PhD theses, Department of History and Civilization

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Defence date: 7 October 2011, Examining Board: Prof. Heinz-Gerhard Haupt (EUI) - Supervisor Prof. Dirk Moses (EUI) Prof. Richard J. Evans (University of Cambridge) Prof. Robert Gerwarth (University College Dublin)

This dissertation explores the history of the German Revolution of 1918-19 through the prism of violence. It is based upon extensive research which draws upon the contents of military and judicial archives, diaries, and newspapers. The study is organized chronologically. However it is led by five key concepts: cultural mobilization the 'thick description' of violence the representation and behaviour of crowds rumours autosuggestion and fear. Together, this conceptually led narrative history seeks to explain the transformation of the intensity and forms of violence over the course of a short seven month period of German history: November 1918 to May 1919. Its focus is upon Berlin and Munich. It argues that the study of violence must always turn to the history of mentalities. Thus, having explored the violence of November through an exploration of the revolution's gunfire, the second and third chapter analyse the transformation of the imagination and fear of violence in the eight weeks which followed the abdication of the Kaiser and subsequent armistice. The dissertation contends that highly threatening and contagious subjective fears were the product of how fears of local violence interacted with the transnational reconfiguration of the political imagination unleashed by the war. The third part of the dissertation explores the consequences of this transformation. It is the first work of its kind to approach violent atrocities in the German Revolution through the paradigm of thick description. The dissertation's use of press sources is also unique: up to now the political history of the revolution has largely been organized around a top-down perspective. By recapturing politics as a series of communicative processes, this study reconfigures our understanding of the history of post-war German politics. As it does so, it increases historian's understanding of the course of the German Revolution 1918/19, the foundation of the Weimar Republic, and the human capacity for violent extremes.
<http://hdl.handle.net/1814/19428>

KAROVA, Rozeta

Liberalisation of the Electricity Markets and the Public Service Obligation in the Energy Community

EUI PhD theses, Department of Law

Defence date: 11 April 2011 Examining Board: Prof. Hans-W. Micklitz, European University Institute Prof. Marise Cremona, European University Institute Prof. Leigh Hancher, University of Tilburg Dr. Dirk Buschle, Energy Community Secretariat

The focus of the thesis is the liberalisation of the electricity markets in South East Europe (SEE) and the establishment of the Energy Community in 2005 between the European Union and the countries from the SEE. It analyses the export of the EU electricity acquis within the enlargement process, and the establishment of a regional electricity market in SEE. Following a deductive approach, the starting point is the suitability of the European model of electricity markets' liberalisation for the SEE countries. These are economies in transition, characterized by different economic needs in comparison to the EU Member States which negotiated the electricity acquis currently in place. Particular emphasis is placed on the use of the Public Services Obligations (PSO) by the SEE countries in order to address the impact of this liberalisation. The existing literature on the Energy Community Treaty and on the implementation of specific PSOs in the electricity industry is quite scarce. The findings of this thesis confirm the working hypothesis that the EU progressively recognizes that the liberalisation of the former public services cannot be achieved without two basic elements which so far have been largely neglected: a) a strong social policy enshrined in the universal services doctrine and b) safeguard measures to guarantee security of supply. This is reflected even more strongly in the liberalisation of the Contracting Parties' electricity markets. The policy lessons elaborated in the conclusions aim at providing a contribution to the broader discussion on the export of the EU electricity acquis to the SEE and ENP countries. This thesis proposes a re-thinking of the PSO notification system currently in place for Member States by granting a veto power to the Commission in case the PSO notified is not in line with the electricity acquis. It also proposes the introduction of a notification requirement for the Contracting Parties. By analysing the regulated prices and the measures for granting priority rights for cross-border capacity allocation as PSO, it has been found that the electricity acquis does not prohibit per se their implementation. It identified the conditions under which these measures could be used only as a

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temporary regulatory tool. The thesis proposed alternative measures for the protection of vulnerable customers, such as energy efficiency and demand-management solutions and an increase in transparency as to the allocation of interconnectors' capacity.

<http://hdl.handle.net/1814/16819>

KERO, Afroditi

Essays on Asset Pricing, Banking and the Macroeconomy

EUI PhD theses, Department of Economics

Defence date: 28 November 2011, Jury Members: Prof. Morten Ravn, University College London, Supervisor Prof. Ramon Marimon, EUI Prof. Alexander Michaelides, University of Cyprus Prof.

Tommaso Monacelli, Università Bocconi

No abstract available

<http://hdl.handle.net/1814/19454>

KOKKINEN, Arto

On Finland's Economic Growth and Convergence with Sweden and the EU15 in the 20th Century

EUI PhD theses, Department of History and Civilization

Defence date: 16 September 2011, Examining Board: Prof. Giovanni Federico (EUI) - Supervisor Prof. Youssef Cassis (EUI) Prof. Jaime Reis (University of Lisbon) Prof. Markku Lanne (University of Helsinki)

Finland is one of the few examples of poor countries' absolute GDP per capita convergence in the 20th century: One hundred years ago it was a poor agrarian country with GDP per capita less than half of that of the United Kingdom or the United States, world leaders at the time. In the beginning of the 21st century it is an industrialised and services emphasised country with a standard of living ranked among the top fifteen to twenty-five countries in the world. In the same time frame Finland has converged with the average income levels of her leading neighbours, Sweden and the EU15. How did this convergence happen in the geographically large but low population country without being blessed with abundant natural resources? Thinking of today's poor countries it would be important to understand the processes the few catch-up countries worldwide have gone through. The study is conducted in accordance with the following analytical framework: Firstly, the structural change is seen driven by new possibilities (technology) to produce products (old and new). Secondly, this production with new technology will drive labour productivity and GDP per capita up on the national level. Thirdly, to use new production technologies requires human capital. To find out empirically the impacts of investing in and accumulation of human capital by schooling on GDP, investments in human capital are investigated in the same National Accounts framework as GDP. Fourthly, for permanent growth of labour productivity continuous adoption of new production technologies from the evolving world technology frontier is needed. This requires openness and close interaction via foreign trade with the leading countries. The increasing foreign trade and foreign direct investments will render the business cycles of the economies involved more dependent on each other, which should result in increased co-dependence of business cycles. The issues are investigated in the study by econometric techniques with annual long-run data sets, comparing Finnish growth with Sweden and the EU15 and framing the discussion in the growth variation of a broad set of countries. The results in this study suggest a paradigm shift from neo-classical growth and convergence explanation to technology diffusion model with human capital, in which technological progress is embodied in the new varieties (qualities) of fixed capital.

<http://hdl.handle.net/1814/19429>

KOOP, Christel

Measuring and Explaining Accountability: A comparative study of independent agencies

EUI PhD theses, Department of Political and Social Sciences

Defence date: 5 July 2011, Examining Board: Prof. Peter Mair, European University Institute Prof. Mark Bovens Utrecht University (External supervisor) Prof. Adrienne Héritier European University Institute Prof. Mark Thatcher The London School of Economics and Political Science

Operating at arm's length of the political process, independent agencies are exempted from the accountability mechanisms inherent in the ministerial hierarchy. Alternative accountability instruments

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are, therefore, often introduced in the design of these organizations. This thesis focuses on these instruments, and addresses three related questions: (1) What instruments of accountability are applied to independent agencies? (2) What variation in degrees of accountability can we observe? (3) Why are some independent agencies subject to more accountability instruments than others? Accountability arrangements are set up both by politicians and by independent agencies themselves. An analytical and empirical distinction is, therefore, made between mandatory accountability – imposed on organizations by politicians – and voluntary accountability – introduced by the organizations themselves. Furthermore, as the hypotheses on variation in accountability suggest differences across policy areas and political systems, the empirical study is divided into two parts. The first part compares a wide range of independent agencies in different policy areas within one country – the Netherlands; while the second part compares independent agencies operating in a single policy area, competition policy, across a wide range of different political systems. The study finds that independent agencies are subject to a variety of accountability instruments, and to varying degrees of accountability. Mandatory and voluntary accountability go hand in hand: organizations with high scores on the one also tend to have high scores on the other. Issue salience is a strong predictor of both types: agencies dealing with more salient issues are subject to more extensive accountability arrangements. Depoliticization plays a role in mandatory accountability, and when more veto players are involved in the policy-making process they tend to introduce fewer provisions for accountability. Other factors which matter for mandatory accountability are the salience of the issue of accountability itself, the level of trust in the civil service, the number of stakeholders of the agency, and the agency's legal status and powers. Factors which matter for voluntary accountability are the democratic experience of, and stakeholders in, the polity, as well as the age, legal status, resources, and competences of the organization.
<http://hdl.handle.net/1814/18404>

KORHONEN, Joonas

Social choreography of the Viennese waltz : the transfer and reception of the dance in Vienna and Europe, 1780-1825

EUI PhD theses, Department of History and Civilization

Defence date: 27 October 2011, Examining Board: Prof. Philipp Ther (EUI) - Supervisor Prof.

Heinz-Gerhard Haupt (EUI) Prof. Hannu Salmi (University of Turku) Prof. Derek B. Scott (University of Leeds)

As its title, the social choreography of the Viennese waltz, suggests, the thesis can be situated in the research tradition that studies dance history from sociocultural and sociopolitical point of views. In this work, however, the term social choreography is not understood merely as a system, in which the choreography of the dance reflects and represents society. Rather, what is of interest here are the socio-cultural and economic circumstances in which the Viennese waltz developed. In other words, this thesis examines the consumption of the Viennese waltz within the different social classes in Vienna and Europe between the years 1780 and 1825. In practice, this is done via two different strategies, the first of which includes local developments, more precisely the development of the Viennese waltz in the turn-of-century Vienna. The second strategy, for its part, includes the study of the transfer of the waltzes in and out of Vienna. Despite the fact that in early 19th-century Europe the fast waltz style began to be called Viennese, the dance did not develop merely in the Viennese dance halls. Since turn-of-century Vienna was anything but an isolated city, its dance culture was open for all kinds of external influences. The early forms of the waltz were danced in the ballrooms of the European elite from where they spread into Vienna through dancing-masters, dance manuals and printed dance scores. Then these dances, first adopted by the Viennese elite, were taught to the lower classes in the suburban dance schools and dance halls. Thanks to the wide networks of the contemporary music publishers, Viennese waltz music circulated over large distances in Europe already at the beginning of the 19th century.

<http://hdl.handle.net/1814/19430>

KUHN, Theresa

Individual Transnationalism and EU Support: An empirical test of Deutsch's transactionalist theory

EUI PhD theses, Department of Political and Social Sciences

Theses

Defence date: 8 July 2011, Examining Board: Prof. Martin Kohli, European University Institute (Supervisor) Prof. Mark Franklin European University Institute Prof. Jack Citrin University of California at Berkeley Prof. Juan Díez Medrano Institut Barcelona d'Estudis Internacionals

Recent trends of euroscepticism seriously challenge Deutsch's transactionalist theory that increased transnational interactions trigger support for further political integration. While transnational interactions have indeed proliferated, EU support has diminished. This dissertation aims at solving this puzzle by arguing that transnational interaction is highly stratified across society. Its impact on EU support therefore only applies to a small portion of the public. The rest of the population not only fails to be prompted to support the integration process, but may see it as a threat to their realm. This is even more the case as parallel to European integration, global processes of transnationalisation create tensions in national societies. Consequently, the hypotheses guiding this dissertation are as follows: (1) The more transnational an individual, the more (s)he is prone to support European integration. (2) This effect is more pronounced in countries and regions that are more transnationalised. These hypotheses are tested using multilevel analyses of survey data from the Eurobarometer waves 65.1 (2006) and 67.1 (2007). The analyses show that transnational interactions and networks are concentrated among a small group of highly educated, young Europeans. Individuals highly engaged in transnational interactions and well endowed with transnational human capital are significantly more likely to support EU membership and to consider themselves as European, even more so in highly globalised countries. This relationship is weaker, however, in intra-European border regions, where transnational interaction is less stratified across society.

<http://hdl.handle.net/1814/18405>

KUIPERS, Jan-Jaap

The Interrelationship between EU Law And Private International Law in Contractual Obligations: Private autonomy, overriding mandatory provisions and a European justice area
EUI PhD theses, Department of Law

Defence date: 17 January 2011, Examining Board: Prof. dr. Marie-Ange Moreau, European University Institute (supervisor) Prof. dr. Hans-Wolfgang Micklitz, European University Institute Prof. dr. Gerard-René de Groot, Maastricht University Prof. dr. Jean-Michel Jacquet, Institut des Hautes Etudes Internationales, Geneva

The aim of this research is to analyse the interrelationship between Private International Law and European Union law in the area of contractual obligations. The Rome I Regulation on the Law Applicable to Contractual Obligations is used to delimit the scope of research. The material rules of Rome I will be discussed in order to demonstrate that the instrument follows the traditional European conflict of laws approach without any specific orientation towards internal market objectives. The influence of Union law upon PIL goes however beyond positive harmonisation, being the codification of conflict of law norms on the European level. In the analysis of the effects of Union law upon the conflict of law process, a distinction will be drawn between international and 'European' contracts. As regards international contracts Rome I could be used to establish the international scope of application of secondary Union law when the contract involves a link with a third country. However the legislator seems to have given preference to an autonomous approach based upon the object and purpose of the relevant instrument. These directives create nuisance in the conflict of law process and it will be proposed to integrate sector specific scope rules in Rome I. With regard to contracts that exclusively have connections with two or more Member States it will be analysed to what extent rules of contract law are caught by the fundamental freedoms. It will be argued that primary law does not favour ex ante the application of the law of a specific Member State, but may correct the applicable law. Rules that can be set aside by parties by a mere choice of law can however not have the potential effects of hindering the smooth functioning of the internal market. The overall objective of the project is to identify the methodological disharmony between Union law and PIL in the regulation of cross border contracts and to propose suggestions to improve their mutual understanding.

<http://hdl.handle.net/1814/16060>

LEONELLO, Agnese

Three Essays in Competition and Banking

EUI PhD theses, Department of Economics

Defence date: 18 July 2011, Examining Board: Professor Elena Carletti, European University Institute, Supervisor, Professor Massimo Motta, Universitat Pompeu Fabra, Professor Franklin Allen, Wharton School of Finance, Professor Jean-Charles Rochet, Swiss Banking Institute, IDEI

No abstract available

<http://hdl.handle.net/1814/18394>

LOBOCKA, Inga

The Evolution of EC Consumer Protection in the Field of Consumer Credit

EUI PhD theses, Department of Law

Defence date: 28 January 2011, Examining Board: Prof. Christian Joerges, University of Bremen (Supervisor) Prof. Hans-Wolfgang Micklitz, EUI Prof. Luisa Antonioli, University of Trento Prof. Geraint Howells, University of Manchester

Using consumer credit regulation as a case study, this thesis investigates how the specific legislation in this field can be explained by the major streams of economic philosophy. Based on an analysis of the evolution of European consumer credit legislation it is shown how the EU legislator's approach towards consumer protection has changed and, more importantly, who are the addressees of this legislation. Finally, the thesis discusses how the role of contemporary consumers is conceptualized by European legislators. It can be shown that EU consumer credit regulations are a perfect example for illustrating the wider changes in EU consumer legislation. The thesis addresses the question whether consumer credit legislation is only regulated by economic law or also by social law and hence, whether it has a social dimension in addition to an economic one. Further, it discusses the implications of two competing approaches to consumer regulation, namely a free consumer credit market (neoliberal approach) and one that is characterized by public intervention (social market approach). On the European level, the issue of the character of law which regulates consumer credit has consequences on the legislative competences shared by the EU and member states legislators in this respect. This is inseparable from the question concerning the choice between the minimum or maximum harmonisation approaches. The core argument of this thesis is that all above-mentioned aspects converge into a common focal point in that there is tension between two fundamental goals of the European Community, namely economic efficiency (understood as a competitive market society) and consumer protection (understood as, broadly speaking, a social justice society with its distributive role). The dissertation discusses whether and how these two goals can be reconciled, and which of them actually prevails in the EU consumer credit legislation.

<http://hdl.handle.net/1814/16061>

LUENGO SÁNCHEZ, Jorge

Una nueva cristalización social: Las élites urbanas y el Estado en Valladolid y Magdeburgo (ca. 1770-1870)

EUI PhD theses, Department of History and Civilization

Defence date: 6 May 2011, Examining Board: Prof. Dr. Bartolomé Yun Casalilla (EUI), Supervisor Prof. Dr. Heinz-Gerhard Haupt (EUI), Co-Supervisor Prof. Dr. Pedro Carasa Soto (Universidad de Valladolid) Prof. Dr. Christian Windler (Universität Bern)

This thesis aims to examine the process of elite formation in a provincial European town in the 18th and 19th centuries. The Spanish town of Valladolid is the case study chosen for this purpose, and it has been compared asymmetrically with the Prussian city of Magdeburg. The core question of this thesis is how different groups – in terms of profession and origin – employed diverse social and cultural mechanisms in order to obtain and reproduce privileged positions within urban structures of power. An introduction and the presentation of the urban framework open the study (chapters 1-2). Next, family-building and kin strategies over a long-term period are analyzed (chapter 3). Starting with a sample of 317 individuals and their spouses in Valladolid – and a similar sample for Magdeburg extracted from secondary literature – I used a prosopographical method and Social Network Analysis models to analyze and reconstruct the familial network of this sample. In subsequent chapters, I consider the institutional role of these elite members of the municipality (chapter 4), especially from the 1830s onwards when administrative changes opened the way for average citizens to take over

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municipal positions. Aspects linked to this change, such as local politics, festivities and sociability have also been analyzed (chapters 5-6). Finally (in chapter 7), I reconsider kin networks in order to address the issue of the development of new types of elite formation in the town. An analysis of the data reveals the construction of a new type of elite formation from the last third of the 18th century onwards through an extensive kin strategy. The large familial network which linked the families of the most prominent figures in local society – in political and economic terms – was consolidated and extended through new marriages in the middle decades of the 19th century. In both case studies, social power underwent a process of restructuring, although the different consequences of the Napoleonic Wars led to rather dissimilar relationships between elites and local institutions, the State, and liberalism. This had a significant impact on the development of the processes of legitimisation of their positions and their political, social, and cultural actions. I further argue that administrative reforms in the 1830s led to the confluence of new and old fortunes, which were already linked by complex kin ties. From the 1830s onwards, urban elites reinforced relationships and enhanced a network formation process which had begun decades before. In this way, a new social crystallization in the local sphere was forged.
<http://hdl.handle.net/1814/19431>

LUM, Kathryn

How Caste Works: Forging new identities in a Punjabi ex-untouchable community in Catalonia, Spain

EUI PhD theses, Department of Political and Social Sciences

Defence date: 10 October 2011, Examining Board: Dr. Jaap Dronkers, EUI Dr. Steven Smith, EUI Dr. Staffan Lindberg, University of Lund Dr. Eleanor Nesbitt, University of Warwick

This thesis is an ethnographic study of an ex-untouchable group from the Punjab region of India known as the Ravidassias. Its aim is twofold: on the one hand to elucidate the mechanisms of caste in social life and in particular, to analyse how ex-untouchables negotiate caste stigma, and on the other, to explore the caste, gender, and youth dimensions of the Ravidassia community in Catalonia, Spain. This study is comparative in nature, discussing caste, the management of caste stigma, and the Ravidassia sociocultural/religious movement in the Punjab, India and Catalonia, Spain. The Ravidassia community is an interesting case study for the study of caste, because the Ravidassias are the most important former untouchable group demographically in both the Punjab and in the diaspora. They have also become in the postwar period one of India's most economically and socially assertive 'Scheduled Caste' or SC caste groups, an assertion which is articulated symbolically in the field of religion. The Ravidassias are thus an excellent example of a transnational group whose diaspora status is playing a key role in changing the caste status quo in their native Punjab. In focusing on the individual experience of caste stigma, this thesis seeks to highlight an aspect of caste discrimination that is frequently overlooked in debates on 'casteism', and to reveal how Dalits who are now educated and middle-class still struggle with the legacy of untouchability. During the course of my research, a significant portion of the global Ravidassia community, including the Spanish Ravidassia community, chose to break with Sikhism and form a completely autonomous religious identity. I thus had the privilege to witness a profound identity shift on the part of my interviewees which has seen new forms of caste pride emerge that would have been unthinkable only a generation ago. This ethnographic study reveals that while caste prejudice/stigma has not diminished with migration, caste as institution and social organisation has assumed new forms that can be strategically used by those who were once completely crushed by the caste system.

<http://hdl.handle.net/1814/19438>

MAGOS, Dimitrios

Three Essays in Competition Policy

EUI PhD theses, Department of Economics

Defence date: 5 May 2011, Jury Members: Prof. Massimo Motta, Supervisor, Universitat Pompeu Fabra Prof. Michele Polo, Università Bocconi Prof. Fernando Vega Redondo, EUI Prof. Nikolaos Vettas, Athens University of Economics and Business

This thesis focuses on different aspects of Competition Policy and analyses questions related to market power, collusion and the European Commission's fining policy. The first chapter provides a theoretical

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setting to study a particular abuse of dominant position, known as margin (or price) squeeze. It explores the conditions under which margin squeeze arises as an equilibrium outcome and discusses policy implications of introducing price squeeze testing. In the field of cartel detection, the leniency program has been instrumental in competition authorities' fight against cartels. This is the topic of the second paper, which examines the deterrence effect of the leniency program in a setup where all cartels are failing cartels. The third chapter provides an overview of the fining decisions of the European Commission in the field of antitrust. It analyses the incentives of firms to appeal Commission infringement decisions and examines whether the fining Guidelines have led to lower appeal rates, possibly through providing greater transparency in the way fines are set.
<http://hdl.handle.net/1814/17179>

MARIATHASAN, Mike

Monetary Policy Committees, Universal Banks, and Public Recapitalisations

EUI PhD theses, Department of Economics

Defence date: 16 November 2011, Examining board: Arpad Abraham, EUI Thomas Cooley, New York University, Stern Business School Xavier Freixas, Universitat Pompeu Fabra Ramon Marimon, Supervisor, EUI

The three papers in this thesis differ considerably with respect to methodology and topic; yet, they all reflect my overarching interest in the design of economic policies and the institutions that execute them. They are, also, testimony of the privilege to write a PhD thesis in Economics during times that leave little doubt about the relevance of thoughtful economic policy. My first, humble, contribution to designing these are the three papers in this thesis. As an introduction, I will proceed to briefly describe their contributions. In the first paper, I address the question of how diverse opinions (“beliefs”) among members of a monetary policy committee [MPC], as well as its institutional features, in particular, its size and its decision-making process, influence macroeconomic volatility. I answer this question in two parts: first, I explain the relationship between decision-making in committees and robust, or regret-minimising, decision-making. I show that the two can be equivalent under very specific conditions (on beliefs and the potential models of the economy). These conditions are hard to test empirically; therefore, I proceed, in the second part, to simulate an empirically motivated example, and, to compare the volatility generated by a, hypothetical, robust decision-maker, with actual volatility generated by the committee of the Bank of England [BoE], and, by several, differently specified, committees. I find, that under reasonable parameterisations, committee decision-making resembles robust decision-making. In addition, it turns out that greater diversity and aspiration towards consensus make monetary policy “more robust”. At the time of writing, disagreements among MPC members were often reduced only to increment changes of the interest rate. Nowadays, however, disagreements concern, for example, acceptable debt levels and are much deeper and more fiercely debated. The framework, then, suggests, for example, that the departure of conservative central bankers from the governing council of the European Central Bank [ECB] reduces the robustness of its decisions, and that robust Federal Open Market Committee [FOMC] policies (see Ellison & Sargent, 2009) may be an artefact of institutional structures, and not, as the authors suspect, of policymakers' mindsets. In the second chapter, I turn to the issue of bank regulation, and, in particular, to the question of how the integration of commercial lending, and, investment banking, influences underwriting quality. Contributing to an old, but re-animated debate, I introduce mergers & acquisition [M&A] as a source of investment banking revenues in a benchmark model of universal banks (Kanas & Qi, 2003). The analysis illustrates, that, when assessing the effects of financial services integration, a distinction has to be made between the effects of administrative synergies, such as the joint use of computers or staff, and informational synergies. The latter, should also be treated differently, depending on whether they constitute strategic informational gains, e.g. from underwriting, or non-strategic gains, for example, from standardised credit applications. It turns out that, ceteris paribus, and, under perfect competition, strategic efficiency gains improve incentives for higher underwriting quality, while non-strategic gains (administrative and informational) induce banks to depreciate the quality of their provided services. In the paper, I then provide conditions for the many intermediate cases. I also show that higher monopolistic rents lead to better underwriting quality, and, that deregulation can create risks for aggregate economic activity. The model provides possible explanations for why universal banking in Germany is often considered a

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success, while it is often treated with scepticism in the United States [US] (the German market is less competitive); and as to why studies in the US typically find improved underwriting quality after financial integration, whilst cross-country studies and studies, for example, from Taiwan uncover evidence of reduced underwriting quality (opportunities for non-strategic efficiency gains are often higher in less developed countries, whilst technical opportunities for the strategic use of information across business sections is likely to be higher in the US). In terms of theoretical contributions, the paper reconciles the predictions of Kanatas & Qi (2003) with another prominent model (Puri, 1999), and augments the latter with the insight, that the positive effect of informational spillovers does not necessarily have to rely on previous interactions between firms and banks, but can, as well, result from anticipated benefits in M&A. The third, and last, chapter is an empirical investigation into the effect the public recapitalisations during 2008-10 had upon bank lending. The chapter is joint work with Ouarda Merrouche (European Securities and Markets Agency [ESMA], initially at The World Bank). We collect information on direct public recapitalisations from public sources (homepages of central banks, ministries, etc.) and estimate their effect on changes in credit growth, using difference-in-difference and propensity score matching models. Furthermore, we analyse the determinants of these “bailouts”, as well as, of their size and their risk-absorbing properties. We identify, a shortage of liquid assets, of Tier1 capital, but also bank size as most important predictors of public bailouts, and, thus, lend support to the current regulatory debate, that is, mostly, concerned with minimum capital requirements, maturity transformation and institutions that are considered “too big too fail”. In terms of effective recapitalisations, our results lead us to emphasise decisive interventions, i.e. interventions that cover at least 49.22% of banks’ pre-crisis equity levels, and, those, that exhibit the commitment to disburden banks of their risks (recapitalisations with common equity). Furthermore, we identify positive externalities on the interbank market, and, reject the hypothesis that locally operating banks increase lending more than globally active banks that are provided with the same amount of public capital.
<http://hdl.handle.net/1814/20067>

MARKUN, Michal

Bayesian Vector Autoregressive Analysis

EUI PhD theses, Department of Economics

Defence date: 10 June 2011, Examining Board: Professor Helmut Lütkepohl, European University Institute, Supervisor Professor Massimiliano Marcellino, European University Institute Professor Luc Bauwens, Université Catholique de Louvain Professor Domenico Giannone, Université libre de Bruxelles

The dissertation investigates various aspects of Bayesian inference in time series econometrics. It consists of one expository chapter and two research papers. The first chapter presents on an easy example of a production function for the USA the development of Bayesian models in the context of time series analysis. The model analysed is the Cobb-Douglas production function with covariance stationary AR(1) disturbances. The methods presented are used extensively in the next two chapters. The first research paper tackles the issue of identification in a SVAR model with an error term being a Markov mixture of normal distributions. Non-Gaussianity can be employed for the identification of shocks. So far only classical methods have been proposed for this class of models. Bayesian methods for inference are presented, in particular an efficient method for testing homogeneity of shock process. An empirical example presents the workings of the tools developed. The topic of the second paper is the forecasting with Bayesian VARs. Owing to the shrinkage, the original Minnesota prior was reported to provide significant improvements in forecasting accuracy. Its limitations however, gave rise to research trying to relax restrictive treatment of the residual covariance matrix, and to allow for the possibility of cointegration in the system. This paper first disentangles in a unified framework and a balanced environment of optimizing choice of hyperparameters the impact on the predictive power of BVARs of developments of priors along the above two dimensions; a well known historical dataset is analyzed for this purpose. As the second contribution, the paper presents a novel prior characterized by explicit modelling of cointegration that avoids certain unattractive restrictive properties of the previously used priors; the potential of the prior for elicitation from the well established Litterman beliefs is demonstrated as well as predictive accuracy improvements over the benchmarks.

<http://hdl.handle.net/1814/17854>

MAYOR, Eunata

A Dynamic View on Normative Behavior: Agent-based models of law

EUI PhD theses, Department of Law

Defence date: 6 June 2011, Prof. Giovanni Sartor, European University Institute (Supervisor), Prof. Cristiano Castelfranchi, Institute of Cognitive Sciences and Technologies, Prof. Jorge Nieto, Public University of Navarre, Prof. Sven Steinmo, European University Institute

When dealing with norm compliance, we can talk about three different layers. First, law's addressees consider their potential legal liability in case they don't abide the norm. Monetary sanctions, incentives and other deterrence measures are essential. Second, the morally persuasive role that is inherent to law, 'it's the right thing to do'. Sometimes the 'threat' of punishment is not the main reason for conformity, and non-pecuniary considerations must be taken into account. Individuals belong to communities, and share general respect for a system of values and norms. Norms are seen as a reflection of the set of behaviors that are desirable or legitimate in the shared view of society, and whose violation elicits at least informal disapproval. This socio-cultural aspect of law has deep implications in terms of policy: instilling a norm in countries where it currently does not prevail nor is culturally accepted may be a daunting task. This leads us to the third aspect of normative behavior proposed in this manuscript: the procedural aspect. Once the norm is established and the efficacy of its deterrence methods evaluated, authorities must find an adequate way to deal with cases of possible liability resulting from non-compliance. In order to disentangle the real nature and dynamics of normativity, the first issue requires finding the proper way to study the development of such phenomena: is it a spontaneous process over which individuals have little control, and which depends on psycho-cognitive human characteristics, or is it a more complex phenomenon? My suggestion is that it should be conceived within a social learning approach, emphasizing the cognitive outcomes of cultural learning. Furthermore, I believe that an interdisciplinary approach to the issue, mainly based on theories of social and customary norms and agent-based modeling, could offer fresh new insights.

<http://hdl.handle.net/1814/18415>

MIGLIORINI, Sara

L'interaction entre la mobilité des sociétés et les règles européennes de conflit de juridiction : l'exemple des relations internationales du travail

EUI PhD theses, Department of Law

Defence date: 27 September 2011, Examination board : Prof. Marie-Ange Moreau (EUI), supervisor Prof. Gaja Giorgio (Université de Florence et Membre de la Commission du droit international des Nations Unies) Prof. Horatia Muir Watt (Université Paris I Panthéon-Sorbonne) Prof. Loïc Azoulay (EUI) Cette thèse analysera l'interaction entre la mobilité des sociétés et les règles de conflit de juridictions européennes applicables aux litiges du travail. Elle montrera comment la grande liberté de mouvement que l'application directe des libertés économiques par la Cour de justice a assuré aux sociétés, risque de compromettre le bon fonctionnement des règles de conflit de juridictions européennes en matière de contentieux international du travail. Ces mêmes règles risquent d'être manipulées par les sociétés afin d'en tirer un avantage processuel. Il s'agira également de s'interroger sur les rapports entre deux politiques européennes différentes: d'une part, l'intégration économique et la création du marché intérieur, notamment dans le domaine de l'exercice de la liberté d'établissement et de prestation de services par les sociétés commerciales. D'autre part, il faudra réconcilier cette politique avec les objectifs de l'Union européenne dans le domaine de la protection et de la promotion des droits fondamentaux. La recherche mettra en exergue la tension entre l'intégration économique et la protection des droits fondamentaux et l'impact de celle-ci sur le fonctionnement des règles de conflit de juridiction. Finalement, la thèse proposera des changements aux règles de conflit de juridiction applicables aux contentieux du travail.

<http://hdl.handle.net/1814/19445>

MOLINO, Paola

L'impero di carta : Hugo Blotius, Hofbibliothekar nella Vienna di fine Cinquecento

EUI PhD theses, Department of History and Civilization

Defence date: 30 September 2011, Examining Board: Antonella Romano- Supervisor (EUI, Florence)

Theses

Giulia Calvi (EUI, Florence) Angela Nuovo (Università degli studi di Udine) Karl Vocelka (Universität Wien)

The thesis deals with the first organisation and uses of the Imperial library in Vienna between 1575 and 1604. At the core of this work there is the cultural and political experience of the first librarian, the Dutch scholar Hugo Blotius (1534-1608), attracted to Vienna during the “tolerant” age of Maximilian II, but in charge until the end of the reign of his successor, Rudolf II. From 1583 the Imperial court was no longer in Vienna but in Prague, so that the study of the library involves discussions about the moving centres and peripheries in early modern central Europe. The thesis is divided into four parts that correspond to larger analytical issues. In the first part, the problem of the relationship between early modern “intellectuals” and the production and construction of their legacy is tackled through the experience of Hugo Blotius before settling in Vienna (1570-1574). The problem is crucial since it is mainly through the sources produced by Blotius or connected to him that we are able to reconstruct the history of the imperial library. The second part deals with the urban and courtly dimensions of Vienna and here some specificities of its cultural institutions and the dynamics of patronage are singled out, with particular attention to the complicated transition between the reign of Maximilian II and that of Rudolf II. The third part of this work focuses on the micro-spatial dimension of the library (the Minorite cloister where this was placed) and tries to reconstruct how this space might have influenced the main activity that Blotius carried out while in Vienna, namely the drawing up of library catalogues. Finally I sketch some uses of the library, and some types of users, basing on lists of loans and scholarly correspondence, that is a way to reflect upon the rise of “publics” of late Sixteenth century cultural institutions. In the second volume of the thesis the “materials” used for the text are collected, such as a selection of Hugo Blotius private correspondence, his *Consilia*, the documents from the archives, and his notes on the organisation of the library.

<http://hdl.handle.net/1814/19432>

MOSCHEL, Mathias

The Relevance of Critical Race Theory to Europe

EUI PhD theses, Department of Law

Defence date: 21 June 2011, Examining Board: Prof. Wojciech Sadurski, University of Sydney (former EUI/Supervisor) Prof. Kendall Thomas, Columbia University School of Law (External Supervisor) Prof. Ruth Rubio-Marín, EUI Prof. Gianfrancesco Zanetti, Università degli Studi di Modena e Reggio Emilia This Ph.D. thesis offers a fresh look at the difficult connection between race and law in the continental European context. So far, the analysis of race and racism in legal scholarship has mainly occurred in terms of traditional dogmatic criteria. Here instead, civil law jurisdictions of Europe will be looked at through the prism of Critical Race Theory, an American legal theory that has placed the problematic relationship between race and law in the United States at the core of its scholarship. What emerges from that perspective is that in spite of the general idea that race and ethnicity played only a marginal and exceptional role in mainland European legal systems, law is just as deeply involved in constructing and discriminating racial minorities, albeit in somehow different ways. In particular, this claim is substantiated by problematizing the historically conditioned reluctance in mainland European states to speak and research in terms of ‘race’. In the legal domain this position translates into proposals to eliminate race from constitutional and legislative provisions and into very narrow legal definitions and perceptions of what is racism and who is deemed to be racist. This ultimately happens to the detriment of the victims of racism and to the benefit of the white, Christian majority. Three case studies on the Roma, France and Italy then provide a more contextualized analysis and also show in which ways colonialism, anti-Semitism, anti-Roma and anti-Black racism, and Islamophobia are anything but exceptional and constitute the open or unspoken assumption in the relationship between law and race in the continental European context.

<http://hdl.handle.net/1814/17994>

NTALACHANIS, Angelos

Leaving Egypt : Greeks and their strategies, 1937-1967

EUI PhD theses, Department of History and Civilization

Defence date: 2 September 2011, Examining Board: Prof. Anthony Molho (EUI) - Supervisor Prof.

Theses

Heinz-Gerhard Haupt (EUI) Prof. Christos Hadziiossif (University of Crete) Prof. Alexander Kitroeff (Haverford College)

This dissertation is an examination of the departure of the Greek population from Egypt from 1937 to 1967 and the various, often contradictory, strategies they adopted concerning not only their departure but also their continued residence in the Nile Valley. To date, the historical literature has discussed the departure of the Greeks from Egypt as a result of factors external or internal to the *paroikia*, as the Greek entity was called. This study takes a critical, historical perspective on the matter and provides a more complex view, taking into account the general historical context of post-Capitulations Egypt, the Second World War, the creation of the Israeli state, the Cold War and decolonization. To do so, I consider the social stratification of the Egyptian Greeks and the changing social and economic profile of *paroikia* members in the post-Capitulations era. I reveal important issues regarding issues of identity and belonging among the members of the *paroikia*. I emphasize mobility in terms of physical movement as one of the basic features of *paroikia* life. This dissertation, through the examination of many dissimilar sources, brings to the fore the departees as agents of migration but also the state and *paroikia* officials who played an active role in the departure. This study captures the complexity of the phenomenon and hence contributes to the history of people on the move.

<http://hdl.handle.net/1814/19433>

PEREZ GARCIA, Manuel

Consumer Behaviour and International Trade in the Western Mediterranean: South-Eastern Spain in a trans-national perspective (1730/1808)

EUI PhD theses, Department of History and Civilization

Defence date: 24 June 2011, Examining Board: Bartolomé Yun-Casalilla, supervisor (European University Institute), Luca Molà (European University Institute), Jan De Vries (University of California at Berkeley), Gerard Chastagnaret (Université de Provence)

How to focus the analysis of the birth of mass consumption society has been a scholarly obsession over the last few decades. This thesis suggests that an analytical approach must be taken in studies on consumption paying special attention to the socio-cultural and economic transfers which occur when different commodities are introduced to territories with diverse socio-cultural values and identities. Therefore one of the key questions of such an analysis is to examine the role of merchants, who have a very important influence on consumer decisions. This thesis describes the new necessities created by merchants, as “vicarious consumers”, inserted in local, national and international market circuits in the Western Mediterranean area. The increase in the consumption of new goods during the eighteenth century in south-eastern Spain, especially during the second half of the century, entailed changes in household economies through some improvements in everyday life. The systematic analysis of probate inventories demonstrates potential shifts in the consumption of new durable and semi-durable goods in urban and rural families. Certainly, in south-eastern Spain, there was an interest in consuming new, exotic and foreign goods. The desires, aspirations and choices of individuals are demonstrated to have been inspired by a global movement, in which human and material capital circulated trans-continently, shifting the patterns of consumption of societies - whose values and traditions were challenged by the acquisition of new material goods. I will not simply analyse those relevant theories applied to material culture studies related to Occidental or Oriental societies, such as the “industrious revolution” or “trickle-down” approaches (which have been applied mostly in developed economies to explain stages prior to the Industrial Revolution process). Instead, by observing a southern European society, such as Spain, where the industrialization process was slower than that in Anglo-Saxon territories, we may determine whether both theories occurred simultaneously or separately; identify what the socio-economic forces and agents that prompted the stimulus for new consumer aspirations were; and understand the cultural consequences that the new modern consumerism brought about.

<http://hdl.handle.net/1814/18400>

PETERS, Robert

Complementary Alternative Mechanisms Beyond Restitution: An interest-oriented approach to resolving international cultural heritage disputes

EUI PhD theses, Department of Law

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Defence date: 13 December 2011, Examining Board: Examining Board: Prof. Francesco Francioni, European University Institute (Supervisor) Prof. Ruth Rubio Marin, European University Institute Prof. Kerstin Odendahl, University of Kiel, Germany Prof. Ana Vrdoljak, University of Western Australia

Disputes over the restitution and return of cultural materials have steadily increased in recent years. While several restitution claims pertaining to Nazi-confiscated art have been resolved, other cases relating to the appropriation of cultural materials during war, foreign or colonial occupation, theft, or as a consequence of illicit trafficking have proliferated. Despite these challenges and recent developments in international law, international treaty law and current State practice in resolving restitution disputes primarily focus on arguments associated with State interests and property rights, and thus do little to accommodate the interests of the various stakeholders involved in restitution disputes. Moreover, because of major legal obstacles claimants face in restitution cases (namely the non-retroactivity of international treaty law, the protection of the bona fide purchaser and provisions on the lapse of time), a purely legal approach is not a viable option in many restitution disputes. Therefore, this dissertation introduces an approach that aims at taking into account the interests of the various stakeholders in the resolution of these disputes. In a second step, complementary and alternative mechanisms in the resolution of restitution disputes are examined in order to accommodate these different interests. The utilization of this interest-oriented approach will allow restitution disputes to be resolved in a more sustainable and cooperative manner; moreover, ethical and historical considerations can also be more adequately addressed than in a purely legal approach. It will be demonstrated that within the scope of the 'common interest' in the protection of cultural heritage, other issues can be identified as being of common concern, including: physical and cultural preservation, access, integrity, and cooperation. Since these aspects form part of the 'common interest', they are valid not only for the protection of cultural heritage in war and peace, but must also be taken into account in the resolution of restitution disputes. Consequently, these common interests form new general principles in international cultural heritage law.

<http://hdl.handle.net/1814/20054>

PETERS, Yvette

Patterns of Change. A Study of the Relation Between Political Participation and Institutions

EUI PhD theses, Department of Political and Social Sciences

Defence date: 20 May 2011 Examining Board: Prof. Alexander H. Trechsel, European University Institute (Supervisor) Prof. Peter Mair, European University Institute Prof. Russell J. Dalton, University of California at Irvine Prof. Jan W. van Deth, University of Mannheim

This thesis aims to explain levels and changes in levels of political participation through institutions and institutional change. Three general trends have been distinguished; a decline in 'representative' participation, an increase in 'extra-representative' participation, and an increase in 'direct' participation. The notion that these trends are apparent in most established democracies is rather striking and puzzling. This study specifically contributes to the debate about the current state and health of democracy, considering that it is concerned with both system changes in democracies and levels of popular participation in these democracies. Changes in these types of participation could partly be explained by changes in the structure of the political system. Although the notion that institutions matter in political life is not debated, and their effects have been examined before, the effects of institutions have rarely been examined structurally in large-scale analyses, specifically concerning participation. In this study, three institutional elements which affect the access points and inclusiveness of the political system are considered: 'horizontal' diffusion of responsibilities (privatisation; the creation of non-majoritarian institutions), 'vertical' diffusion of responsibilities (decentralisation; globalisation) and 'diagonal' diffusion of responsibilities (direct democracy institutionalisation). The main aim of this research is therefore to find to what extent changes in the political system influence levels of different forms of political participation, over time and across space. The study finds that, generally, representative participation seems to be negatively affected by privatisation, non-majoritarian institutions, globalisation, and the institutionalisation of referendums, with unclear results regarding the impact of decentralisation. Extrarepresentative participation is generally positively influenced by privatisation, nonmajoritarian institutions, decentralisation, and globalisation, while there are some mixed results concerning the influence of the institutionalisation of referendums. Finally, direct

participation is negatively affected by privatisation, non-majoritarian institutions, decentralisation, and globalisation, while referendum institutionalisation has generally a positive effect on levels of direct participation.

<http://hdl.handle.net/1814/18616>

PETITHOMME, Mathieu

Government, Opposition and the Strategies of Adaptation of National Parties to European Integration: A comparative study

EUI PhD theses, Department of Political and Social Sciences

Defence date: 18 October 2011, Examining Board: Prof. Alexander Trechsel, European University Institute, for Prof. Peter Mair (†), European University Institute (supervisor) Prof. Stefano Bartolini, European University Institute Prof. Florence Haegel, Sciences-Po Paris Prof. Robert Ladrech, Keele University

This thesis deals with the ways distinct types of parties in government or in opposition have adapted their strategies of competition to handle EU integration. The thesis draws on data from four countries – Britain, France, Ireland and Spain – over the past 15 years of electoral politics. The thesis provides a comparative and longitudinal analysis of their strategies of politicisation and of depoliticisation in relation with the parties' different statuses within their party systems (incumbent, mainstream opposition and peripheral opposition) and in three distinct arenas (national elections, European elections and EU referendums). It investigates how these parties have handled EU issues in three complementary dimensions of their activities: in their strategies of political communication, in intra-party debates over the EU and in their responses to the consolidation of the European electoral arena. The thesis uses a mix-method approach based on claims-making analysis, thick qualitative comparisons and descriptive statistics. Contradicting the idea of a gradual europeanisation, it first provides evidence for the stable marginalisation and nationalisation of EU affairs. Second, while the rise of euroscepticism is often discussed, the thesis demonstrates that conflicts over EU matters are rarely prominent in practice, and that they remain sporadic and confined to certain electoral channels, with mainstream parties actively compartmentalising the potential divisive effects of EU issues within their organisations. Third, it points to the centrality of the twofold behaviour of opposition parties, explaining why the politicisation of EU matters has remained contextual and less linked to the role of radical parties than is usually recognised. It finally delineates a process of increasing seclusion between the national and European political arenas that can be observed through the trajectories of MEPs careers in relation to their domestic political spaces or through the disengagement of national parties from campaigning in EU elections.

<http://hdl.handle.net/1814/19439>

PICCIO, Daniela Romeé

Party Responses to Social Movements: A comparative analysis of Italy and The Netherlands in the 1970s and 1980s

EUI PhD theses, Department of Political and Social Sciences

Defence date: 7 December 2011, Examining Board: Examining Board: Prof. Donatella Della Porta, European University Institute (supervisor) Prof. László Bruszt, European University Institute Prof. Rudy Andeweg, Leiden University Prof. Thomas Poguntke, Heinrich-Heine-Universität Düsseldorf

The independent and spontaneous mobilization of social movements during the late 1960s challenged political parties in their very fundamental function of political linkage and has often been deemed a symptom of a crisis of political parties as representative agents. For the first time, it seemed that 'the political' extended to other spheres of civil society beyond the traditional party channels. This thesis examines the responses of political parties to social movements in Italy and the Netherlands from the 1970s to the 1980s. Because of their closeness in terms of political identity, social movement scholars have tended to concentrate on the responses of left-wing political parties to social movements. This thesis, which also incorporates this common inquiry, also examines the responses to the social movements of the more distant center-right parties. The major questions that it attempts to answer are: did the observed political parties actually respond to the emergence of social movements? What types of responses did they engage in? What factors explain the variation in the parties' responses? Each

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empirical chapter examines the individual party responses to the two most numerically significant social movements that emerged in the Italian and the Dutch national contexts. Drawing on Gamson's typology of social movements' success (1975) and on further elaborations of different types of social movements' 'impact', the analysis classifies different party responses by dimension (party discourse and party organization) and type (direct and indirect). Empirical results reveal how, despite the fact that party identity explains variation in the degree to which parties responded to social movements, with parties on the left showing greater responsiveness as compared to center parties, the latter did not remain unaffected by the emergence of social movements. Moreover, results show how also for the case of the leftwing parties, a total adherence to the social movements' demands did not take place. A two-fold conclusion can be drawn. On the one hand, political parties do channel social movements' demands, therefore satisfying their function of political representation. On the other hand though, the two worlds of political parties and social movements remain separate, as the inherent constraints of representative government only allow parties to bring forward the social movements' demands in a mediated form, distant from the movements' original demands.

<http://hdl.handle.net/1814/20063>

PINTO SOARES, Patrícia

The International Criminal Court and the Principle of Substantive Complementarity: Universal jurisdiction, the security council and the challenge to the duty to prosecute core

EUI PhD theses, Department of Law

Defence date: 25 February 2011, Examining Board: Professor Francesco Francioni, EUI (Supervisor) Professor Martin Scheinin, EUI Professor José de Faria Costa, Law Faculty University of Coimbra Professor and Judge Mauro Politi, Law Faculty University of Trento

The thesis assesses whether States are required to investigate and prosecute the most serious crimes of international concern. To this effect, it analyses the regime determined under treaty law, customary law and general principles of law for the prosecution of core crimes. It examines whether the prohibition to commit core crimes embodies jus cogens and, if so, what consequences derive therefrom for the duty to prosecute perpetrators. Further, considering that the ICC was established in order to fill in lacunae of accountability derived from States' unwillingness or inability to prosecute, the thesis scrutinizes the jurisdictional framework established by the Statute, in particular the principle of complementarity. On the basis of the study undertaken, it is argued that complementarity as determined in the Rome Statute is a specific materialization of a broader concept of complementarity. The thesis concludes that core crimes law has been motioned forth by the principle of substantive complementarity, which binds the custodial State to prosecute, where extradition is not feasible and international jurisdiction cannot step in, if necessary on grounds of universal jurisdiction. Finally, taking into account that the Statute of Rome articulates the mandate of the Court with the authority of the SC to maintain international peace and security, the thesis proposes a model of coordination of the competences of States, the ICC and the UN political organ, in accordance with the law of the Charter, the Rome Statute and peremptory norms of the international community. Against this backdrop, a systematic framework of the duty to prosecute core crimes is submitted, such that sovereignty and the principle mandating the fight against impunity are operatively reconciled.

<http://hdl.handle.net/1814/16062>

PINZAUTI, Giulia

State responsibility for violations of the rules on the conduct of hostilities : towards the emergence of individuals' rights?

EUI PhD theses, Department of Law

Defence date : 13 September 2011, Examining Board: Professor Francesco Francioni, European University Institute (Supervisor) Professor Martin Scheinin, European University Institute Judge Antonio Cassese, President, Special Tribunal for Lebanon Professor Françoise Hampson, University of Essex School of Law

The rules on state responsibility for internationally wrongful acts foresee that states can be responsible towards subjects other than states (including individuals) in case of breaches of international rules having erga omnes character that also protect individuals' rights. The rules of International

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Humanitarian Law (IHL) regulating the conduct of hostilities (also referred to as the 'Hague law') protect sensitive state interests and thus lie at the heart of state sovereignty. At the time of their adoption, they were conceived as being applicable in the relations between belligerents only, and were not meant to bestow rights on individuals. This conception of the 'Hague Law' jars with the ongoing trend towards the progressive humanization of IHL. It is argued that in contemporary international law there are several elements that warrant an interpretation of those rules in light of human rights norms. For instance, one can mention the practice of those human rights supervisory bodies that have dealt with human rights violations arising out of the unlawful conduct of military operations, the practice of UN organs recognizing a right to remedy and reparation for victims of IHL violations, and the emergence of the principle of individual criminal responsibility for breaches of the 'Hague law'. Moreover, some domestic courts have recognized that individuals injured by IHL violations have a private right of action against the state. The above elements foreshadow the emergence of new trends whereby human rights norms are progressively reshaping the interpretation of the 'Hague law'. If practice develops coherently with the interpretation suggested above, individuals' rights could emerge also under the rules at stake. Individuals injured by the unlawful conduct of military operations would thereby acquire legal entitlements vis-à-vis the wrongdoing state, matched by corresponding obligations of remedy and reparation on the part of the latter.

<http://hdl.handle.net/1814/19446>

PIOTROWSKI, Grzegorz

Alterglobalism in Postsocialism: A study of Central and Eastern European activists

EUI PhD theses, Department of Political and Social Sciences

Defence date: 5 July 2011, Examining Board: Prof. Donatella Della Porta, European University Institute (Supervisor) Prof. Don Kalb, Central European University (External Supervisor) Prof. László Bruszt, European University Institute Prof. Grzegorz Ekiert, Harvard University

Alterglobalism in Postsocialism. A Study of Central and Eastern European Activists' is a doctoral thesis that presents the development and the characteristic of the Global Justice Movement in Poland, the Czech Republic and in Hungary. Using tools and approaches derived mostly from anthropology this thesis is supposed to give an insight into the movement in Central and Eastern Europe, but it also relies on the tradition of sociology (in particular social movement studies) with some references to postsocialist and historical studies. Although far from being complete, it is one of the first comparative ethnographies of the movement and of the activists in the region. One of the main ways to explain the specificity of the movement in this part of the world is the existence of the postsocialist condition – a set of factors that have shaped the ways of organization of contentious politics. This thesis also attempts to analyze the movement from various perspectives by looking at its relations with the civil society, subcultures and countercultural milieus and with other actors of the global movement. At the core of the analysis are the repertoire of actions used in the region and the frames used to link local protests with more global struggles. In particular I was interested how do the social activists manage to deal with the notion of postsocialism and how do they adapt the frames derived from activism in other parts of the world to their own cases. I have tried to analyze these processes by looking at the practices of the activists in order to get a more realistic image of the movement, not biased by the self-imaginings of the activists.

<http://hdl.handle.net/1814/18406>

PRAJDA, Katalin

Rapporti tra la Repubblica Fiorentina e il Regno d'Ungheria a livello di diplomazia, migrazione umana, reti mercantili e mediazione culturale nell'età del regime oligarchico (1382-1434), che corrisponde al regno di Sigismondo di Lussemburgo (1387-1437)

EUI PhD theses, Department of History and Civilization

Defence date: 9 September 2011, Examining Board: Prof. Anthony Molho, EUI – Supervisor Prof. Giulia Calvi, EUI Prof. John F. Padgett, University of Chicago Prof. Gábor Klaniczay, Central European University

No abstract available

<http://hdl.handle.net/1814/19434>

PROKIC-BREUER, Tijana

Three Studies on the Sources and Consequences of Social and Cultural Capital among European Adolescents

EUI PhD theses, Department of Political and Social Sciences

Defence date: 13 June 2011 Examining Board: Prof. Dr. Jaap Dronkers, European University Institute/Univ. Maastricht (Supervisor) Prof. Dr. Joop Hartog, University of Amsterdam (External Supervisor) Prof. Dr. Sven Steinmo, European University Institute Prof. Dr. Marc Hooghe, Katholieke Universiteit Leuven

This dissertation has two main themes. First, it studies the role of social and cultural capital in educational achievement from a comparative perspective. Second, it investigates determinants of social trust among adolescents, where the theoretical framework combines insights from both political socialization literature and social capital literature. The core of the thesis is three empirical papers. The first paper is novel in that it explores the relevance of social and cultural capital when measuring improvement in children's educational achievement in two vastly different societies: Eastern and Western Europe shortly after communism. My explicit question is not if social and cultural capital contribute to educational outcomes, but whether this contribution is the same in different societies. In seeking the significance of the role of social and cultural capital, I used data from the Program for International Students Assessment (PISA) and Trends in International Mathematics and Science Study (TIMSS) which surveyed 50,000 eighth-grade pupils across Europe. Educational performance is measured by pupils test scores in mathematics. The second and third papers elaborate what is the second theme of this thesis: The origins of social trust among adolescents. In order to shed more light on this issue, I distinguish between two different forms of social trust: generalized trust, which indicates how much adolescents trust other people; and political trust, which indicates the extent to which they trust government-related institutions. I conducted an empirical analysis of the data set from the 1999 Civic Education Study conducted on 14-year old students across 18 countries. As a result, the second paper of this thesis examines the origins of generalized trust among the study's sample group, whereas the third paper of this thesis explores determinants of political trust among adolescents. Both papers examine the link between socialisation processes within the family and school and their effects on the development of generalized and political trust. In addition, they utilize institutional theories on the development of social trust, and test the proposition that the quality of governmental functioning affects development of generalized and political trust of citizens.

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PURNHAGEN, Kai Peter

Systematisation in European Risk Regulation

EUI PhD theses, Department of Law

Defence date: 17 January 2011, Examining Board: Prof. Dr. Julia Black, London School of Economics and Political Sciences Prof. Dr. Fabrizio Cafaggi, EUI Prof. Dr. Hans-W. Micklitz, EUI (Supervisor) Prof. Dr. Ellen Vos, University of Maastricht

This thesis explores the impact of the increasing role of systematisation in European law on the example of EU risk regulation as a reference area. It argues that systematisation in European law has a much wider impact than what is regularly perceived as rationalisation. It creates a new integration-method, which economises European law to an extent that it effects the state-making and society building in EU law. In this respect, it also contributes to the legitimacy of EU legal action and shapes the EU constitution. Risk regulation forms an ideal test case for this thesis as it has emerged in recent years from a sector-specific and reactive field of law to an increasingly coherent and autonomous legal system at European level, which follows its own rules and procedures. While within the two main regimes of risk regulation, which I call 'new approach' and 'new governance', systematisation developed at a different speed and under different circumstances, these concepts are increasingly merged at European level. When I talk about the technique of systematisation, however, this concept requires adjustment as to the features of European law. While systematisation has been a main feature of the state-making agenda of nation-states, the same technique of systematisation in the EU nowadays creates a common market. Hence, in the EU, systematisation is in the first sense a tool of economisation. This impact of systematisation of risk regulation falls also within the EU's competence.

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Although the principle of proportionality may require adjustments according to under- and over-inclusiveness of individuals and groups within systematised EU law, the EU legal order requires such systematisation in principle.

<http://hdl.handle.net/1814/16063>

QUIRICONI, Sara

Therapeutic Jurisprudence in the Work of Drug Courts: Origins, developments and perspectives for a new approach to the law

EUI LLM theses, Department of Law

Supervisor: Dennis Patterson, Defence date: 12 December 2011

The objective of this thesis is to present the theory of Therapeutic Jurisprudence -TJ-, as it has been developed by Professors David Wexler and Bruce Winick in the last twenty years. My interest in this "new" discipline originates in the study of the relationship between the individual before the court and the criminal system inside the punishment philosophy debate. In the first chapter, I will present the theoretical substrate of Therapeutic Jurisprudence backed by the works of Problem-Solving Courts, especially by that of Drug Courts, which is considered the best TJ theory's application so far. In the second chapter, I will focus on the main socio-legal interpretations that Therapeutic Jurisprudence and Drug Courts have received, trying to outline some of the main criticisms of the current debate on the issue. In the third chapter, I will look at two of the main tensions that Therapeutic Jurisprudence, through the work of Drug Courts, may create from a legal point of view.

<http://hdl.handle.net/1814/20059>

ROBINS, Wendy

Contending for Laurels: Catharine Macaulay. History and feminism in eighteenth-century, England

EUI PhD theses, Department of History and Civilization

Defence date: 29 September 2011, Examining Board: Prof. Martin Van Gelderen (EUI) - Supervisor Prof. Guilia Calvi (EUI) Prof. Iain Hampsher-Monk (Exeter University) Prof. Karen O'Brien (University of Warwick)

Catharine Macaulay (1731-91) was a significant female writer of the mid to late eighteenth century who is now becoming a figure of scholarly interest. Two recent monographs by Bridget Hill, (1992) and Kate Davies, (2005), have looked at Macaulay as primarily a biographical subject, with the latter incorporating a nuanced interpretation of the cultural contexts of the late eighteenth century 'Atlantic World'. This thesis aim to complement these two books by providing a close reading of Macaulay's own work with particular emphasis on her eight volume History of England, (1763-83). The first part of the thesis contrasts Macaulay's magnum opus, the eight volume History of England (1763-83) with the major works of history that preceded her publication: including Clarendon, Rapin, and Hume. It argues that Macaulay was not hindered by her gender, or lack of education, producing a work of studied empiricism that rivalled these major male historians, and that Macaulay was engaged in a competitive literary venture to overwrite these works and establish a whig history of grand proportions detailing the battle between the two forces of Tyranny and Liberty. The second part of the thesis takes a detailed examination of specific aspects of her History and Macaulay's political philosophy. It examines Macaulay's rhetoric and her republicanism, looking specifically at her use of oratory, her planned constitutional reforms, and her promotion of Liberty. It argues that Macaulay was welded to gendered representations of political and national virtue, but that she measured virtue only in accordance to her republican ideals. These ideals were gained from a variety of sources and demonstrate not only her extensive reading and referencing but also how the commonwealth tradition in which she wrote were dependent on both the neo-classical works of the seventeenth century and Lockean liberal thought. It argues that unlike the commonwealth tradition as a whole, Macaulay saw monarchy as inherently given to tyrannical inclinations and that a pure republican democracy was a potential option for England. The third part of the thesis looks at Macaulay's feminist sentiments contrasting these with educational works and early feminist writing. It argues that although there is little evidence to suggest any direct influence of other early feminists Macaulay's own feminism was ironically more a reaction to a subjective emerged from a long standing debate over women's intellectual abilities, their reading skills, and the

place that history as a genre played in their moral development. This demonstrates a move in her thinking and writing from the public active representation of a neo-classical republican to something more resembling a reflective liberal feminist. Macaulay produced a substantial body of work and this thesis demonstrates the conflicts and contrasts that marked her development as a political thinker. Nonetheless the unshakeable permanence of her beliefs that the world was divided into binary opposites of good and bad, Liberty and Tyranny was a constant and consistent element that she refused to limit by sexual distinctions.

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ROSSI, Federico Matías

The Quest for Re-incorporation in Post-corporatist Politics: The path of the unemployed workers' movement in Argentina, 1996-2008

EUI PhD theses, Department of Political and Social Sciences

Defence date: 21 July 2011, Examining Board: Prof. Donatella della Porta, European University Institute (EUI Supervisor), Prof. Jeff Goodwin, New York University (External Supervisor), Prof. Sidney Tarrow, Cornell University, Prof. Philippe Schmitter, European University Institute

The purpose of this dissertation is to narrate and conceptualize the piqueteros movement's path to re-incorporation in Argentina. The piqueteros movement provides an outstanding scenario for the dynamic analysis of thirteen years of the intertwining logics of both contentious and routine politics. This thesis argues that the complete explanation for the interaction of social movements with state institutions must involve the less spectacular accumulation of ad hoc practices and the use of a predominant repertoire of strategies. The empirical argument of this dissertation is that the period between 1996 and 2009 represented a reshaping of the political arena through the second incorporation of workers under a non-corporatist logic. The territorialized path and specific logic of re-incorporation struggles in Argentina presents us with the crucial question of the redefinition of state-society relations in the post-neoliberal era and its related re-incorporation struggles. The theoretical purposes of this dissertation are manifold. The first is to suggest a refinement of the concept of political opportunities by specifying its logical location in the wider debate about the configuration of the political context for social movement interaction. The second is to propose a series of concepts for the analysis of strategic action in nonrational choice and/or structurally determinist terms. The threefold set of interrelated concepts I propose are: the stock of perceived alternatives; legacies; and repertoires of strategies. The third is to define the type of movement associated with the struggle for the redefinition of the actors to be included in the post-neoliberal political arena. Reincorporation movements have specific attributes that define them as a particular expression of a historical process of struggle for incorporation that emerged with the neoliberal critical juncture. Finally, this dissertation has the goal of bridging the social movement and historical institutionalism literatures with the hope of contributing towards a yet underdeveloped crossfertilization agenda.

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ROVITHI, Chara

Agents of Memory in the Making: The Greek war-disabled of WWII

EUI PhD theses, Department of History and Civilization

Defence date: 12 December 2011, Examining Board: Prof. Peter Becker (EUI) - Supervisor Prof. Heinz-Gerhard Haupt (EUI) Prof. Georgios Margaritis (Thessaloniki University) Prof. Gustavo Corni (Università di Trento)

This dissertation examines the making of the WWII disabled as agents of memory focusing on the experience of mutilation of the specific group of war veterans. A large part of the research is based on oral testimonies, various ego-documents, legal documentation, newsletters and material from disabled associations. Starting from a presentation of the declaration of the war and its process it seeks to find the main constitutive elements of the Greek-Italian war legend in the period of its consolidation. The way in which invalids conceptualize this legend in their memories and the interaction between those memories and the legend's thematic structure is put forward in a concise unit. What follows is an attempt to track the invalids' trajectory from the front to the hospitals and further on to their life in the post liberation years, the period of their rehabilitation. Importance is given in the process of

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hospitalization. Hospitals, far from being a space of confinement, acquire new meanings through the social interaction developed among patients, visitors and the medical staff forming thus a locus of their constitution as war-disabled. It is in this exact place, the hospital, that the disabled form their associations, get involved into the resistance and finally suffer the repression of the occupational government. In the first decade of the post-war years, disabled rehabilitation is examined within a political, social and legal framework. There is an analysis of the war veterans' survival strategies, the political discourse, the structure of the associations and the economic and social positioning of the disabled subjects. The final chapter offers an historical perspective and functions as an introduction to the prehistory of the subject, dealing mostly with policies, legal regulations and institutions of the war-disabled in the interwar years.

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ROZBICKA, Patrycja

Myths and Reality of EU Policy Processes and Interest-Groups Participation. Why are interest groups not as successful as they would like to be?

EUI PhD theses, Department of Political and Social Sciences

Defence date: 27 June 2011 Examining Board: Prof. Friedrich Kratochwil, European University Institute (Supervisor) Prof. Pepper Culpepper, European University Institute Prof. Jan Beyers, University of Antwerp Prof. Pieter Bouwen, Katholieke Universiteit Leuven

Some interest groups, when referring to their participation in EU policy processes, summarize their experience thus: 'We are more and more consulted but less and less heard'. While the governance concept in general, and EU multi-level governance in particular, argue for the inclusion of interest groups in the policy process, those groups' statements prove that in reality the situation is different. The questions that must be answered, then, are: why does this happen, and where is the catch? This thesis examines the EU's relationships with interest groups in general, and, in particular, the factors supporting and opposing NGOs' and business groups' successes and failures in influencing EU policies. I seek to answer the following questions: How does the organization of the EU political system assist or limit NGOs' and business groups' participation in the policy process? Does their position in policy networks have any influence on their input transposition? Does it affect the quality of their input? Can external factors to the policy processes themselves be a reason for lack of input implementation? I focus on three case studies. Firstly, as a background study, I examine the EU political system; subsequently, I analyze the EU Sustainable Development Policy and the EU Regulation on chemicals and their safe use (REACH) as particular examples of 'on-the-ground' cases. My main methodologies are process-tracing (including comparative content text analysis), social-network analysis, and interviews with key informants. The results are striking. The EU political environment does not appear to be as open as its supporters would like it to be perceived. Coalition-building proves to be the most efficient element of successful interest-group campaigns. The quality and independence of the input of interest groups is questionable. And finally, it emerges that external factors, which should be irrelevant, have a major influence – both positive and negative – on groups' input transposition, depending on the situation.

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RUGE, Majda

Overcoming division in Bosnia and Cyprus: The limits of international intervention

EUI PhD theses, Department of Political and Social Sciences

Defence date: 20 May 2011, Examining Board: Professor Michael Keating, European University Institute (Supervisor) Professor Pascal Vennesson, European University Institute Professor Judy Batt, University of Birmingham Professor Thomas Diez, University of Tübingen

The thesis provides a critical assessment of international involvement in the task of postconflict state consolidation of Bosnia and Cyprus. It aims to account for the inconsistent record of success of international actors in their attempts to institute and implement powersharing agreements in Bosnia and Cyprus. In particular, the thesis focuses on the impact of international incentives on the policies and discourse of the Bosnian Serb and the Turkish Cypriot secessionist elite in respect to the post-conflict state unification agenda. Much of the literature on third-party sponsored conflict management is

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optimistic about the possibility for conflict resolution through external intervention, especially in states offered the prospect of EU membership. The confidence in the transformative power of international incentives relies on the presumption that there is sufficient willingness and ability on the 'external' side to apply its leverage in support of policies that would promote more consensual inter-ethnic relations in aspiring member states. A further presumption posited by the literature, is that domestic socialisation into international/EU normative framework can yield discursive and identity changes in aspiring member states, in turn decreasing the salience of borders and reducing the potential for ethno-territorial conflict. What is missing from many of these studies is a more empirically driven discussion of problems related to the 'exercise of power' by a multiplicity of international actors in postconflict, deeply divided societies, typically characterised by a low level of democratic consolidation. The thesis attempts to make a contribution by filling this gap through an indepth study of interaction between the international actors and domestic elite in the autonomous entities of Bosnia and Cyprus, offering a more context-based approach to the preferences and conduct of actors on both sides of the power relationship. Central to the analysis of domestic preferences is how the exercise of the autonomy in an illiberal context, and the rent-seeking opportunities which the elite enjoys in such a setting, affect the positions of the ruling elite on the state-consolidation agenda. Nationalist elites are found to be instrumental players who hold vested interests in maintaining the status quo and are endowed with various institutional and discursive opportunities which frequently allow them to resist and delegitimize internationally sponsored reforms. As such, the thesis outlines multiple domestic challenges related to the exercise of 'hard power' and legitimacy the outsiders face in post-conflict interventions. Further question pursued is the extent to which international actors are capable of meeting these challenges through a coordinated strategy, how the available resources of power are applied in practice, how effective these are given the domestic institutional opportunity structures, and finally, what degree of legitimacy international actors are able to confer to their interventions. Significant normative and practical constraints to mobilising, effectively applying resources, and legitimising international intervention are identified. As a result of these domestic challenges and external constraints, the thesis proposes an alternative view of the interaction between external and domestic actors in post-conflict contexts to that presented by conventional IR approaches, which generally conceptualise it as power asymmetry in favour of the former. This relationship is better described as ongoing bargaining, as well as what I refer to as a legitimacy contest, more akin to the Morgenthau's understanding of power as a psychological relationship, of which legitimacy is an important component. Further, contrary to the idea that external policy is fixed and that the domestic actors follow a straightforward logic of either obstruction or compliance, this interaction is seen as an ongoing contestation, in which both sides use various strategies to pursue and legitimize their agendas, frequently adapting their positions and often deviating from stated policy objectives and official rhetoric.

<http://hdl.handle.net/1814/19440>

SCHERRER, David

Dynamic Factor Models in Macro-finance

EUI PhD theses, Department of Economics

Defence date: 7 June 2011, Examining Board: Professor Richard Spady, Johns Hopkins University (External Supervisor), Professor Helmut Lütkepohl, European University Institute, Professor Marco Lippi, Università La Sapienza, Rome, Professor Emanuel Moench, Federal Reserve Bank of New York

Macroeconomic concepts such as inflation and real economic activity are not directly observed. Researchers often use factor models in order to measure these unobserved concepts. The underlying view is that a small number of factors exist which represent the concept and drive many related variables. Consequently the U.S. economy is often modeled as an affine function of some factors. If indeed there is such a factor structure for the U.S. economy then it can be represented by a generalized dynamic factor model (GDFM). In the first chapter I describe and summarize the literature on GDFMs. In the second chapter I investigate the interactions and mutually independent dynamics of changes in inflation and real growth by applying the GDFM to a block of real growth variables a block of inflation variables and to their joint panel. In this manner an empirical decomposition of the U.S. economy is obtained and this allows the reconciliation of forward and backward looking Phillips curves. In the third chapter I build and study a discrete time generalized dynamic affine term structure model. This is

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characterized by three main features that are conceptually important for a new yield curve models. I allow: (a) for state vector dynamics beyond Markovian types (b) that all yields may contain an idiosyncratic component to reflect measurement-errors in the data and (c) that idiosyncratic components may be cross sectional as well as time-serial correlated. It is possible to directly compare this model with the version that is restricted by Dufresne's no-arbitrage conditions. Chapter four addresses whether or not changes in yields can be explained by changes to the latent dynamic factors which underlie the macroeconomic concepts of inflation and real growth. As such I contribute to the debate about whether or not monetary policy should react to real activity measures.

<http://hdl.handle.net/1814/18395>

SCHØYEN, Mi Ah

The Pension Dilemma in Italy, Germany and Sweden: A Common Challenge, Different Outcomes

EUI PhD theses, Department of Political and Social Sciences

Defence date: 13 June 2011 Examining Board: Prof. Stein Kuhnle, Hertie School of Governance, Berlin Prof. Joakim Palme, Institute for Future Studies, Stockholm Prof. Martin Kohli, European University Institute, Florence Prof. Sven Steinmo (Supervisor), European University Institute, Florence

This dissertation is about public pension systems, intergenerational redistribution and welfare state change. The aim is to enhance our understanding of how national pension systems have evolved and how welfare states react to the challenges of population ageing and fiscal stress, a problem which I refer to as the pension dilemma. I take a combined look at policymaking and policy performance.

On-the-ground outputs are assessed with a particular attention to redistribution across age groups and generations. The working hypothesis is that the burden of adjustment falls disproportionately on the young. While current and soon-to-be retirees have seen their pension rights largely unaffected, current labour market entrants will receive less in return for contributions paid, are more likely to experience career interruptions, and will, consequently, have more difficulties in obtaining full pension rights. Apart from being important in its own right, the hypothesis serves to tease out similarities and differences between countries. A look at demographic trends, the composition of social spending, and the socio-economic status of the aged across the OECD, reveals that diversity dominates among advanced welfare states. Studying the evolution of pension policy in three countries with Bismarckian pension systems, Italy, Germany and Sweden, we see, furthermore, that despite some similar policy responses, there is a surprising continued diversity with regard to how reforms are carried out and how these systems actually function. Advanced political economies have followed distinct paths in the past, and I submit that trajectories continue to be separate even though, on the face of it, reforms are in the process of making institutional architectures more alike. Going beyond the Bismarckian label, I characterise the Italian pension system as incoherent, the German as a classical and, finally, the Swedish as an egalitarian Bismarckian system. I submit that even in the context of significant reforms, they continue to be distinct from each other, and the dissertation offers an explanation of why we see a pattern of continued diversity. Most importantly, I submit that we need to situate the pension systems in their proper context taking account of their different socio-economic and institutional starting points. By studying the development of three modern pension systems over time, it becomes evident that previous policies form the most fundamental roadmap to new policies. Positive and negative policy feedbacks coexist. In some instances the cost of deviating from old principles renders certain policy options unfeasible (positive feedback). At other times they facilitate change through problems associated with old policy (negative feedback). Hence, actual policy output is more likely to be dictated by existing policies than exogenous shocks. If you begin with a more uniform and egalitarian system, the odds of reforming the system into a continued uniform and egalitarian system are rather good. By the same token, it is a difficult task to turn an incoherent and fragmented system into a coherent and uniform one. The effects of changes made to an incoherent system are much more difficult to predict. A classical system will be somewhere in-between these two extremes.

<http://hdl.handle.net/1814/18643>

SIASSI, Nawid

Intrahousehold Insurance and its Implications for Macroeconomic Outcomes

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EUI PhD theses, Department of Economics

Defence date: 25 October 2011 Examining Board Members: Prof. Salvador Ortigueira, Universidad Carlos III de Madrid, Supervisor Prof. Piero Gottardi, EUI Prof. Martin Flodén, Stockholm University Prof. Francesc Obiols, Universitat Autònoma de Barcelona

Most theoretical and empirical work on consumption, labor supply and saving decisions has been based on the paradigm that households behave as single agents. While this approach is often convenient, it relies on very restrictive assumptions. In recent years, there has been significant progress in developing a more satisfactory theory of decision making within households. The main contribution of this thesis is to explore the significance of intrahousehold risk sharing in the presence of uninsurable, idiosyncratic risk. If individuals are unable to rely on complete asset markets, the extent to which they can cope with uncertainty crucially hinges on the set of risk sharing channels. Despite its vast empirical significance, insurance from the family as one of these channels has mostly been overlooked in the literature. The first chapter investigates the significance of family insurance for savings and labor supply. An economy in which individuals can share risk within households generates aggregate precautionary savings that are substantially smaller than in a similar economy that lacks access to insurance from the family. Intrahousehold risk sharing has its largest impact among wealth-poor households. While the wealth-rich use mainly savings to smooth consumption across unemployment spells, wealth-poor households rely on spousal labor supply. The second chapter documents some stylized facts for the distributions of earnings and wealth across single and married households and presents a theoretical framework that can successfully account for the data. Assortative matching, the effective tax bonus for married couple and directed bequests are found to be key determinants for higher per-capita earnings and net worth among married individuals. The third chapter explores how intrahousehold insurance interacts with the design of unemployment benefit programs. My findings indicate that fiscal policy can take very distinct effects depending on whether intra-household risk sharing is available or not. I also find potential efficiency gains from gender-based taxation.

<http://hdl.handle.net/1814/19154>

SKODO, Admir

Idealist-historicist Moments: Varieties of agency in modern British historical thought before, during and after the Second World War

EUI PhD theses, Department of History and Civilization

Defence date: 13 October 2011, Examining Board: Prof. Martin van Gelderen (European University Institute) - Supervisor Prof. Stephen A. Smith (European University Institute) Prof. Jan-Werner Mueller (Princeton University) Prof. Timothy Stanton (York University)

This thesis examines the place of idealism and historicism, interpreted as one complex tradition, in twentieth century British historical thought. It contributes to the intellectual history of modern British historiography and philosophy of history by arguing that idealism-historicism was pivotal in their development, even if not in a straightforward or solely positive fashion. The received wisdom, holding idealism-historicism to be a relic of the nineteenth and early twentieth century, is thereby decidedly challenged. Idealism-historicism, it is shown, broke the boundaries of professional disciplines, ideological stances and generations. British intellectuals as diverse as R.G. Collingwood, Peter Laslett, Hugh-Trevor Roper, G.R. Elton and Quentin Skinner all committed themselves to the central theme of idealism-historicism: agency. This theme is distinctive to the British context, and so enables an historical and conceptual appreciation of that specificity. Agency entails a view of the past as constituted by human individuals, characterized by their capacities of freedom and rationality, necessarily and always exercised in particular socio-historical contexts; and it entails a view of history as the discipline that studies the various and changing embodiments of agency. Even though all scholars investigated subscribed to these views, the thesis further demonstrates how other beliefs—intellectual, personal and ideological—and different contexts, complicated their relationship to idealism-historicism. The Second World War was, above all else, the factor crooking the trajectory of this tradition. Whereas intellectuals from the pre-war and war generation advocated a thick concept of agency, including irrationality, emotion and public engagement fostering the political extension of agency, the post-war generation, socialized in a context of social security and political stability, and dismissive of intellectual involvement in public affairs, reduced the concept of agency to free, rational and social activity, to be studied and

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used primarily within the confines of professional human scientific scholarship.

<http://hdl.handle.net/1814/19436>

SOSA MAYOR, Igor

El Noble Atribulado: Nobleza y teología moral en la Castilla Moderna (C. 1550-C.1650)

EUI PhD theses, Department of History and Civilization

Defence date: 15 December 2011, Examining Board: Prof. Bartolomé Yun Casalilla (EUI) - Supervisor Prof. Antonella Romano (EUI) Prof. Adolfo Carrasco Martínez (Universidad de Valladolid, Spain) Prof. Michael G. Müller (Martin-Luther-Universität, Germany)

This work is set within the extensive framework of the renewed studies on European nobility and its target is the complex relationship between the Castilian nobility and Catholic moral theology in the period that goes from 1550 to 1650. Its main purpose is to investigate the extent to which the Castilian nobles inhabited a moral universe where certain rules were applied with respect to what was morally legal; rules that generated many and constant doubts. The study thus focuses on the nobles and their activity in the world: activity that falls within some concrete and specific economic, social and political margins of the time, but also, and this is what we aim to put forward, moral margins. All of this within the context of the post-Tridentine Catholic Europe: increase in the frequency of confession, expansion of the examination of conscience, detailed analysis of sins, etc. By analysing the consultations made by the Castilian nobles to theologians, the work presents a group of nobles submitted to continuous uncertainty about practically all the aspects of their lives as lords and as individuals: the sale of offices on the manors, the payment of fair salaries to servants, the payment of debts, compliance with the legislation on luxury, the persecution of public sins, the non-shooting (game), etc. In these aspects and others, the modern noble is situated in a moral topography with well-defined contours that impose limits on their political, social, and economic action. The principles of natural law (not harming others, seeking good, distributive and commutative justice, superfluous goods, etc.), the maxims of positive divine right (thou shall not kill, thou shall not steal, etc.) and the positive human, civilian and canonical law (restitution, obligation in the knowledge of complying with human laws, etc.) are all interconnectable for the conscience of the nobles who must be subjected to frequent judgements in the tribunal of penance. The moral discourse is an ambivalent discourse for the Castilian nobles of the Modern Age, because, on the one hand, it legitimises their position, but, on the other hand, it sometimes restricts their capacity to act.

<http://hdl.handle.net/1814/20065>

STEPINA, Dana

Harmonization of European Contract Law: Immovable property purchase contract perspective

EUI LLM theses, Department of Law

Supervisor: Hans-W. Micklitz

No abstract available.

<http://hdl.handle.net/1814/18409>

STRATULAT, Corina

Europe as an Issue Dimension in the Party Politics of the Central East European Candidate States

EUI PhD theses, Department of Political and Social Sciences

Defence date: 4 February 2011, Examining Board: Professor Peter Mair, European University Institute (EUI Supervisor) Professor László Bruszt, European University Institute Professor Hans Keman, Vrije Universiteit Amsterdam Professor Alina Mungiu-Pippidi, Hertie School of Governance

This thesis focuses on political party discourses and developments vis-à-vis European integration in the former CEE candidate states for EU membership, with particular attention to the case of Romania.

Exploring the domestic dimension of these countries' accession provides insights into policy-making, party strategies, and party interaction in the post-communist context. The key objective of the project is to examine a number of factors inspired by the Western experience that drive the responses of political parties in regard to European integration. More specifically, the relevance of parties' (1) ideology, (2) relations to electorates, and (3) interactions within the party system make the purpose of investigation here. First, the role of ideology is scrutinised across the CEE region using statistical methods as well as

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a combination of party manifestos and expert survey data. The main conclusion to be drawn from the CEE analysis is that parties' ideological makeup represents a necessary yet insufficient consideration for how parties react to Europe. Therefore, the thesis suggests that in order to arrive at a more compelling explanation of parties' EU attitudes, the importance of electoral links and competition for office needs to be factored into the discussion, alongside political ideology. Given a series of methodological constraints and opportunities, the dynamic interaction between these three factors in influencing parties' European stances is assessed in the case of Romania. This in-depth study relies on secondary literature, different opinion polls, and qualitative information from various party and media materials in order to map five Romanian political parties ideologically, establish their party-type, and review their European orientations. The overall conclusion of the Romanian case study is that only the interplay between the three features - parties' ideology, their relationship with voters, and inter-party strategies - can offer a reliable guide to the positions adopted by political parties toward EU integration. <http://hdl.handle.net/1814/16064>

SVETLICINII, Alexandr

Assessing Non-horizontal Mergers: The role of legal rules and integration of economic analysis

EUI PhD theses, Department of Law

Defence date: 7 March 2011, Examining Board: Prof. Dr. Heike Schweitzer, Universität Mannheim/EUI (EUI Supervisor) Prof. Dr. Giorgio Monti, EUI Prof. Dr. Jules Stuyck, Katholieke Universiteit Leuven Dr. Ioannis Lianos, University College London

This thesis is targeting a complex topic of integration of economic analysis (economic theories and evidence) into the legal framework of EU merger control. Inspired by the calls for a "more economic approach" in EU competition law this work attempts to highlight both the limits and perspectives for incorporation of the economic analysis under the set of legal rules (both substantive and procedural) that govern initial merger assessment of the Commission and the subsequent review of the Commission's findings exercised by the Courts. The correlation between legal rules and economic analysis is studied on the example of non-horizontal concentrations that should be assessed taking into account both anti-competitive effects stemming from the future conduct of the merged entity and economic efficiencies that can be generated through vertical integration or conglomerate diversification. Application of economic theories and assessment of economic evidence is placed in the context of the applicable legal rules and standards such as standard of proof, standard of judicial review, margin of assessment in complex economic matters, and legal standards governing admission, presentation and assessment of economic evidence. The correlation of the specified legal rules and economic analysis was studied on the examples of unilateral (vertical foreclosure) and coordinated (tacit collusion) effects' scenarios which are typical for non-horizontal settings. The observed enforcement practices demonstrated the need for further development of functional rules, tests and methodologies, which are pre-requisite for an effective and consistent application of the effects-based assessment. <http://hdl.handle.net/1814/17177>

THUM, Anna-Elisabeth

Psychological Factors and Labour Market Outcomes: The case of immigrants and their children in Germany

EUI PhD theses, Department of Economics

Defence date: 11 February 2011 Examining Board: Professor Richard Spady, Johns Hopkins University (External Supervisor) Professor Jérôme Adda, European University Institute Professor Christian Belzil, Ecole Polytechnique Professor Pedro Carneiro, University College London

Chapter I: Europe is facing the challenge of integrating a growing number of immigrants and their offspring. On the one hand immigration can be a necessity to overcome problems arising from demographic changes but on the other hand cultural, social and political issues can hamper the economic potential immigrants have for their host society. In this introductory chapter I examine the bigger picture of immigration and integration in Europe and of the research on immigration. I show that there are several closely interlinked dimensions in the integration process and that - in terms of research on immigration - it is more interesting not to regard exclusively one dimension but to study one

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dimension in its context., Chapter II: Personality, ability, trust, motivation and beliefs determine outcomes in life and in particular those of economic nature such as finding a job or earnings. A problem with this type of determinants is that they are not immanently objectively quantifiable. They are rather concepts than exactly measurable and directly observable objects. There is no intrinsic scale - such as in the case of age, years of education or wages. Often we think of these concepts as complex and several items are needed to capture them. In the measurement sense, we dispose of a more or less noisy set of measures, which indirectly express and measure a concept of interest. This way of conceptualizing is used in latent variables modelling. I examine in this chapter in how far economic and econometric literature can contribute to specifying a framework of how to use latent variables in economic models. As a semiparametric identification strategy for models with endogeneous latent factors I propose to use existing work on identification in the presence of endogeneous variables and examine which additional assumptions are necessary to apply this strategy for models with latent variables. I discuss several estimation strategies and implement a Bayesian Markov Chain Monte Carlo (MCMC) algorithm. Chapter III: Educational attainment, length of stay, differences in national background and language skills play an acknowledged important role for the integration of immigrants. But integration is also a social process, which suggests that psychological factors are relevant. This chapter explores whether and to what extent immigrants and their children need to believe in their ability to control their own success, in other words their sense of control. To quantify this personal trait I use a measure of an individual's sense of control over outcomes in life - such as finding a job. This measure is known in psychology as "the locus of control". I first estimate an exogenous measure. Then I address the problem that this measure is actually endogeneous in a labor market outcome equation by employing a model in which the sense of control is an endogenized latent factor in a simultaneous equation model. The determinants of this sense of control as well as its effect on the probability of being employed are examined. The model is estimated using an implemented Bayesian Markov Chain Monte Carlo algorithm. Results with endogenized personality indicate that, on average, immigrants believe less than natives in being able to control outcomes in life, but children of immigrants have already a stronger sense of control than their parents. The paper also finds that sense of control over life's outcomes positively contributes to the probability of being employed. This means that immigrants and their children face a double disadvantage on the labor market: they are disadvantaged because of their status as an immigrant and they have a lower sense of being able to control their situation, which is a personality trait that matters on the labour market., Chapter IV: Identity can be an important driving force for educational performance. Immigrants and their children face the challenge of identifying with their host country's culture. This paper examines whether young immigrants and their children who identify stronger with the German culture are more likely to increase their educational outcomes. I use a concept of ethnic identity which is designed to capture Germanness in immigrants' day-to-day routine - based on self-identification, language skills and cultural habits. The research design takes into account the issue of endogeneity of ethnic identity in an educational outcome equation by measuring education and identity at different moments and by using an endogenous latent factor methodology. The paper finds that identification with the German culture has an overall positive effect on educational outcomes and diminishes and renders insignificant the educational gap between immigrants and the second generation. The paper's results indicate that the second generation identifies stronger with the German culture than immigrants, no matter whether of German, European, Central European or Turkish background. Apart from the immigrant generation, own low educational attainment and high mother's educational attainment matter for identification with the German culture.

<http://hdl.handle.net/1814/15778>

TYSZKA, Stanisław

Property Restitution and Collective Memories in the Czech Republic and Poland after 1989

EUI PhD theses, Department of History and Civilization

Defence date: 28 January 2011, Examining Board: Prof. Jay Winter (Yale University) - Supervisor Prof. Pavel Kolár (EUI) Prof. Jirí Pribán (Cardiff University) Prof. Wojciech Roszkowski (Collegium Civitas)

This thesis examines the politics of memory in the Czech Republic and Poland after 1989 in relation to restitution of nationalized property as a measure of post-communist transitional justice. The dominant historical discourses in both countries are analyzed on the basis of restitution legislation and

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procedures and public debates. The latter saw the emergence of various historical narratives of victimhood, constructed around memories of different historical injustices, and justifying or opposing claims for restitution or compensation for lost property. The thesis compares restitution claims made by various groups of former owners expropriated during several waves of property revolutions in the twentieth century: property issues related to the post-war forced population transfers, property issues related to the Holocaust, the claims of the former aristocracy and the landed gentry, and, finally, those of the Catholic Church. The analysis shows that the dynamics of restitution and memory were for the most part determined by the general processes of coming to terms with the communist past, and demonstrates that memories of communism have influenced the processes of dealing with World War II. In both national cases it is possible to identify dominant memory discourses that shaped the dynamics of restitution debates. In the Czech Republic, there was a condemnation of communist crimes presupposing the principle of compensation for past wrongdoing, while in Poland the idea of property restitution was rejected on the basis of arguments relating to universal victimhood and the impossibility of universal compensation. In both countries the different narratives were legitimized by law. In the Czech case this came in the form of the adoption of restitution laws at the beginning of the 1990s, while in Poland the situation was marked by legislative silence and far-reaching legal continuity with the communist legal order.

<http://hdl.handle.net/1814/16065>

UUSKULA, Lenno

Three Essays in Macroeconomics

EUI PhD theses, Department of Economics

Defence date: 18 February 2011, Jury Members: Prof. Morten Ravn, University College London, Supervisor Prof. Giancarlo Corsetti, EUI and University of Cambridge Prof. Fabio Canova, Universitat Pompeu Fabra Dr. Luca Dedola, European Central Bank

Chapter 1: Traditional models of monetary transmission such as sticky price and limited participation abstract from firm creation and destruction. Only a few papers look at the empirical effects of the monetary shock on the firm turnover measures. But what can we learn about monetary transmission by including measures for firm turnover into the theoretical and empirical models? Based on a large scale vector autoregressive (VAR) model for the U.S. economy I show that a contractionary monetary policy shock increases the number of business bankruptcy filings and failures, and decreases the creation of firms and net entry. According to the limited participation model, a contractionary monetary shock leads to a drop in the number of firms. On the contrary the same shock in the sticky price model increases the number of firms. Therefore the empirical findings support more the limited participation type of monetary transmission., Chapter 2: We introduce deep habits into a sticky-price sticky-wage economy and examine the resulting models ability to account for the impact of monetary policy shocks. The deep habits mechanism gives rise to countercyclical markup movements even when prices are flexible and interacts with nominal rigidities in interesting ways. Key parameters are estimated using a limited information approach. The deep habits model can account very precisely for the persistent impact of monetary policy shocks on aggregate consumption and for both the price puzzle and inflation persistence. A key insight is that the deep habits mechanism and nominal rigidities are complementary: The deep habits model can account for the dynamic effects of monetary policy shock at low to moderate levels of nominal rigidities. The results are shown to be stable over time and not caused by monetary policy changes., Chapter 3: In a standard New-Keynesian DSGE model exogenous price markup and cost-push shocks generate most of the volatility in inflation. The key equation determining inflation is the New Keynesian Phillips curve. Several authors have proposed modifications to the forward looking Phillips curve. In this paper I concentrate on the effects of endogenous markups due to firm turnover and the importance of financial friction. My findings show that entry cost shocks are important in explaining the dynamics of inflation at the business cycle frequency. Financial friction does not change the relative importance of the structural shocks in explaining inflation.

<http://hdl.handle.net/1814/16034>

VAALAVUO, Maria

Towards an Improved Measure of Income Inequality. The impact of public services on income

distribution: An international comparison

EUI PhD theses, Department of Political and Social Sciences

Defence date: 1 June 2011 Examining Board: Prof. Jaap Dronkers, European University Institute (Supervisor) Prof. Sven Steinmo, European University Institute Prof. Beatrijs Cantillon, Antwerp University Prof. Markus Jäntti, Stockholm University

The main objective of this doctoral thesis is to examine how public services impact on inequality in income distribution in fourteen European countries. In other words, it investigates how adding the monetary value (equalling to cost of production) of public childcare, non-tertiary and tertiary education, health care and elderly care services to a household's disposable income alters income distribution and how efficiently public services work in the mechanism of redistribution. Moreover, it studies how the public spending on these services is distributed across income classes and household types. Many previous studies have already hinted that the omission of services from welfare state research may contribute to a biased and deficient understanding of social policies. Besides, the inclusion of these categories of social spending is likely to influence not only countries but also income classes and household types in distinct ways – making this study all the more significant. While previous studies may have incorporated health care and non-tertiary education within the concept of income, this thesis presents the first attempt to include childcare and elderly care services in research on income distribution, as well as a more thorough analysis of higher education. Likewise, the use of a wider comparative perspective to examine income inequality in social-democratic, conservative, Mediterranean, postcommunist, and liberal welfare states contributes to the existing literature on European social policies. The results of this thesis illustrate that in-kind benefits can function as a redistributive tool in European welfare states. Firstly, the quintile share ratio decreased on average by a third when moving from disposable income to final income (excluding higher education that is more pro-rich). Secondly, however, the variation both between countries and services is considerable, and thus different in-kind transfers should be analysed separately: the greatest impact on inequality is achieved through non-tertiary education and health care (17 and 16 per cent reduction respectively), while the inclusion of childcare and elderly care reduced inequality by 4 and 6 per cent on average. In the social-democratic cluster, elderly care contributed much more efficiently on equal distribution of resources than elsewhere. Thirdly, we observe a pattern of redistribution towards the poor, even within subgroups. Fourthly, the clustering of countries did not show a coherent pattern and it is especially hard to fit childcare to the traditional welfare state regime typology. Finally, we see that it is not only the level of public spending, or the comprehensiveness of coverage, that influence the received results in one direction or the other, but also the socio-demographic structure of society and the equality of access to services. In conclusion, further research should be conducted on the regional variations of the quality and quantity of services provided. Likewise, more effort should be devoted to studying the inequality of access to different services (as undertaken here with higher education). In the context of economic crisis and concern about the sustainability of public provision of services, this thesis aims at providing important evidence about egalitarian consequences of potential political reforms in the public services sector. Whilst not the *raison d'être* of services, redistributive effects should be considered when adjusting social policies to face the challenges of modern societies.

<http://hdl.handle.net/1814/18644>

VAN HOOREN, Franca Janna

Caring Migrants in European Welfare Regimes: The policies and practice of migrant labour filling the gaps in social care

EUI PhD theses, Department of Political and Social Sciences

Defence date: 31 May 2011, Examining Board: Prof. Martin Kohli, European University Institute Dr. Virginie Guiraudon, Ceraps, Université Lille 2 Prof. Anton Hemerijck, Vrije Universiteit Amsterdam Prof. Chiara Saraceno, Wissenschaftszentrum Berlin für Sozialforschung

This study analyses the role of migrant workers in social care and the policy responses to this phenomenon in Italy, the United Kingdom and the Netherlands. In contrast to previous research on migrant care work, this study incorporates both private and agency-based employment in child and elderly care. It applies a comparative case study approach relying on micro level survey data, expert interviews, policy documents, newspaper articles and secondary sources. Theoretically the research

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engages with welfare regime theory and with theories on the politics of migration and the politics of the welfare state. The demand for migrant workers in social care is strongest in elderly care. Cross country differences are related to variation in employment conditions. Migrant workers are overrepresented when social care jobs are badly paid, offer limited career opportunities and require extensive shift work. These employment conditions are significantly shaped by social care policies. It is argued that a Familialistic care regime, as demonstrated by the Italian case, fosters the emergence of a 'migrant in the family' model of employment. A Liberal care regime, as revealed by the UK case, induces a 'migrant in the market' model. By contrast, a Social Democratic care regime, as approximated by the case of Dutch elderly care, does not create any particular demand for migrant workers in the social care sector. Differences in care regimes influenced Italian, British and Dutch migration and care policies divergently. In Italy the presence of private migrant care workers absolved the state from reforming its social care system and meanwhile relatively generous migration policies for migrant care workers were enacted. In the Netherlands strong stakeholders guaranteed continuous investments in employment conditions of the elderly care workforce and migration policies have not granted any privileges to care workers. UK immigration policy reform has tightened eligibility criteria for care workers; nonetheless, it is questionable whether public investments in elderly care are sufficient to attract enough native employees.

<http://hdl.handle.net/1814/17735>

VIOLA DE AZEVEDO CUNHA, Mario

Market Integration through Data Protection: A EU-Mercosur analysis

EUI PhD theses, Department of Law

Defence date: 6 July 2011, Examining Board: Professor Giovanni Sartor, European University Institute (EUI Supervisor) Prof. Andrew Murray London School of Economics and Political Science Prof.

Hans-W. Micklitz, European University Institute Dr. Alfonso Scirocco European Economic and Social Committee

In the context of the continuous advance of information technologies and biomedicine, and of the creation of economic blocs, this thesis is devoted to the analysis of the role data protection plays in the integration of markets, with a special emphasis on financial and insurance services. Moreover, it is also concerned with the identification of differences in the data protection systems of EU member states and with the development of common standards and principles of data protection that could help to build a data protection model for Mercosur, keeping in mind the need to establish a high level of data protection without creating unnecessary constraints for the flow of information. The thesis is divided into four parts. The first one deals with the evolution of the right to privacy, focusing on the last few decades, taking into account the development of new technologies. In this part an analysis of the European framework of data protection and of its standards developed is carried out. Then, in the second part, the interaction between data protection and the industries selected as case studies, namely insurance, bank and credit reporting, is discussed. This discussion concentrates on specific issues, such as generalisation and discrimination, adverse selection and the processing of sensitive and genetic data. The focus of the third part is the analysis of the legislation of three EU member states (France, Italy and UK). In order to perform this comparative exercise, some important issues are taken into account: the concepts of personal and anonymous data, data protection principles, the role of the data protection authorities, the role of the data protection officer, data subjects' rights, the processing of sensitive data, the processing of genetic data and the experience of the case studies in processing data. Moreover, issues related to the specific member states are also considered. Subsequently to the comparative analysis, some recommendations are proposed for updating EU legislation on data protection, so as to reduce the barriers to the establishment of an internal market, mainly for financial and insurance services. Finally, the proposal of a model for data protection that could be adopted by Mercosur, taking into account the different levels of data protection that exist in its member states, is conducted in the last part. The thesis concludes by emphasising the important role data protection can play in the process of markets' integration.

<http://hdl.handle.net/1814/18412>

WEBER, Till

The Structuring Effect of Electoral Competition

EUI PhD theses, Department of Political and Social Sciences

Defence date: 6 June 2011, Examining Board: Professor Mark Franklin, European University Institute (Supervisor), Professor Fabrizio Bernardi, European University Institute Professor Bernhard Weßels, Social Science Research Center Berlin, Professor Christopher Wlezien, Temple University
Democratic politics are structured by elections. Governments come and go, campaigns come and go, policies come and go, and so forth. In representative democracy, the mere existence of elections strongly alters the behavior of representatives who are interested in re-election and of voters who are affected by political communication. Unlike many of our models, the real world structures politics through time, and especially through time between elections. When elections approach, democratic systems seem to be transformed to a degree that facilitates the analysis of a wide variety of campaign effects. Voters and parties do not change significantly through the electoral cycle. Their environment does. The aim of this book is to develop concrete theory for the functioning of political time and to demonstrate its effects with empirical data. At the core of the theory is a dual mobilization cycle. One leg of this cycle concerns the creation and decay of structure in voting behavior. The book traces the causal path preceding the result: the dynamics of voter perceptions, the determinants of party preference, and the logic of turnout and choice. The other leg of the dual cycle concerns the configuration of the party system. Here the causal path leads from the dimensions of conflict within parties over the ability of the leadership to enforce unity in parliamentary behavior to the implementation of campaign strategies. The book also spells out the connections between the two legs and locates them in political time. The methodology developed for this purpose, labeled "Quasi Time Series," serves to transform cross-sectional data (which are available in abundance) in a way so that they fulfill functions of time series (which are exceedingly rare). The comparative approach exploits data from several decades, dozens of countries, hundreds of parties, thousands of legislators and about 100,000 voters.
<http://hdl.handle.net/1814/18408>

WEISS, Christoph

Abilities, Attitudes, Behaviors and their Effects on Economic Outcomes

EUI PhD theses, Department of Economics

Defence date: 10 May 2011, Examining Board: Professor Richard Spady, Johns Hopkins University (External Supervisor) Professor Luigi Guiso, European University Institute Professor Flavio Cunha, University of Pennsylvania Professor Carmit Segal, Universitat Pompeu Fabra

This thesis takes latent variables seriously. It consists of three chapters discussing the determinants of economic success for a British cohort. The evidence presented shows that abilities during childhood and adolescence are important predictors of adult educational, labor market and social outcomes. The problem is that abilities are unobserved. I hence rely on a novel item response theory method (Spady 2007) to measure these unobservables by using questions that are related to them. The assumption is that the latent variables cause the outcomes of interest but also the answers to questions that provide the basis for their measurement.

<http://hdl.handle.net/1814/17178>

WIESNER, Ina

Importing the American Way of War? The adoption of network-centric warfare by the British and German armed forces

EUI PhD theses, Department of Political and Social Sciences

Defence date: 3 October 2011, Examining Board: Pascal Vennesson (European University Institute/Supervisor) Adrienne Héritier (European University Institute) Theo Farrell (King's College London) Gerhard Kümmel (Bundeswehr Institute for Social Sciences)

The purpose of this thesis is to examine the adoption of network-centric warfare (NCW) by two military organisations – the British and the German Armed Forces – in the first decade of the 21st century. NCW stands for the belief that through the extended application of information technologies and the integration of intelligence, reconnaissance, surveillance, command and control systems and weapons into one single network, military organisations will be able to better collect crucial military information,

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thus reduce operational uncertainty and gain a decisive information advantage over their enemies, which thus would translate into superiority over the enemy on the battlefield. NCW was invented by U.S. senior military officers and Pentagon officials and was introduced into the U.S. Armed Forces as part of the U.S. military transformation during the tenure of Secretary of Defense Donald Rumsfeld (2001-2006). Although NCW had been criticised from the beginning, initial military accomplishments in the Afghanistan war (2001) and the invasion in Iraq (2003) have been widely interpreted as success stories for NCW. Since 2001, a number of U.S. military allies and partners – among them the United Kingdom and Germany – have started to adopt this U.S. innovation. Yet, in a number of cases the adopted national versions of NCW diverged considerably from the original U.S. concept. This study seeks to uncover the reasons for the variation in concept adoption. Building upon an organisational institutionalist framework, I argue that, in the United Kingdom, NCW was adopted to increase the military effectiveness and efficiency of the armed forces, whereas the adoption in Germany was mainly driven by the aim to maintain the armed forces' institutional legitimacy. Thus, in the case of NCW adoption, the British military was an efficiency maximiser whereas the German military was a legitimacy maximiser.

<http://hdl.handle.net/1814/19441>

WU, Po-Kuan

To Liberalise or Not to Liberalise? Explaining European shipbuilding policy

EUI PhD theses, Department of Political and Social Sciences

Defence date: 16 September 2011 Examining Board: Professor Adrienne Héritier, EUI/RSCAS (Supervisor) Professor László Bruszt, European University Institute Professor Dorothee Bohle, Central European University Professor Michelle Cini, University of Bristol

Why did European member states agree to liberalise an industrial sector by decreasing the level of state aid allocated to it? In this thesis, I aim to research the neglected study of the European shipbuilding industry from the late 1970s onwards. I first develop some theoretical arguments based on the rational choice institutionalism and bargaining theory. Then, using strategic interaction analysis and conceptual experiments, I propose a number of hypotheses in order to account for the changes in European shipbuilding policy over time. European legislation on state aid to shipbuilding is operationalised in the qualitative index as the dependent variable. The independent variables include the international market, the number of European member states, international agreements and political decision-making rules. After the conceptual experiments, methodologically, I apply comparative statics to empirically assess whether or not the explanatory variables have an impact on the output of European shipbuilding policy. The empirical results indicate that international agreements and decision-making rules may lead to changes in European shipbuilding policy. Furthermore, I extend the argument to another industrial sector, the European aerospace industry, based on the most similar case selection. However, evidence shows that international competition leads to an increase in R&D expenditure in aerospace, while international agreements merely play a marginal role. The different inferences drawn from these two sectors may be a result of their industrial characteristics, and this deepens our understanding for the IPE literature.

<http://hdl.handle.net/1814/18645>

WYSOKINSKA, Agnieszka

Importance of History for Economic Development: Lessons from natural experiment of history

EUI PhD theses, Department of Economics

Defence date: 15 September 2011, Examining board: Luigi Guiso, European University Institute Andrea Ichino (Supervisor), University of Bologna and EUI Leszek Jasinki, Institute of Economics Polish Academy of Science Paolo Pinotti, Bocconi University

Does history matter for economic development? How do events taking place a long time ago continue to affect long term economic performance? To answer these questions I examine the long run impacts of the 19th century division of Poland into Prussian- and Russian- controlled sectors. Using micro-level data in a regression discontinuity framework, I show that the exposure to different socio-economic conditions during 100 years led to emergence of marked differences in development between regions in Poland. I find evidence that those differences persisted until the present through transmission by norms

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and beliefs. Nowadays, people living in the former Prussian sector have 12% higher referenda turnout, 11% higher general trust and 28% higher income. Various falsification tests indicate that there is something distinct about the historic frontier. Interestingly, the differences resisted subsequent switches in regimes from a market to centrally planned economy and back again to a market economy. The results are put in the context of the ongoing debate in the literature about the possible channels of persistence of distant historic events. Additionally, an extensive historical discussion is provided to shed some light on socio-economic differences in the 19th century between Prussian- and Russian-controlled sectors.

<http://hdl.handle.net/1814/19423>

ZUTAVERN, Jan

Just Liberalization? Ideas, justification and rhetorical choice in 30 years of German employment policy making

EUI PhD theses, Department of Political and Social Sciences

Defence date: 15 March 2011; Examining Board: Prof. Donatella Della Porta, European University Institute (Supervisor) Prof. Martin Kohli, European University Institute Prof. Christian Lahusen, Universität Siegen Prof. Frank Nullmeier, Universität Bremen

Confidence in capitalist societies about the state's capacity to exert rational control over markets and commit them to wider social values is waning. In Western Europe employment trends since the 1970s above all have casted doubt on the feasibility of active statehood. At the same time, governments have proven conspicuously unable to renounce their commitment to the promise, so central to modern industrial society, of an economy that serves man, and provides decent, socially valuable work for all who seek it. This has been true in particular for the German welfare state and its deeply rooted reliance on the imagery of full 'normal' or 'quality' employment as a critical touchstone for policy makers. It is the seeming paradox that German governments have sought justification for employment policy after the mid-1970s primarily through liberalization that this thesis addresses. The argument draws on a theoretical framework that champions 'ideas' as the dual foundation of policy making – in the form of institutionally supported knowledge that defines the practice of making policy in a democratic context, and as the semantic structures internal to policy related arguments that determine which aspects of a given policy reality can come to inform rational policy projects. Based on an analysis of the semantic structures underlying employment debates in Germany, and the arguments with which policy makers have designed and justified legislative initiatives, the thesis draws attention to the relation between the normative tensions faced by policy makers and the nature of diagnostic arguments through which employment problems are interpreted through time as a key to understanding rhetorical choices. The diagnostic framework that informed the liberalization of German employment policy then becomes intelligible as the politically most viable and pragmatic solution to the rhetorical problem of reconciling multiple and conflicting demands on state authority.

<http://hdl.handle.net/1814/18646>

Articles

AHNER, Nicole, MEEUS, Leonardo

Global vs. Low Carbon Economy: The Case of the revised European Union emissions trading scheme, Review of European Community and International Environmental Law, 2011, 20, 1, 91-100
Europe is tightening its climate change policy and with that its pollution control legislation, supposedly to lead the way towards a low carbon economy. As the rest of the world is lagging behind in greenhouse gas emission reduction efforts, this causes increasing concern for the European carbon-intensive industry. In order to address concerns of economic competitiveness and emission leakage, the EU is considering the extension of its recently revised European Union Emission Trading Scheme on carbon-intensive goods imported from countries not taking comparable action to reduce their emissions. This article examines the permissibility of such an extension under the law of the World Trade Organization, namely the 1994 General Agreement
<http://hdl.handle.net/1814/19459>

ALARES LÓPEZ, Gustavo

La conmemoración del Milenario de Castilla en 1943. Historia y espectáculo en la España franquista, Jerónimo Zurita, 2011, 86, 149-180

"The celebration of the Millennial of Castile in 1943. History and spectacle in Franco's Spain". Taking the commemoration of the Millennial of Castile as a case of study, the article explores how a concrete collective historical identity was configured and imposed during the early years of Franco's regime. The article highlights the importance of historical commemorations as key moments in the socialization of historical myths, putting History and historians in the centre of the research. Furthermore, the Millennial of Castile was a platform for Falangist nationalism and also provided a place to put in practice a fascistic representation of the past. The analysis of this major cultural event, allows me to offer some conclusions on the commemorative culture of the regime, the characteristics of the historical discourses, the role played by fascist intellectuals, and the relationship between the national and the local spheres in the representation of national past.

<http://hdl.handle.net/1814/21058>

ALARES LÓPEZ, Gustavo

Ruralismo, fascismo y regeneración. Italia y España en perspectiva comparada, Ayer, 2011, 83, 3, 127-147

This article tries to explore the role of ruralism in fascist regimes by examining Italian and Spanish case. It argues that the rural ideology promoted by fascist was not a rhetorical exercise or a consequence of the anti-modern character of fascism. In fact, ruralism was an important element in fascist ideology as key ingredient of its national palingenetic utopia. A point often underestimated by current historiography.

<http://hdl.handle.net/1814/20614>

ALBERTAZZI, Daniele, MCDONNELL, Duncan, NEWELL, James

Di lotta e di governo: The Lega Nord and Rifondazione Comunista in Office, Party Politics, 2011, 17, 4, 471-487

Since 1994, Italian politics has seen a number of coalitions including parties whose identity has been strongly based on their 'outsider' status as uncompromising opposition movements which would not previously consider government participation. This article examines the contrasting experiences in office of two such parties: the regionalist populist Lega Nord (LN) and the radical left Rifondazione Comunista (RC). While the LN confounded expectations not only simply by remaining in the centre-right coalition from 2001 to 2006, but by influencing policy, increasing its vote-share and maintaining its 'outsider' identity, RC was unable to match its fellow outsider's success when it served in the centre-left government from 2006 to 2008. Looking at the experiences in office of the RC and the LN in terms of 'before', 'during' and 'after' government, this article seeks to analyse and explain the differing experiences and effects of government on the two parties.

<http://hdl.handle.net/1814/20508>

ALBOUY, David

Do Voters Affect or Elect policies? A new perspective, with evidence from the U.S. Senate, Electoral Studies, 2011, 30, 1, 162-173, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

Using quasi-experimental evidence from close elections, – henceforth LMB – argue competition for voters in U.S. House elections does not affect policy positions, as incumbent Senate candidates do not vote more extremely if elected than non-incumbents. Despite stronger electoral competition and greater legislative independence, similar results, shown here, hold for the Senate. Yet, the hypothesis that voters do not affect policies conflicts with how Senators moderate their positions prior to their next election. LMB-style estimates appear to be biased downwards as junior members of Congress prefer to vote more extremely than senior members, independently of their electoral strength. Corrected estimates are more favorable to the hypothesis that candidates moderate their policy choices in response to electoral competition.

<http://hdl.handle.net/1814/19989>

ALLEN, Franklin, CARLETTI, Elena, LEONELLO, Agnese

Deposit Insurance and Risk Taking, Oxford Review of Economic Policy, 2011, 27, 3, 464-478

We review the theory of deposit insurance, highlighting the underlying assumptions that were not satisfied during the recent financial crisis and that may have led to serious policy mistakes. In theoretical models, deposit insurance is mostly seen as an equilibrium selection device to avoid panic-based runs. In such a context, it is not drawn on and is thus costless and fully credible. However, if bank runs are linked to a fall in asset values, providing deposit insurance can be very costly and, as the case of Ireland has shown, can even threaten sovereign solvency. This perspective indicates a need for new research on the relation between bank failures, deposit insurance schemes, sovereign default, and currency depreciation, and for reforms of deposit insurance schemes.

<http://hdl.handle.net/1814/20655>

AMAYA-CASTRO, Juan M.

Illegality Regimes and the Ongoing Transformation of Contemporary Citizenship, European Journal of Legal Studies, 2011, 4, 2, 137-161

This article introduces the notion of 'illegality regimes' and argues that the creation, enhancement, and strengthening of these regimes has a transformative, and perhaps even corrosive effect on the meaning and value of citizenship itself. The notion of illegality regimes refers to the complex normative and policy framework that is either intended to, or otherwise has the effect of marginalizing or otherwise excluding irregular migrants, and to assist the authorities in the process of localizing and deporting them. Much of the political and scholarly attention in the context of illegality is focused on how illegality regimes affect migrants and refugees, how these regimes weaken their human rights, and generally run contrary to liberal principles such as equality before the law and non-discrimination. However, the objective here is to explore how it is not just the undocumented migrant that is directly or indirectly affected by the illegality regimes, but also regular migrants, asylum seekers, and finally full citizens themselves. The ways in which this happens is by a progressive transformation of what it means to be a citizen, and by means of a re-accommodation of the relation between the citizen and the state. As globalization unleashes migratory processes, the state adapts. Citizenship adapts along.

<http://hdl.handle.net/1814/20181>

ANDREONE, Fabrice, NEFRAMI, Eleftheria, PONZANO, Paolo

Chronique de l'administration Européenne, Revue française d'Administration publique, 2011, 1, 137-138, 291-316

Le système dit de comitologie est fondamental dans la mise en oeuvre du droit de l'Union européenne. Mais il est également extrêmement complexe. À l'occasion de la profonde réforme qu'il a connu en mars 2011, les développements qui suivent s'attachent à détailler et expliciter son fonctionnement au fil des modifications de son encadrement juridique et de la pratique qu'en ont faite les trois institutions européennes concernées. La réforme de 2011, rendue indispensable par la traité de Lisbonne, est ainsi replacée dans ses contextes.

<http://hdl.handle.net/1814/19952>

ANGELINI, Elena, MARCELLINO, Massimiliano

Econometric Analyses with Backdated Data: Unified Germany and the Euro Area, *Economic Modelling*, 2011, 28, 3, 1405–1414

In this paper we compare alternative approaches for the construction of time series of macroeconomic variables for unified Germany prior to 1991, and then use them for the construction of corresponding time series for the euro area. The resulting series for Germany and the euro area are compared with existing ones on the basis of both descriptive statistics and results of econometric analyses conducted with the alternative time series. We find that more sophisticated time series methods for backdating can yield sizeable gains.

<http://hdl.handle.net/1814/19958>

AZOULAI, Loic

The ‘Retained Powers’ Formula in the Case Law of the European Court of Justice: EU law as total law?, *European Journal of Legal Studies*, 2011, 4, 2, 192-219

The case-law of the European Court of Justice is full of standard formulas. This article analyses one such formula, the so-called ‘formula on retained powers’ according to which the scope of application of EU law extends to subject areas over which Member States are supposed to have retained powers. It attempts to trace it back through the line of ECJ decisions, to analyse the specific components and arguments encapsulated in it, and to identify its justifications and effects. It is argued that the recurrence of this judicial formula amounts to the emergence of a new doctrine in EU law called the ‘total law doctrine’ based on both the recognition of the essential own capacities of the Member States within the integrated European space and on the requirement to include certain under-protected interests and situations in the manner national authorities usually use to think and to act.

<http://hdl.handle.net/1814/20183>

BAETEN, Niels

Judging the European Court of Justice: The jurisprudence of Aharon Barak through a European lens, *The Columbia Journal of European Law*, 2011, 18, 1, 135-155

<http://hdl.handle.net/1814/20915>

BAJON, Philip

De Gaulle finds his “Master”. Gerhard Schröder’s “fairly audacious politics” in the European crisis of 1965-66, *Journal of European Integration History*, 2011, 17, 2, 253–269

This article presents a new perspective on the interactions between two prominent European political figures amid the thorny empty chair crisis of 1965—66, namely French president Charles de Gaulle and German foreign minister Gerhard Schröder. First, it explains why the ‘proven and tested’ mechanisms of French-German conciliation collapsed, why Federal European policy failed to prevent France from provoking the major constitutional crisis of the EEC and why, consequently, Schröder was able to seize almost exclusive control over the definition of the Federal European policy line. Second, the article aims to place emphasis on the rivalry between the two statesmen. The empirical analysis demonstrates that de Gaulle found his “Master” in Schröder, who secured a German leadership role within the coalition of France’s partners and pursued a policy of brinkmanship à la de Gaulle to force the French government back to the negotiating table. Thus, the Federal Republic actually played the central role in managing and overcoming the crisis of the empty chair. Der vorliegende Aufsatz widmet sich dem Zusammenspiel und der Rivalität zweier europäischer Staatsmänner während der Krise des „leeren Stuhls“ 1965—66, nämlich des französischen Staatspräsidenten Charles de Gaulle und des bundesdeutschen Außenministers Gerhard Schröder. Der Artikel diskutiert zunächst, warum die erprobten Mechanismen des deutsch-französischen Ausgleichs im Jahre 1965 versagten und de Gaulle daraufhin die bislang schwerste Verfassungskrise der Europäischen Gemeinschaften provozierte. Die auf neuen Archivdokumenten basierende Analyse belegt überdies, dass de Gaulle im Verlauf der Krise in Schröder seinen “Meister” fand, denn der deutsche Außenminister manövrierte die Bundesrepublik in eine Konfrontationsstellung gegen Frankreich und betrieb eine Politik „am Abgrund“, um die französische Regierung an den Verhandlungstisch zurück zu zwingen. Die Bundesrepublik spielte somit die zentrale Rolle bei der Bewältigung und Überwindung der Krise des „leeren Stuhls“. Le

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présent article met en perspective les interactions et la rivalité entre deux hommes politiques européens dans la crise de la chaise vide de 1965—66, le président français Charles de Gaulle et le ministre des Affaires étrangères allemand Gerhard Schröder. Premièrement, l'article vise à expliquer l'échec de la coopération franco-allemande, ce qui donna l'occasion au général de Gaulle de déclencher la plus grande crise constitutionnelle que l'intégration européenne ait connue. Deuxièmement, sur la base de nouvelles sources archivistiques, cet article montre que de Gaulle trouva son « maître » en Schröder, parce que le ministre allemand chercha la confrontation avec le général et poursuivit une politique « sur le fil du rasoir » pour forcer le gouvernement français à revenir à la table de négociation. La République Fédérale allemande joua donc un rôle prépondérant dans la genèse de la crise de la chaise vide.
<http://hdl.handle.net/1814/20001>

BARTELS, Brandon L., BOX-STEFFENSMEIER, Janet M., SMIDT, Corwin D., SMITH, Renée M.
The Dynamic Properties of Individual-level Party Identification in the United States, Electoral Studies, 2011, 30, 1, 210-222, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

Central to traditionalist and revisionist perspectives of individual-level party identification is a debate about the stability of party identification. We revisit the debate about the dynamic properties and processes underlying party identification. We present a conceptual framework that defines heterogeneity and state dependence as endpoints of a continuum underlying partisan stability, which is important in understanding an individual's capacity for updating partisanship. Using panel data from the 1992–1996 National Election Study, we estimate dynamic, random effects multinomial logit models of party identification that distinguish between heterogeneity and “true state dependence.” In accord with traditionalist perspectives, our evidence suggests that in general, minimal state dependence underlies party identification; party identification is strongly stationary. However, we find that age enhances the magnitude of state dependence, which provides some support for revisionist theories. Overall, our work showcases how explaining individual-level dynamics expands our knowledge of partisan stability.
<http://hdl.handle.net/1814/19993>

BAUBOCK, Rainer

Boundaries and Birthright: Bosniak's and Shachar's critiques of liberal citizenship, Issues in Legal Scholarship, 2011, 9, 1, Article 3, 1-19

This review essay argues that citizenship in contemporary states exposed to migration should be understood and evaluated as membership in territorially bounded and intergenerational political communities that are no longer fully separate from each other. Linda Bosniak's book exposes the ways in which the hard territorial border has been increasingly folded into the inside of the American polity but does not take sufficiently into account the complementary extension of membership boundaries beyond territorial borders through transnational citizenship links. Ayelet Shachar's book is marked by a tension between a luck egalitarian critique of the privileges attached to birthright citizenship and a relational principle of jus nexi for determining claims to membership. I defend a principle of stakeholder citizenship that builds on the same intuition but includes a normative argument for birthright membership.
<http://hdl.handle.net/1814/18935>

BAUBOCK, Rainer

Temporary Migrants, Partial Citizenship and Hypermigration, Critical Review of International Social and Political Philosophy, 2011, 14, 5, 665–693

Temporary migration raises two different challenges. The first is whether territorial democracies can integrate temporary migrants as equal citizens; the second is whether transnationally mobile societies can be organized democratically as communities of equal citizens. Considering both questions within a single analytical framework will reveal a dilemma: on the one hand, liberals have good reasons to promote the expansion of categories of free-moving citizens as the most effective and normatively attractive response to the problem of partial citizenship for temporary migrants; yet, on the other hand, if free movement rights were actually used by too many, this might fatally undermine the sustainability of intergenerational and territorial democratic polities.
<http://hdl.handle.net/1814/19315>

BEKIROS, Stelios D.

Sign Prediction and Volatility Dynamics with Hybrid Neurofuzzy Approaches, IEEE Transactions on Neural Networks (IEEE-TNN), 2011, 22, 12, 2353-2362

Reliable forecasting techniques for financial applications are important for investors either to make profit by trading or hedge against potential market risks. In this paper the efficiency of a trading strategy based on the utilization of a neurofuzzy model is investigated, in order to predict the direction of the market in case of FTSE100 and New York stock exchange returns. Moreover, it is demonstrated that the incorporation of the estimates of the conditional volatility changes, according to the theory of Bekaert and Wu (2000), strongly enhances the predictability of the neurofuzzy model, as it provides valid information for a potential turning point on the next trading day. The total return of the proposed volatility-based neurofuzzy model including transaction costs is consistently superior to that of a Markov-switching model, a feedforward neural network as well as of a buy & hold strategy. The findings can be justified by invoking either the "volatility feedback" theory or the existence of portfolio insurance schemes in the equity markets and are also consistent with the view that volatility dependence produces sign dependence. Thus, a trading strategy based on the proposed neurofuzzy model might allow investors to earn higher returns than the passive portfolio management strategy.

<http://hdl.handle.net/1814/20920>

BERGÉ, Jean-Sylvestre

Legal Application, Global Legal Pluralism and Hierarchies of Norms, European Journal of Legal Studies, 2011, 4, 2, 241-263

In a context of global legal pluralism, the application of the law can be analysed at several levels, namely national, international and regional. At each level, legal systems are organized around different normative hierarchies. This raises questions regarding the articulation of these constructions in a multilevel perspective of legal application that is both practical and theoretical. To answer these questions, two approaches are imaginable: a first that studies the application of normative hierarchies, level by level and, beyond that, legal system by legal system; a second that aims to make explicit the interactions that can result from the coexistence of different normative levels. This study favours the second approach while attempting to appreciate the material and formal utility of normative hierarchies each time a jurist questions the application of the law at different levels. Two conclusions can be drawn from this study: there is a plurality of normative hierarchies in a context of global legal pluralism; in a process of multilevel legal application, normative hierarchy coexists with other methods of reasoning.

<http://hdl.handle.net/1814/20185>

BERNARDI, Fabrizio, GARRIDO, Luis, MIYAR, Maria

The Recent Fast Upsurge of Immigrants in Spain and Their Employment Patterns and Occupational Attainment, International Migration, 2011, 49, 1, 148-187

This article provides an analysis of employment and occupational attainment of recent immigrants to Spain. We use data from the Spanish labour force surveys for the years between 2002 and 2007 and compare the probability of being active versus inactive and that of being employed versus unemployed among immigrants and native-born Spaniards, using logistic regression models. The paper then moves on to investigate the quality of the occupation achieved by means of multinomial logistic regression models. We find evidence that immigrants are not at a disadvantage in comparison to native-born Spaniards regarding the risk of unemployment. This is true even after controlling for differences in socio-demographic characteristics between immigrants and Spaniards and, in particular, after accounting for the duration of time spent in the labour market. On the other hand, a strong and persistent disadvantage even after controlling for socio-demographic characteristics is confirmed for immigrants as far as their access to skilled occupations is concerned. Furthermore, this disadvantage does not disappear as time spent in the host country increases. Our findings, thus, go against the assimilation hypothesis that predicts that immigrant's occupational attainment should progressively converge to that of natives.

<http://hdl.handle.net/1814/21000>

BERNARDI, Fabrizio, MARTÍNEZ-PASTOR, Juan-Ignacio

Divorce Risk Factors and Their Variation Over Time in Spain, Demographic Research, 2011, 24, Article 31, 771-800

The aim of this article is to analyse the determinants of marriage dissolution in Spain and their variation over time for women married between 1949 and 2006. Data are drawn from the Survey of Fertility, Family and Values of 2006. The article analyses the transition from first marriage to marital dissolution for couples who married in two eras: one prior to the Divorce Law of 1981, during which social and legal barriers to dissolution were many, and one in the period after the law was introduced, during which barriers to marriage dissolution were far fewer. Analyses are conducted using a continuous time event history model. The results indicate some similarities between Spain and other countries, such as the positive relationship between the typical features of unconventional families and marital dissolution, but also some specific differences, such as an increase in the importance of premarital pregnancy and/or not having children. It is also important to stress the declining importance of socio-economic variables, such as education and the labour market situation of women.

<http://hdl.handle.net/1814/20999>

BERNARDI, Fabrizio, MARTÍNEZ-PASTOR, Juan-Ignacio

Female Education and Marriage Dissolution: Is it a Selection Effect?, European Sociological review, 2011, 27, 6, 693-707

Various papers have shown that in countries and cohorts where the rate of divorce is low, women with higher education are more likely to get divorced. However, when divorce becomes more common, the relationship between female education and marriage dissolution changes from being positive to being negative. The first aim of this article is to investigate whether the reversal in the educational gradient in marital dissolution is observed in Spain, where the marriage dissolution was extremely low until the mid-1970s and has since risen notably. It is, however, also well known that highly educated women tend to marry less frequently. Highly educated women who do marry are possibly a self-selected group with unobserved characteristics, such as, for instance, their commitment to the institution of marriage; these unobserved characteristics might also make them less likely to divorce later on. The second aim of this article is to test whether the reverse in the educational gradient in marriage dissolution is caused by the stronger self-selection of highly educated women choosing to marry in recent years. We estimate two simultaneous event history models, a continuous-time model for the risk of divorce and a discrete-time model for selection into marriage, allowing for correlation between the error terms of the two models. The results of the event history models with sample selection show that the decline in the effect of education on marriage dissolution is a consistent finding, one that is not biased by the self-selection into marriage among highly educated women.

<http://hdl.handle.net/1814/20998>

BERTELLI, Anthony M., CARSON, Jamie L.

Small Changes, Big Results: Legislative voting behavior in the presence of new voters, Electoral Studies, 2011, 30, 1, 201-209, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

Changes in district boundaries in small magnitude electoral systems can have substantive consequences for representation. In the U.S., each decennial redistricting cycle infuses House districts with a large number of new voters, changing personal representation for many citizens. What effect does the influx of these new voters exert on member behavior? By assessing the extent of this change in constituencies in conjunction with member voting behavior on roll calls, we can determine if significant changes to a congressional district impact post-redistricting legislative behavior. Using panel data estimators and various measures of legislator behavior, we show evidence that supports this claim. Our findings have notable implications for debates over representation and electoral accountability in legislative assemblies.

<http://hdl.handle.net/1814/19992>

BERTOLI, Simone, FERNÁNDEZ-HUERTAS MORAGA, Jesus, ORTEGA, Francesco

Immigration Policies and the Ecuadorian Exodus, World Bank Economic Review, 2011, 25, 1, 57-76

Ecuador recently experienced an unprecedented wave of emigration following the severe economic crisis of the late 1990s. Individual-level data for Ecuador and its two main migration destinations, Spain and the United States, are used to examine the size and skill composition of these migration flows and the role of wage differences in accounting for these features. Estimations of earnings regressions for Ecuadorians in all three countries show substantially larger income gains following migration to the United States than to Spain, with the wage differential increasing with migrants' education level. While this finding can account for the pattern of positive sorting in education toward the United States, it fails to explain why most Ecuadorians opted for Spain. The explanation for this preference appears to lie in Spain's visa waiver program for Ecuadorians. When the program was abruptly terminated, monthly inflows of Ecuadorians to Spain declined immediately.

<http://hdl.handle.net/1814/19077>

BERTOLI, Simone

Networks, sorting and self-selection of Ecuadorian Migrants, *Annales d'Economie et de Statistique*, 2011, 97/98, 261-288

This paper provides new empirical evidence about the influence exerted by migration networks upon migrants' self-selection in education from the analysis of the recent process of Ecuadorian migration. The severe economic crisis that hit Ecuador in the late 1990s induced a massive wave of migration, from a country which was characterized by a substantial geographical variability in the size of migration networks. As Ecuadorian migrants opted for a variety of destination countries in the aftermath of the crisis, we estimate a multinomial logistic model to assess the impact of migration networks on both migrants' sorting and self-selection. The estimates are in line with the theoretical arguments which predict that migration networks increase the likelihood or the extent of a negative self-selection of the migrants with respect to education.

<http://hdl.handle.net/1814/19078>

BERTOLI, Simone, BRÜCKER, Herbert

Selective immigration policies, migrants' education and welfare at origin, *Economics Letters*, 2011, 113, 1, 19-22

Destination countries are increasingly adopting selective immigration policies. These can effectively increase migrants' average education even if one allows for endogenous schooling decisions and education policies at origin. Still, more selective immigration policies can reduce social welfare at origin.

<http://hdl.handle.net/1814/19076>

BISIN, Alberto, GEANAKOPOLS, John, GOTTARDI, Piero, MINELLI, Enrico, POLEMARCHAKIS, Herakles

Markets and Contracts, *Journal of Mathematical Economics*, 2011, 47, 3, 279–288

Economies with asymmetric information are encompassed by an extension of the model of general competitive equilibrium that does not require an explicit modeling of private information. Sellers have discretion over deliveries on contracts; this is in common with economies with default, incomplete contracts or price rigidities. Competitive equilibria exist and anonymous markets are viable. But, for a generic economy, competitive equilibrium allocations are constrained suboptimal: there exist Pareto improving interventions via linear, anonymous taxes.

<http://hdl.handle.net/1814/19838>

BLAIS, André, RHEAULT, Ludovic

Optimists and Skeptics: Why do people believe in the value of their single vote?, *Electoral Studies*, 2011, 30, 1, 77-82, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

We investigate the origins of voters' beliefs about the value of their single vote. We construe such beliefs as a function of psychological predispositions and exposure to information about the competitiveness of the electoral race. We test this theoretical model using data from the 2008 Canadian federal election and a new survey question tapping voters' beliefs about whether their vote can make a difference. Our results show that sense of efficacy has a strong effect, efficacious voters being more

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prone to optimism. Competitiveness of the race also matters, but only among attentive voters.
<http://hdl.handle.net/1814/19981>

BLYTH, Mark, HODGSON, Geoffrey M., LEWIS, Orion, STEINMO, Sven

Introduction to the Special Issue on the Evolution of Institutions, Journal of Institutional Economics, 2011, 7, 3, 299-315

How can evolutionary ideas be applied to the study of social and political institutions? Charles Darwin identified the mechanisms of variation, selection and retention. He emphasized that evolutionary change depends on the uniqueness of every individual and its interactions within a population and with its environment. While introducing the contributions to this special issue, we examine some of the ontological positions underlying evolutionary theory, showing why they are appropriate for studying issues in economics, political science and sociology. We consider how these ideas might help us understand both institutional change and the formation of individual preferences.

<http://hdl.handle.net/1814/20200>

BOROWICZ, Maciej Konrad

Beyond Contracts and Organizations (Publication Review: Gunther Teubner, Networks as Connected Contracts (Hart Publishing 2011)), European Journal of Legal Studies, 2011, 4, 2, 270-279

<http://hdl.handle.net/1814/20194>

BOSI, Lorenzo, DELLA PORTA, Donatella

La violenza politica: una introduzione, Partecipazione e conflitto, 2011, 3, 5-16

<http://hdl.handle.net/1814/19859>

BROUSSEAU, Eric, GLACHANT, Jean-Michel

Regulators as Reflexive Governance Platforms, Competition and Regulation in Network Industries, 2011, 12, 3, 194-209

Network industries are now characterized by a regime of permanent innovation, while they continue to be fixed and sunk cost industries, due to the high level of investments in R&D and infrastructures. Players in these industries need to coordinate their investments; hence a threat of collusion. In the same time competition is fierce due to the opportunities brought by innovations; hence the permanent risk of catastrophic evolutions due to systemic interdependencies. To balance this dilemma between coordination and competition, independent third parties granted with capabilities to influence the "rules of the game" are needed. They need however to access critical information and knowledge. Coordination of investments requires figuring out the possible futures of the technology and of the industry. Avoiding oligopoly capture relies on an understanding of costs and business models. Since the relevant information and knowledge are dispersed and permanently evolving, regulators have to organize fora in which the stakeholders have incentives to reveal information, both because they need to learn from others, and because they seek to influence the industry regulation. Properly organized fora establish an open information competition among stakeholders, which can be penalized if they hide or distort information too much.

<http://hdl.handle.net/1814/19460>

BRUYNINCKX, Tim

De in house-exceptie bij overheidsopdrachten herbekeken vanuit staatssteunperspectief, Jaarboek overheidsopdrachten/Chronique des marchés publics 2010-2011, EBP Publishers, 302-318

<http://hdl.handle.net/1814/20594>

CAIANI, Manuela, DELLA PORTA, Donatella

The Elitist Populism of the Extreme Right: A frame analysis of extreme right wing discourses in Italy and Germany, Acta Politica, 2011, 46, 2, 180-202

The VETO project is financed by the START Center of the University of Maryland.

In this article, the authors investigate the presence and forms of populist frames in the discourse of the extreme right, by looking at different types of extreme right organizations in Italy and Germany.

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Focusing on the meso, organizational level, and applying a frame analysis to written documents (e.g. newspapers, magazines) of some selected extreme right organizations, chosen from the political party and non party extreme right milieu in the two countries, the article examines the relevance and the characteristics of the populist discourse in the extreme right. Similarities and differences between types of extreme right groups and countries in the framing strategies of populism are underlined and linked to the cultural (historical) and political-discursive opportunities. The bridging of the appeal to the people with other (more traditional) frames of the extreme right (e.g. nativism) is shown. In particular, we look at how the central populist frame (namely the people versus the elite) is linked to the extreme right definition of the “us” and the “them”, when developing diagnoses, prognoses and motivations to action. The analysis is based on a total of around 4000 frames collected in documents from 2002 to 2006.
<http://hdl.handle.net/1814/19857>

CARO DE SOUSA, Pedro

Catch Me If You Can? The market freedoms' ever-expanding outer limits, European Journal of Legal Studies, 2011, 4, 2, 162-191

This Article submits that questions of institutional ability and legitimacy should play a more important role in the Court of Justice's decision-making process. In effect, both the legal literature and the Court's reasoning process tend to disregard such questions, thereby ignoring relevant comparative institutional choices which take place whether they are acknowledged or not. The deficiencies arising from the current approach will be exemplified by an analysis of developments in EU's free movement law on the requirements of cross-border elements, economic aim of free movement, and on the complementarity of these two requirements. In particular, it will be argued that the absence of properly reasoned institutional comparative analysis, when coupled with under-theorised normative foundations and the introduction of European Citizenship, has potentially explosive consequences for the scope of the EU's market freedoms.

<http://hdl.handle.net/1814/20182>

CARRIERO, Andrea, MARCELLINO, Massimiliano

Sectoral Survey-based Confidence Indicators for Europe, Oxford Bulletin of Economics and Statistics, 2011, 73, 2, 175–206

We analyse a novel dataset of Business and Consumer Surveys, using dynamic factor techniques, to produce composite coincident indices (CCIs) at the sectoral level for the European countries and for Europe. Surveys are timely available, not subject to revision, and fully comparable across countries. Moreover, the substantial discrepancies in activity at the sectoral level justify the interest in sectoral disaggregation. Compared with the confidence indicators produced by the European Commission we show that factor-based CCIs, using survey answers at a more disaggregate level, produce higher correlation with the reference series for the majority of sectors and countries.

<http://hdl.handle.net/1814/19956>

CARRIERO, Andrea, KAPETANIOS, George, MARCELLINO, Massimiliano

Forecasting Large Datasets with Bayesian Reduced Rank Multivariate Models, Journal of Applied Econometrics, 2011, 26, 5, 736-761

The paper addresses the issue of forecasting a large set of variables using multivariate models. In particular, we propose three alternative reduced rank forecasting models and compare their predictive performance for US time series with the most promising existing alternatives, namely, factor models, large-scale Bayesian VARs, and multivariate boosting. Specifically, we focus on classical reduced rank regression, a two-step procedure that applies, in turn, shrinkage and reduced rank restrictions, and the reduced rank Bayesian VAR of Geweke (1996). We find that using shrinkage and rank reduction in combination rather than separately improves substantially the accuracy of forecasts, both when the whole set of variables is to be forecast and for key variables such as industrial production growth, inflation, and the federal funds rate. The robustness of this finding is confirmed by a Monte Carlo experiment based on bootstrapped data. We also provide a consistency result for the reduced rank regression valid when the dimension of the system tends to infinity, which opens the way to using large-scale reduced rank models for empirical analysis.

<http://hdl.handle.net/1814/19954>

CASSIS, Youssef

Crises and Opportunities – Have financial crises led to the reshaping of the financial landscape?, *The European Financial Review*, 2011, Aug/Sep, 44-47

As the world's political and economic leaders struggle with the aftermath of the debacle of 2008, this article asks the question: have financial crises presented an opportunity to rebuild the financial system? The answer is not straightforward. Nearly three years after the financial debacle of September 2008, the changes brought about to the financial system have, on the whole, been deemed disappointing. Of course, some measures have been taken –Basel III, the Dodd-Frank Act in the United States, the financial supervision package in the European Union, the Vickers Report in Britain. They will raise capital requirements and more generally tighten regulation, but they do not amount to a radical overhaul of the financial system. Where is the 'New Glass-Steagall Act' or the 'New Bretton Woods' called for in the wake of the panic of 2008? In fairness, it is still too early to assess the full extent of the reforms introduced in the last couple of years. But it is worth pondering on the after-effects of previous shocks in order to put both current achievements and expectations into perspective.

<http://hdl.handle.net/1814/20540>

CATASTINI, Francesco

I festival di storia: una via italiana alla Public History?, *Memoria e Ricerca*, 2011, 37, 2, 143-154

This paper discusses the absence of public history-teaching programs in Italian universities, and focuses on the practice of history in Italian open public spaces. The emergence of history festivals is analyzed as a phenomenon that affects not only history, but also other disciplines, such as philosophy, literature and even mathematics, and as a way to promote forms of civil engagement through theater, drama, music and cinema. The paper suggests that the Italian way to Public History -the organization of history festivals- provides an occasion for professional historians to meet the public and to actively participate in civil society.

<http://hdl.handle.net/1814/19178>

CAUVIN, Thomas

Quando è in gioco la Public History: musei, storici e riconciliazione politica nella Repubblica d'Irlanda, *Memoria e Ricerca*, 2011, 37, 2, 53-69

This article explores the collaborations between historians and the National Museum in the Republic of Ireland. The author contends that the new collaborations between the museum and professional historians in the 1990s revealed wider reappraisal of the links between past and present. The collaboration resulted from the encounter between cultural and political demands - especially during the political context of reconciliation in Ireland and Northern Ireland - and historiographical redefinitions of the use of the past. Kevin Whelan's work with the museum demonstrated how certain historians met the cultural and political requirements. Nevertheless, the author argues that the absence of public/ applied history training prevented to go fully beyond the academic frontiers. The 1998 exhibition remained all in all built on the collaboration between two distinct agents, academically trained historians and museum practitioners, and not an autonomous Public History project.

<http://hdl.handle.net/1814/18514>

COUTTS, Stephen

Review of Nils Coleman, European Readmission Policy: Third Country interests and refugee rights (Martinus Nijhoff Publishers, Leiden 2009), *European Journal of Legal Studies*, 2011, 4, 2, 280-287

<http://hdl.handle.net/1814/20195>

CRANE, Daniel A., MIRALLES MURCIEGO, Graciela

Toward a Unified Theory on Exclusionary Vertical Restraints, *University of Southern California Law Review*, 2011, 84, 3, 605-660

The law of exclusionary vertical restraints—contractual or other business relationships between vertically related firms—is deeply confused and inconsistent in both the United States and the European Union. A variety of vertical practices, including predatory pricing, tying, exclusive dealing, price

discrimination, and bundling are treated very differently based on formalistic distinctions that bear no relationship to the practices' exclusionary potential. We propose a comprehensive, unified test for all exclusionary vertical restraints that centers on two factors: foreclosure and substantiality. We then assign economic content to these factors. A restraint forecloses if it denies equally efficient rivals a reasonable opportunity to make a sale or purchase (depending on whether the restraint affects access to customers or inputs). Market foreclosure is substantial if it denies rivals a reasonable opportunity to reach minimum viable scale. Where substantial foreclosure is shown, the restraint should generally be declared illegal unless it is justified by efficiencies that exceed the restraint's anticompetitive effects. <http://hdl.handle.net/1814/20444>

CREMONA, Marise

Case C-246/07 Commission v. Sweden (PFOS), judgment of the Court of Justice (Grand Chamber) of 20 April 2010, Common Market Law Review, 2011, 48, 5, 1639-1666

On 14 July 2005 Sweden proposed, within the framework of the Stockholm Convention on persistent organic pollutants (POPs), to add a new group of POPs (perfluorooctane sulfonates, PFOS) to those already covered by the Convention. Discussions had taken place within the Council and its Working Party on International Environmental Issues and with the Commission over the substances to be proposed by the EU and its Member States for listing under both the Stockholm Convention and the Aarhus Protocol to the Convention on Long Range Transboundary Air Pollution, but it had not at this stage been agreed at EU level to include PFOS among those to be proposed. The Commission took the view that this unilateral act by Sweden was a breach of its duty of loyal cooperation under Article 10 EC (now Article 4(3) TEU) and brought an action before the Court of Justice, which found that Sweden had indeed failed to fulfil its obligations under Article 10 EC. The case concerns the joint participation of the EU and its Member States in multilateral environmental agreements (MEAs) and carries implications for mixed agreements more generally. To what extent is Member State action within the structures established by an MEA constrained – as a matter of EU law – by the fact that it participates not only in its own right but also as a Member State of the EU? What does the duty of loyal cooperation require of the Member States participating under shared competence in a mixed agreement alongside the Union? If they are required to act only by way of common Union position does this not come perilously close to the position under exclusive Union competence? How is a 'concerted Union action' defined and how might it be identified, if a formal Council decision is not required? How much time should a Member State allow for the internal decision-making within the EU to bear fruit? Apart from these issues relating to the management of shared competence, this case also prompts some reflections on policy coherence within the Union: on the coherence between internal and external EU environmental policy; on coherence between environmental protection and other EU policy objectives, including development cooperation; and on the impact of Union policy choices on a Member State's policy priorities. <http://hdl.handle.net/1814/20420>

CREMONA, Marise

Editorial Note, Croatian Yearbook of European Law and Policy, 2011, 7, VII-XI
<http://hdl.handle.net/1814/20502>

CUBUKCU, Ayca

On Cosmopolitan Occupations: The case of the World Tribunal on Iraq, Interventions: International Journal of Postcolonial Studies, 2011, 3, 3, 422-442

Within the tradition of 'civil society tribunals', the World Tribunal on Iraq (WTI) was an unprecedented endeavour in global scale, scope, structure and sophistication. Embedded within the global antiwar movement from 2003 to 2005, the WTI's praxis is provocative on several counts. While addressing the entanglement of cosmopolitan human rights ideals with imperial politics, this essay reflects on competing grammars of justice and legitimacy imagined by WTI activists in response to the occupation of Iraq. It also critiques what I call the instrumentalization thesis of human rights. Promulgators of this thesis typically posit that agents pursuing a distinctly imperial project are insincerely mobilizing cosmopolitan human rights ideals. Further, in order to enquire into cosmopolitan politics occasioned by the war in Iraq, and to magnify its tensions, the essay focuses on particular dilemmas faced by WTI activists while mobilizing several theorists and jurists of (cosmopolitan) democracy and (global) justice

in this action. In particular, the essay interprets the ultimate controversy within the WTI network occasioned by Amnesty International's 2005 campaign for a 'human rights based constitution in Iraq', as well as disagreements on the 'sources' of the WTI's own legitimacy at its founding meeting. These debates and disagreements, the essay argues, evidence cosmopolitical tensions between the human and the citizen, between universal principles and constituted autonomies of decision, between universal and national paradigms of justice. Among the questions the essay raises are the following. How can one distinguish the cosmopolitan ethos of concern and responsibility predicating the legitimacy of the WTI, from the cosmopolitan ethos which conferred legitimacy, ex ante or ex post facto, to the constitution of a liberated, 'democratic' Iraq? On the threshold between the legal and the legitimate, the rule and the exception, what is the foundation, if any, of human rights politics?
<http://hdl.handle.net/1814/18442>

CURTICE, John, SEYD, Ben

Attitudes to Voting Rules and Electoral System Preferences: Evidence from the 1999 and 2003 Scottish Parliament elections, *Electoral Studies*, 2011, 30, 1, 184-200, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

Researchers have paid little attention to the way citizens evaluate different electoral systems. This reflects the limited knowledge citizens are presumed to have about alternative electoral arrangements. However, the establishment of a legislature under new electoral rules creates conditions in which citizens can make more informed judgements. Such a situation occurred with the establishment of the Scottish Parliament in 1999, elected under the Additional Member system. Using data collected in 1999 and 2003, we consider Scottish voters' reactions to the new electoral rules. We examine how voters evaluated various features and outcomes of the rules, the structure of voters' attitudes, and which features and outcomes of the rules were decisive in shaping overall support for plurality and proportional voting systems.

<http://hdl.handle.net/1814/19991>

CURTICE, John, FISCHER, Stephen D.

The United Kingdom Election of 2010, *Electoral Studies*, 2011, 30, 1, 234-237, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

<http://hdl.handle.net/1814/19997>

DA COSTA LEITE BORGES, Danielle

Making Sense of Human Rights in the Context of European Union Health-Care Policy:

Individualist and communitarian views, *International Journal of Law in Context*, 2011, 7, 3, 335-356

This article discusses the European Union health-care policy from a human rights law point of view. It departs from the analysis of international and European human rights documents in order to identify core elements and principles associated with the right to access health-care services. These elements and principles are then used to distinguish between individualist and communitarian views of health-care rights and to argue that a human rights approach to the right to access health-care services promotes a communitarian view of this right whereas European Union health-care policy has been promoting an individualist view of this right.

<http://hdl.handle.net/1814/18934>

DE FRAJA, Gianni, MICHETTI, Emanuela, ZANCHETTIN, Piercarlo

Toc'n'Roll: Bargaining, Service Quality and Specificity in the UK Railway Network, *Journal of Transport Economics and Policy*, 2011, 45, 3, 383-414

<http://hdl.handle.net/1814/19420>

DE HAUTECLOCQUE, Adrien, RIOUS, Vincent

Reconsidering the Regulation of Merchant Transmission Investment in Light of the Third Energy Package: The role of dominant generators, *Energy Policy*, 2011, 39, 11, 7068-7077

The regulation of merchant transmission investment (MTI) has become an important issue in the EU electricity sector, subsequent to the granting of authorizations by European authorities to five merchant projects: BritNed, Estlink, the East West Cables, NorGer and recently a merchant line connecting Italy

and Austria. The creation of a new Agency for the Cooperation of Energy Regulators (ACER) at the EU level, which has decision-making powers on MTI, therefore presents a unique opportunity to question and re-design the current European policy. This paper shows that the recent decisions concerning MTI may suffer a strong bias against dominant electricity generators while incumbent Transmission System Operators (TSOs) or new entrant TSOs are generally favored by national regulators and the European Commission (EC). This strategy is misguided as it fails to recognize both the new incentives of generators to develop MTI and the conflict of interest between the regulated and non-regulated activities of incumbent TSOs. Letting dominant generators undertake MTI is indeed generally beneficial as long as potential abuses of dominance are mitigated. To deter possible anti-competitive effects, we propose a new and feasible allocation of regulatory powers based on a clear demarcation between the market monitoring powers of ACER and the antitrust powers of the EC.

<http://hdl.handle.net/1814/20795>

DE HAUTECLOCQUE, Adrien, TALUS, Kim

Third Party Access: A comparative study on access regimes in EU electricity grids and natural gas pipelines, Oil, Gas and Energy Law (OGEL), 2011, 9, 3, (online), Special issue on Cross-Border Pipelines[Florence School of Regulation];

The EU energy market regulation is based on three main pillars: third party access, unbundling and strong regulators. This paper will focus on the first of these. As will be seen throughout this paper, the access regimes in electricity and natural gas regulations are very similar, despite the differences in the respective commodities. The objectives of the third party access provisions of both electricity and natural gas regulations are very similar: to creating capacity to compete.

<http://hdl.handle.net/1814/20095>

DE HAUTECLOCQUE, Adrien, HANCHER, Leigh

The Svenska Kraftnät Case: Introduction of bidding zones in Sweden, Network Industries Quarterly, 2011, 13, 1, 20-22 [Florence School of Regulation];

The recent Svenska Kraftnät case has shown that even ownership-unbundled TSOs pursuing non-economic goals can feel the cold wind of EU competition law.

<http://hdl.handle.net/1814/20098>

DE VRIES, Catherine E., VAN DER BRUG, Wouter, VAN EGMOND, Marcel H., VAN DER EIJK, Cees

Individual and Contextual Variation in EU issue Voting: the Role of Political Information, Electoral Studies, 2011, 30, 1, 16-28, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

Increasing politicization in EU member states about European issues can be expected to strengthen the impact of attitudes towards Europe on vote choice in European Parliament (EP) elections. At the same time this impact is likely to vary between voters and contexts as a function of political information. This study explores the role of political information in explaining individual and contextual heterogeneity in the degree of EU issue voting. Using a two-step hierarchical estimation procedure to explore both individual and contextual variation, we show that while EU issue voting in the 2009 EP elections is only slightly more pronounced among the politically sophisticated, it is clearly more extensive in contexts that provide higher levels of political information on European matters.

<http://hdl.handle.net/1814/19976>

DE WITTE, Bruno

National Equality Institutions and the Domestication of EU Non-Discrimination Law, Maastricht Journal of European and Comparative Law, 2011, 18, 1-2, 157-178

The recent evolution of European Union equality law, and the equality law of European countries more generally, is marked by the increased attention given to the procedural and institutional preconditions for the effective protection of equal treatment. The creation of public bodies, specifically tasked with the advancement of equality law and equality policies (equality institutions), is an important element of this evolution. Within Europe, they were first experimented with in the United Kingdom and then gradually adopted in a small number of other countries. In 2000 and subsequent years, though, the creation of

equality institutions was imposed on all EU Member States by means of three anti-discrimination Directives. The concrete shape and scope of activity of those institutions is still very different from country to country, though. The development of new equality institutions in Europe was facilitated by other legal traditions and processes: the separate ombudsman tradition developed in Scandinavia but with a strong influence also in Southern Europe; the international movement towards the creation of national human rights institutions; and endogenous developments of EU law, such as its increased concern for the institutional dimension of the effective application of EU law, and its experimentation with new modes of governance.

<http://hdl.handle.net/1814/18339>

DE WITTE, Bruno, ZAHN, Rebecca

La prospettiva dell'Unione europea: dare preminenza al mercato interno o rivedere la dottrina Laval?, *Giornale di Diritto del Lavoro e di Relazioni Industriali*, 2011, 131, 3, 433-446

<http://hdl.handle.net/1814/19656>

DELARUE, Erik, LAGA, Elisabeth, MEEUS, Leonardo, BELMANS, Ronnie, D'HAESELEER, William

Achieving Learning Potentials in an Educational Simulation Game for Trading and Generating Electrical Energy, *International Journal of Engineering Education*, 2011, 27, 4, 703–712 [Florence School of Regulation];

This paper presents and motivates the development of a techno-economic education package, consisting of two simulation games, to simulate both the trading and the generation of electricity in a liberalized market. Six attributes (storytelling; players as problem solvers and explorers; feedback; challenges that fit the student characteristics; competition; appropriate graphics and sounds) are relevant in order for simulation games to achieve their learning potentials. These attributes are identified within both developed simulation games.

<http://hdl.handle.net/1814/20075>

DELGADO CASTELEIRO, Andrés, LARIK, Joris

The Duty to Remain Silent: Limitless loyalty in EU external relations?, *European Law Review*, 2011, 36, 4, 524-541

This article expresses a note of caution regarding the general enthusiasm surrounding the duty of sincere cooperation in the external relations of the European Union. It argues that according to the recent case law of the European Court of Justice, the duty is in practice not only first and foremost incumbent upon the Member States, but manifests itself as a strict duty to refrain from acting – a duty to remain silent – rather than a duty of best endeavours. Tracing the Court's key judgements in this regard (Inland Waterways, IMO and PFOS), the authors conclude that in the presence of Union competence, but in the absence of a (quasi)-authorisation by the Union institutions to act, the Member States are to remain idle. While arguably necessary to safeguard the Union's unity of international representation, this development is prone to legally favour inaction and hinder the Union's ambitions for actual "external action".

<http://hdl.handle.net/1814/20634>

DELLA PORTA, Donatella

Communications in Movements. Social Movement as Agents of Participatory democracy, *Information, Communication & Society*, 2011, 14, 6, 800-819

Literature on social movements, mass media and democracy have rarely interacted. More recently, however, in all three fields of knowledge, some opportunities for reciprocal learning and interactions developed, moved by some exogenous, societal changes as well as disciplinary evolution. The author argues that looking at the intersection of democracy, media and social movements could be particularly useful within a relational and constructivist, that takes normative positions by the different actors into account. More broadly, this would mean to pay attention to the permeability of the borders between the three concepts, as well as between the three fields they tend to separate. The article does this by looking first at the debate on recent transformations of democracy, described by labels such as post-democracy or counterdemocracy, as well as on the New Media and social movements, and then at

what recent research on social movements can add to them.

<http://hdl.handle.net/1814/19856>

DEVITT, Camilla

Varieties of capitalism, variation in labour immigration, Journal of ethnic and migration studies, 2011, 37, 4, 579-596

Existing theories of labour migration are inadequate explanations for variation in levels and types of economic immigration across states. I argue that socio-economic regime variation has contributed to quantitative and qualitative variation in migrant labour across Western Europe over recent decades. Western European economic and labour market institutions generate low-paid, low-skilled employment-where migrant workers tend to concentrate-to different degrees. Furthermore, welfare and education and training institutions shape the domestic supply of labour in diverse ways across Western Europe, which has consequences for the quantity and skillset of economic migrants required.

<http://hdl.handle.net/1814/17300>

DEÁK, Szabolcs, FONTAGNÉ, Lionel, MAFFEZZOLI, Marco, MARCELLINO, Massimiliano

LSM: A DSGE model for Luxembourg, Economic Modelling, 2011, 28, 6, 2862–2872

Luxembourg is a small open economy with a set of particular features, including rather limited competition in the domestic goods market, strong union power, and a segmented labor market for resident and non-resident workers. In this paper we develop a medium scale DSGE model that captures these features, calibrate it to mimic the actual behavior of the key macroeconomic aggregates, and use it to conduct policy experiments aimed at relaxing some of the existing rigidities in the goods and labor market.

<http://hdl.handle.net/1814/19959>

DIECKHOFF, Martina, STEIBER, Nadia

A Re-Assessment of Common Theoretical Approaches to Explain Gender Differences in Continuing Training Participation, British Journal of Industrial Relations, 2011, 49, Issue Supplement s1, s135-s157

It is often argued that gender differences in access to continuing training are a central cause of persisting gender inequalities in occupational attainment. Yet existing empirical work has presented rather mixed evidence regarding a potential sex gap in training participation. In this article, we carry out an empirical test of the central theoretical models commonly used to explain gender differences in continuing training participation. Using the European Social Survey, we find that male employees are more likely to train than their female colleagues, controlling for worker, firm and job characteristics, with some tentative evidence for differences across countries. Common theoretical approaches to understanding gender differences in continuing skill investment to some degree explain men's training incidence, while they largely fail to predict that of women.

<http://hdl.handle.net/1814/20577>

DROUARD, Joeffrey

Costs or Gross Benefits? - What mainly drives cross-sectional variance in internet adoption, Information Economics and Policy, 2011, 23, 127-140

In this paper, we propose an empirical model of Internet adoption which takes into account the household's desire to adopt the Internet. Our research supports three central findings. First, we determine the main factors that explain the cross-sectional variance in gross benefits. Second, we estimate the predicted probabilities that a household does not desire to adopt the Internet and that a household desires to adopt the Internet but does not because its adoption costs are higher than its gross benefits. We show that while the cross-sectional variance in the first predicted probability is high, the cross-sectional variance in the second one is low (except for the age factor). Third, we compute the predicted adoption probability assuming that the adoption costs are homogeneous across households. We show that, for a given dimension (except for the age factor), the adoption rate will be only slightly modified if the adoption costs are homogeneous across households. Our results support the argument that the digital divide is mainly due to differences in gross benefits of adoption.

<http://hdl.handle.net/1814/18489>

EHRHARDT, Jens, KOHLI, Martin

Individualisation and Fertility, Historical Social Research, 2011, 36, 2, 35-64, Special issue on Fertility

In this paper, we discuss individualisation theory as a parsimonious framework concept to describe and explain core points of fertility change in Western societies since the end of the 19th century. We emphasise two dimensions of individualisation: firstly, the increase in status of the individual in cultural, social, economic and legal respects (human dignity); secondly, the increase in autonomy and freedom of choice. In contrast to other approaches based on individualisation theory, we do not use the concept of self-realisation in the sense of an increased orientation towards purely individual interests, not least because this concept has failed before the renewed rise in fertility that has recently been observed in some advanced societies. Whereas the first demographic transition can be mainly explained by the rising status of children, which increased the costs of parenting and thus changed the interests of (potential) parents to have children, the transition in the 1960s resulted mainly from the rising status of women in education and the labour market. An important but hitherto neglected change was the increasing divorce rates, as the possibility to dissolve a marriage devalued the traditional gender contract of the breadwinner/housewife model and decreased the willingness of women and men to invest in marriage and children. The contrast between the recently growing fertility rates in Sweden, France and the US with the continuously low fertility in the German-speaking countries can partly be seen as a result of different divorce regimes. Whereas the first group of countries has limited the entitlements to child and spousal support through alimonies, the second group has institutionalised extensive entitlements for mother and child.

<http://hdl.handle.net/1814/20878>

ELLERMAN, A. Denny

Is Conflating Climate with Energy Policy a Good Idea?, Economics of Energy and Environmental Policy, 2011, 1, 1, 11-23

This essay reviews the evolution of energy policy and climate policy in the United States and notes that the difference between the two has become increasingly less. In the nearly forty years that energy has been a public policy issue, it has always been characterized by impossible goals concerning reduced oil imports, but in the early years (the 1970s), a reasonably coherent set of measures dealt effectively with the pricing problems that were causing energy shortages. This stands in marked contrast to later energy policy which has evolved into a generalized justification for measures that have little in common other than some relation, however slight, to reducing oil imports. Putting a price on carbon has been a salient aspect of climate policy until recently; however, that ambition is fading fast and climate policy has increasingly become, like what remains of energy policy, one among a number of justifications for promoting particular forms of energy, usually renewable energy and energy efficiency. The success of latter-day energy policy in achieving the avowed objective, reduced oil import levels, should give pause to those who expect a similar effect on greenhouse gas emissions from the conflation of climate with energy policy.

<http://hdl.handle.net/1814/20794>

ESAIASSON, Peter

Electoral Losers Revisited – How citizens react to defeat at the ballot box, Electoral Studies, 2011, 30, 1, 102-113, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

The paper seeks to reconcile insights from winner–loser gap research with mainstream understanding of election legitimacy. The paper acknowledges that winning and losing elections creates differential incentives for citizens to remain supportive of their political system, but it argues that losers nevertheless have enough reasons to remain supportive in absolute terms. Drawing on democratic theory, the paper develops a rationale for why citizens are willing to accept electoral defeat voluntarily, and suggest a new way to conceptualize citizen reactions to election outcomes. It presents findings from a sample of election studies in established democracies to show that winners typically become more supportive whereas losers at minimum retain their level of support from before the election. It concludes that elections, when reasonably well executed, as they most often are in established

democracies, build system support rather than undermine it.

<http://hdl.handle.net/1814/19984>

FABBRINI, Federico

La composizione del Parlamento Europeo dopo il Trattato di Lisbona, *Rivista Trimestrale di Diritto Pubblico*, 2011, 3, 787-802

The article analyzes the modifications in the composition of the European Parliament introduced by the Lisbon Treaty, the technical difficulties produced by the entry into force of the Treaty after the European elections of 2009 and the solution that was adopted by the Member States to adopt a Protocol to the EU treaties in order to anticipate the increase of the composition of the European Parliament in 2011 instead of waiting for the next general elections in 2014.

<http://hdl.handle.net/1814/20494>

FABBRINI, Federico

Voting Rights for Non-Citizens: The European Multilevel and US Federal Constitutional Systems Compared, *European Constitutional Law Review*, 2011, 7, 3, 392-423

The article analyzes the regulation of voting rights for non-citizens in the European multilevel architecture and in the US constitutional systems. It argues that the interaction between different state and transnational laws on electoral rights in Europe has produced a challenge of inconsistency, putting under pressures those domestic regimes endowed with a very restrictive stand vis-à-vis non-citizens voting. The article explains that comparable dynamics have taken place in the US and explores the implications of the most recent jurisprudential developments taking place in the EU.

<http://hdl.handle.net/1814/20455>

FABBRINI, Federico

Il pareggio di bilancio nelle costituzioni europee, *Quaderni Costituzionali*, 2011, 4, 933-934

The note analyzes the introduction of a balance budget constitutional amendment in the Spanish and French Constitutions and the EU law framework for these domestic reforms.

<http://hdl.handle.net/1814/20486>

FABBRINI, Federico

Prime Minister Berlusconi, the Judiciary and the Duty of Loyal Cooperation in a Recent Decision of the Italian Constitutional Court, *Tijdschrift voor Constitutioneel Recht/Dutch Journal of Constitutional Law*, 2011, 2, 214-222

The article analyzes the decision n° 23/2011 of the Italian Constitutional Court striking down an act of Parliament ensuring the immunity from criminal trials for the Italian Prime Minister.

<http://hdl.handle.net/1814/20495>

FABBRINI, Federico

The European Court of Human Rights, the EU Charter of Fundamental Rights, and the Right to Abortion: Roe v. Wade on the other side of the Atlantic?, *Columbia Journal of European Law*, 2011, 18, 1, 1-54

This Article analyzes the legal regulation of abortion within the context of Europe's multilevel system for the protection of fundamental rights. The Article examines the constitutional dynamics and challenges that emerge in the field of abortion law from the overlap between national and supranational norms in Europe, comparing the European multilevel architecture with the United States (U.S.) federal system. To this end, the Article summarizes the main trends in the regulation of abortion in the various European Union ("EU") countries, assesses the growing impact of the EU and the European Convention on Human Rights in the field of abortion law, and emphasizes how supranational law generates new pressures and creates several inconsistencies within the domestic legal systems of those states which restrict abortion rights. It then explores how analogous dynamics have historically been at play in the U.S. federal system. Finally, the Article evaluates—in light of the U.S. experience—the potential consequences upon the European abortion regime of the most recent developments in the European Court of Human Rights case law and the entry into force of the EU Charter of Fundamental Rights via

the Lisbon reform Treaty.
<http://hdl.handle.net/1814/20474>

FABBRINI, Federico

Lotta al terrorismo: Da Bush a Obama, passando per la Corte Suprema, Quaderni Costituzionali, 2011, 31, 1, 89-106

The article contextualizes the United States (US) counter-terrorism policies from 2001 to the present in light of the peculiar US constitutional system of separation and balance of powers. It argues that the unprecedented claim of power made by the Bush Administration, unchecked by Congress, produced a reaction by the Supreme Court, exemplified by its increasingly confident decisions in the Guantánamo cases (Hamdi, Rasul, Hamdan and Boumediene). It then claims that the election of President Obama, and the consequential abandonment of the theory of the unitary executive, represents a turning point in the anti-terrorism policies of the executive branch and explains in this light the shift by the Supreme Court toward a position of judicial deference (as emerging notably in the recent Holder ruling). Finally the article offers a synthesis of the above-mentioned developments, emphasizing how the institutional dynamics that have taken place among the three branches of government – the President, Congress and the Supreme Court – have been largely shaped by the principle of checks and balances imbuing the 1787 US Constitution.

<http://hdl.handle.net/1814/20476>

FABBRINI, Federico

Extraordinary Renditions and the State Secret Privilege: Italy and the United States compared, Italian Journal of Public Law, 2011, 2, 2, 255-304

The purpose of this article is to analyze the application of the State secret privilege in litigations concerning cases of extraordinary renditions in Italy and the United States (US). The article addresses the decision of the Italian Constitutional Court in the Abu Omar case and compares it with the case law of US federal courts in the El-Masri case. It is argued, with several caveats, that a common pattern emerges in both Italy and the US, whenever a case of extraordinary rendition is either investigated in a criminal proceeding or claimed in a civil suit for the purpose of civil liability: if the government invokes the existence of a State secret privilege, the judiciary shows utmost deference to the determination of the executive branch, making it impossible for the individuals allegedly subjected to extraordinary renditions to obtain justice before domestic courts. The article therefore examines what role legislatures and supranational human rights institutions could play to reverse this troubling trend, by assessing the differences and the similarities existing between Italy and the US. Even though legislatures, both in parliamentary and separation of powers systems, have proved either unwilling or unable to check the invocation of the privilege by the executive branch, the article suggests that the existence of judicial fora beyond the States, where individuals can bring their human rights claims, can be a valuable mechanism to ensure that allegations of extraordinary renditions are effectively adjudicated and redressed.

<http://hdl.handle.net/1814/20996>

FABBRINI, Federico

Voting Rights for Non-Citizens: The European Multilevel and US Federal Constitutional Systems Compared, European Constitutional Law Review, 2011, 7, 3, 392-423

The article analyzes the regulation of voting rights for non-citizens in the European multilevel architecture and in the US constitutional systems. It argues that the interaction between different state and transnational laws on electoral rights in Europe has produced a challenge of inconsistency, putting under pressures those domestic regimes endowed with a very restrictive stand vis-à-vis non-citizens voting. The article explains that comparable dynamics have taken place in the US and explores the implications of the most recent jurisprudential developments taking place in the EU.

<http://hdl.handle.net/1814/20455>

FAKHOURY MUEHLBACHER, Tamirace

Lebanon against the Backdrop of the 2011 Arab Uprisings: Which Revolution in Sight?, New Global Studies, 2011, 5, 1, Article 4

Lebanon, one of the most highly politicized and divided societies in the Middle East, has watched the

Articles

2011 Arab Uprising nervously. Yet its own intricate legacy cross-communal compromise and the porous nature of its society have left it relatively unscathed. However, this could easily change.
<http://hdl.handle.net/1814/17298>

FARGUES, Philippe

Voice After Exit: Revolution and migration in the arab world, Migration Information Source, 2011, May, online
<http://hdl.handle.net/1814/20575>

FARGUES, Philippe

International Migration and the Demographic Transition: A two-way interaction, International Migration Review, 2011, 45, 3, 588–614

The paper explores the relationship between the demographic transition and international migration, that is, between population dynamics and direct connectivity between peoples. The first part examines how ideas conveyed by migrants to non-migrants of their community of origin are susceptible to impact on practices that lead to the reduction of birth rates in source countries of migration and concludes that international migration may be one of the mechanisms through which demographic transition is disseminated. The second part shows that declining birth rates in origin countries generate a new profile of the migrant and suggests that future migrants will typically leave no spouses or children in the home country and therefore their objective will no longer be to improve the family's standing at home for the mere reason that there is no longer such a family, but to increase opportunities for themselves. Migration policies of origin countries on remittances as well as those of destination countries on family reunification will have to be reconsidered.
<http://hdl.handle.net/1814/20567>

FARGUES, Philippe

Immigration Without Inclusion: Non-nationals in nation-building in the Gulf States, Asian and Pacific Migration Journal, 2011, 20, 3-4, 273-292, Special issue on Migration in the Gulf States
Migrants represent between one-third and four-fifths of the population in the Gulf States. Despite their sizable numbers, migrants can only have temporary residency, they have no access to citizenship, and they have limited membership in society, conditions which are unique to the Gulf States as destination countries. The first section argues that non-nationals have been instrumental in shaping the social link between nationals, and the relationship between them and their rulers. The second section shows how oil-generated wealth has allowed demographic growth through high fertility among nationals, and high immigration among non-nationals through high immigration. The faster growth among non-nationals has produced societies with a continuously shrinking proportion of nationals. Indeed, while policies of not allowing immigrants' integration in the citizenry have worked well, policies aiming at reducing dependency on foreign workers through indigenizing the workforce and those limiting their duration of stay have not been successful. The exceptional demography of the Gulf States is not explained by an exceptional level of immigration as much as by an exceptional closure of local societies.
<http://hdl.handle.net/1814/20565>

FARGUES, Philippe

Démographie et soulèvement dans le monde arabe, La revue Economica, 2011, 12, 43-48
<http://hdl.handle.net/1814/20574>

FARRAND, Benjamin

Corporate Governance or Corporate Government? (Publication Review: Pepper D. Culpepper, Quiet Politics and Business Power: Corporate Control in Europe and Japan (Cambridge University Press, 2011)), European Journal of Legal Studies, 2011, 4, 2, 264-269
<http://hdl.handle.net/1814/20186>

FERNANDES, Jorge Miguel

The 2011 Portuguese Election: Looking for a way out, West European Politics, 2011, 34, 6, 1296-1303

The 2011 Portuguese election took place under extraordinary conditions: the EU–ECB–IMF troika had just bailed out the country that was facing its worst crisis in the last century. So ‘crates’ minority government was not able to deliver the necessary stability to conduct the reforms to restore the economic outlook and tackle the shockwaves of the international debt crisis. Hence, after six years of Socialist government, the call for early elections and the winning of a majority by the centre-right parties appeared the natural alternative.
<http://hdl.handle.net/1814/20500>

FERRARA, Pasquale

Libertà e sicurezza nella politica mondiale, Italianieuropei, 2011, 7, 109-113

La minaccia del terrorismo ha reso la sicurezza un tema prioritario dell’agenda politica mondiale, facendo emergere al contempo l’inadeguatezza dei sistemi tradizionali di fronte alla sfida di garantire la tutela della società da rischi nei quali si intrecciano sempre più strettamente dimensione locale e dimensione globale. Quale futuro avrà una democrazia sempre meno legata al diritto e sempre più guidata dalla paura?
<http://hdl.handle.net/1814/18334>

FERRARA, Pasquale

L’Occidente e la primavera araba, Nuova Umanità, 2011, XXXIII, 195, 279-289

The “revolutions” in the Arab world have forced us to radically revise our geopolitical concepts and ideological interpretations of what we call the “Greater Middle East”. These were the result of an attempt to apply the basic principles of liberalism to a context radically different from its origins, and to spread them throughout a region that stretches from the Atlantic to the Hindukush. In general, the error was to think that democratic procedures could be exported without ensuring at the same time the conditions for strengthening democratic processes, and without waiting for them to acquire greater awareness and conviction in the societies concerned. The events of 2011 show that the West, and Europe in a special way, must pass from the rhetorical exportation of democracy to real democracy support, by strengthening the extremely fragile democracies coming to life in North Africa and the Middle East., Le “rivoluzioni” del mondo arabo obbligano a rivedere radicalmente un concetto geo-politico ed un postulato ideologico ormai superato, quello espresso dalle parole: “Ampio Medio Oriente”. Esso corrispondeva al tentativo di applicare, in un contesto radicalmente diverso da quello originario, i principi fondamentali della filosofia politica del liberalismo, estendendoli a una regione compresa tra l’Atlantico e l’Hindukush. Più in generale, l’errore è stato quello di chi ritiene di poter esportare le procedure democratiche, senza parallelamente verificare le condizioni per rafforzare i processi democratici e senza attendere che essi emergessero ad un livello di maggior consapevolezza e convinzione nelle società interessate. I fatti del 2011 dimostrano che è necessario, per l’Occidente e, in particolare, per l’Europa, passare dalla retorica del democracy export, cioè dell’esportazione (anche forzata) della democrazia, alla concretezza del democracy support, vale a dire del sostegno alle nuove fragilissime democrazie nascenti in Nord Africa e in Medio Oriente.
<http://hdl.handle.net/1814/19694>

FERRI, Delia, MARQUIS, Mel

Inroads to Social Inclusion in Europe’s Social Market Economy: The case of state aid supporting employment of workers with disabilities, European Journal of Legal Studies, 2011, 4, 2, 44-73

Since the 1990s if not earlier, the asymmetry in the European Community/European Union between market-making free trade rules and distributive mechanisms sometimes known as ‘the social’ has been perceived by many as at least a potential factor contributing to a legitimacy crisis in European integration. There are no easy solutions to this state of affairs, but the European Union can take small steps toward an enhanced equilibrium. A small but potentially important step was taken in the Lisbon version of the Treaty on European Union, when the notion of a ‘social market economy’ was explicitly embraced. But what do these alluring words mean? They are left formally undefined and they have been freed, we submit, from their historical and conceptual moorings. It is up to European practice and scholarship to determine whether and how the idea will take on a life of its own in its new context. In this paper we consider a narrow but not insignificant policy field that suggests itself as a possible example of

Europe's social market economy principle in action, namely, the use of state aid rules to encourage Member States to support the hiring and accommodation of persons with disabilities. In exploring the legal norms and policy in this area, we put forward some tentative suggestions about how the idea of a social market economy for Europe might be framed as the EU passes through the next phase of the integration project.

<http://hdl.handle.net/1814/20177>

FRAILE, Marta

Widening or Reducing the Knowledge Gap? Testing the media effects on political knowledge in Spain (2004-2006), *International Journal of Press/Politics*, 2011, 16, 163-184

This article analyzes the media effects on political knowledge after controlling for the most common factors (motivation, ability, and opportunities) in Spain. In addition, it explores whether the media contribute to increasing the existent knowledge gap in the Spanish polity. The results show that only one medium appears to have significant effects on knowledge: newspapers. An additional finding is that exposure to political information in newspapers does not reinforce the knowledge gap between different socioeconomic groups. Moreover, the relationship between education and knowledge appears to be weaker among heavy newspaper users than among light newspaper users. Interestingly, this result runs contrary to that predicted by the knowledge gap hypothesis and suggests that political institutions should promote increased access to the press for poorly educated citizens, particularly in countries where there is an extremely polarized media system, with a clear political alignment of the main media holdings, such as the case of Spain.

<http://hdl.handle.net/1814/17759>

FRALE, Cecilia, MARCELLINO, Massimiliano, MAZZI, Gianluigi, PROIETTI, Tommaso

EUROMIND: A monthly indicator of the euro area economic conditions, *Journal of the Royal Statistical Society, Series A*, 2011, 74, 2, 439-470

Continuous monitoring of the evolution of the economy is fundamental for the decisions of public and private decision makers. The paper proposes EUROMIND, which is a new monthly indicator of the euro area economic conditions, based on tracking real gross domestic product monthly, relying on information provided in the Eurostat Euro-IND database. EUROMIND has several original economic and statistical features. First, it considers both the output and the expenditure sides of the economy, as it provides a monthly estimate of the value added of the six branches of economic activity and of the main gross domestic product components by type of expenditure (final consumption, gross capital formation and net exports), and combines the estimates with optimal weights reflecting their relative precision. Second, the indicator is based on information at both the monthly and the quarterly level, modelled with a dynamic factor specification cast in state space form. Third, since estimation of the multivariate dynamic factor model with mixed frequency data can be numerically complex, computational efficiency is achieved by implementing univariate filtering and smoothing procedures. Finally, special attention is paid to chain linking and its implications, via a multistep procedure that exploits the additivity of the volume measures expressed at the prices of the previous year.

<http://hdl.handle.net/1814/19960>

FREIRE, André, SANTANA PEREIRA, José

Portugal, 2011: Une victoire de la droite néolibérale et une défaite de la gauche, *Pole Sud*, 2011, 35, 157-166

Cet article analyse les élections parlementaires portugaises du 5 juin 2011. Il en présente l'arrière-plan issu de la législature précédente, de la crise économique, du renflouement de la dette portugaise et de la campagne électorale. Il décrit ensuite les résultats électoraux en les comparant avec les élections nationales précédentes. Globalement, le scrutin se solde par une nette défaite de la gauche laissant place au gouvernement le plus néolibéral de l'histoire du Portugal. Les électeurs semblent également avoir primé la stabilité puisque les partis de droite affichèrent leur volonté de coopérer, formant rapidement une coalition gouvernementale, alors que les partis de gauche ont montré leur incapacité à coopérer entre eux. The present paper analyses the June 5th, 2011, parliamentary elections in Portugal, and begins by introducing the reader to the background of the 2011 national elections: the exercise of power in the XI Legislature, the economic crisis, the Bailout Agreement for Portugal, and the

electoral campaign. Then, the 2011 electoral results are described and compared with previous national elections. Overall, the picture displays a strong defeat of the left that paved the way for the most neoliberal government in the Portuguese history. Voters also voted for stability: the right-wing parties declared that they were willing to cooperate (and in fact they formed a coalition government very quickly), whereas the left-wing parties have shown in several occasions that they are unable and unwilling to cooperate.

<http://hdl.handle.net/1814/20538>

FREYBURG, Tina

Transgovernmental Networks as Catalysts for Democratic Change? EU Functional Cooperation with Arab Authoritarian Regimes and Socialization of Involved State Officials into Democratic Governance, *Democratization*, 2011, 18, 4, 1001-1025

With the European Neighbourhood Policy, the European Union (EU) intensified functional cooperation in a wide range of sectors. This contribution investigates whether this kind of transnational exchange can trigger subtle processes of democratization. It argues that third state officials become acquainted with democratic governance by participating in transgovernmental policy networks implementing functional cooperation between state administrations of established democracies and authoritarian regimes. In this vein, it enriches the governance model of democracy promotion by adding a new level, the micro-level of democratic socialization. Empirically, the argument is tested taking two Twinning projects that the EU has set up in Morocco, that is, the projects on competition policy and on the environment. The conclusion is that in some non-politicized policy fields, such as the environment, EU transgovernmental policy networks can successfully yield processes of democratic socialization in the context of a stable authoritarian regime, like that in Morocco.

<http://hdl.handle.net/1814/20441>

FREYBURG, Tina

Demokratisierung durch Zusammenarbeit? Funktionale Kooperation mit autoritären Regimen und Sozialisation in demokratischem Regieren, *Zeitschrift für Internationale Beziehungen (ZIB)*, 2011, 18, 1, 5-46

Is functional cooperation with authoritarian regimes a blessing or a curse for democratization? Scholars predominantly view cooperation with authoritarian regimes as counterproductive in terms of democratization because it helps the incumbent government to remain in power by stabilizing the regime. This article presents evidence to suggest that functional cooperation can also be considered a promising way of yielding subtle processes of democratization that have hitherto been overlooked. It explores to what extent state officials become acquainted with democratic governance by participating in transgovernmental policy networks, notably the Twinning Program, set up by the European Union in order to implement functional cooperation with its Southern neighborhood. The study conducts regression analyses based on original survey data on Moroccan state officials' attitudes toward democratic governance and complements these analyses with a qualitative comparison of different networks. The findings corroborate an optimistic reading of functional cooperation. By significantly shaping the attitudes toward democratic governance of involved state officials, cooperation appears to be able to plant seeds of change inside authoritarian regimes.

<http://hdl.handle.net/1814/20442>

FREYBURG, Tina, LAVENEX, Sandra, SCHIMMELFENNIG, Frank, SKRIPKA, Tatiana, WETZEL, Anne

Democracy Promotion through Functional Cooperation? The case of the European neighbourhood policy, *Democratization*, 2011, 18, 4, 1026-1054

This contribution explores whether and under what conditions functional sectoral cooperation between the EU and the countries of the European Neighbourhood Policy (ENP) promotes democratic governance. In an analysis of four countries (Jordan, Moldova, Morocco, and Ukraine) and three fields of cooperation (competition, environment, and migration policy), we show that country properties such as the degree of political liberalization, membership aspirations, and geographic region do not explain differences in democratic governance. Rather, sectoral conditions such as the codification of

democratic governance rules, the institutionalization of functional cooperation, interdependence, and adoption costs matter most for the success of democratic governance promotion. We further reveal a notable discrepancy between adoption and application of democratic governance in the selected ENP countries that has not been remedied in the first five years of the ENP.

<http://hdl.handle.net/1814/20443>

GALE, Douglas, GOTTARDI, Piero

Bankruptcy, Finance Constraints, and the Value of the Firm, American Economic Journal: Microeconomics, 2011, 3, 2, 1-37

We study a competitive model in which market incompleteness implies that debt-financed firms may default in some states of nature, and default may lead to the sale of the firms' assets at fire sale prices when a finance constraint is binding. The anticipation of such "losses" alone may distort firms' investment decisions. We characterize the conditions under which fire sales occur in equilibrium, and their consequences on firms' investment decisions. We also show that endogenous financial crises may arise in this environment, with asset prices collapsing as a result of pure self-fulfilling beliefs. Finally, we examine alternative interventions to restore the efficiency of equilibria.

<http://hdl.handle.net/1814/17715>

GALLINI, Stefania, NOIRET, Serge

La historia digital en la era del Web 2.0: introducción al Dossier Historia Digital, Historia Crítica, 2011, 43, 16-37

<http://hdl.handle.net/1814/17614>

GAVARD, Claire, WINCHESTER, Niven, JACOBY, Henry, PALTSEV, Sergey

What to Expect from Sectoral Trading: A US-China example, Climate Change Economics, 2011, 2, 1, 9-26 [Loyola de Palacio Energy Policy Programme];

In the recent United Nations Framework Convention on Climate Change (UNFCCC) negotiations, sectoral trading was proposed to encourage early action and spur investment in low carbon technologies in developing countries. This mechanism involves including a sector from one or more nations in an international cap-and-trade system. We analyze trade in carbon permits between the Chinese electricity sector and a US economy-wide cap-and-trade program using the MIT Emissions Prediction and Policy Analysis (EPPA) model. In 2030, the US purchases permits valued at \$42 billion from China, which represents 46% of its capped emissions. In China, sectoral trading increases the price of electricity and reduces aggregate electricity generation, especially from coal. However, sectoral trading induces only moderate increases in generation from nuclear and renewables. We also observe increases in emission from other sectors. In the US, the availability of cheap emissions permits reduces the cost of climate policy and increases electricity generation.

<http://hdl.handle.net/1814/20097>

GEBSKI, Szymon

On Methods Used to Check Compensation for Additional Costs Generated by a Policy of Selling Below Cost in the Door-To-Door Parcel Delivery Sector, European Journal of Risk Regulation, 2011, 2, 4, 616-620

Case C-399/08 P European Commission v. Deutsche Post AG [2010], not yet published. -- 1. The Commission is not entitled to assume that State resources constitute an advantage when it fails to examine whether: (i) the total amount of those resources exceeds the total amount of the net additional costs incurred by an undertaking providing an SGEI; (ii) that undertaking has other net additional costs associated with the provision of an SGEI for which it has the right to claim compensation. -- 2. The use of a method different from that arising from Altmark Trans is justified only when the Commission is prevented, for objective reasons, from undertaking an examination of the information provided by a Member State. -- 3. Even if the General Court is wrong in law when it examines information that was not subject to any analysis in the Commission's decision, this did not affect the validity of its foregoing finding on the illegality of the contested decision (author's headnotes).

<http://hdl.handle.net/1814/20855>

GERSTER, Daniel

Von Pilgerfahrten zu Protestmärschen? Zum Wandel des katholischen Friedensengagements in den USA und der Bundesrepublik Deutschland 1945–1990, Archiv für Sozialgeschichte, 2011, 51, 311-342

Based on a comprehensive examination of peace activism of US-American and West-German Catholics during the Cold War, the article reflects about the general change of religion during the second half of the twentieth century. In this context, protest campaigns and protest sites serve as relevant indicators in order to analyse, if and to what extent Catholics took part in public and 'political' peace movements. We understand religion and politics as two fields which are not distinctly and structurally separated but whose boundaries are constantly redefined by discussing certain issues. The article sees these processes as a recoding and asks if there were forms of protest immediately after 1945 which can be considered as genuinely Catholic-religious. Subsequently it explores to what extent the conflict with the public peace movement of the Cold War and their forms of political protest caused a recoding of Catholic protest. The upshot is that although Catholic peace protest were politicised during the 1960s, this recoding of 'religious' protest campaigns was an incremental process. This conclusion can be differentiated by comparing the USA and Federal Republic of Germany and by identifying national particularities despite a common transnational framework.

<http://hdl.handle.net/1814/19079>

GFELLER, Aurélie Elisa

Towards and International History of European Integration: The European Communities and the United States during the 1970s, Journal of European Integration History, 2011, 17, 2, 347-353

<http://hdl.handle.net/1814/20440>

GIANI, Leonardo

The Tortuous Path to the European System of Financial Supervision, Columbia Journal of European Law, 2011, 18, 1, online

The regulatory response to the financial crisis has necessitated (and it still is necessitating) the adoption of a vast array of legal reforms. However, some of the elements of these reforms have departed from their originally intended design. One example of such departures comes from the United States. Commenting on the rule named after him, following the adoption of the Dodd-Frank Act, Paul Volcker stated that "[I]t doesn't have the purity I was searching for." This paper aims to show that this outcome is not unique to the American experience. In fact, on the other side of the Atlantic, deviations have also occurred during the process that has led to the establishment of the European System of Financial Supervision ("ESFS") and they have made it more complex than it was initially contemplated.

<http://hdl.handle.net/1814/20656>

GIEBLER, Heiko, WÜST, Andreas M.

Campaigning on an Upper Level? Individual campaigning in the 2009 European Parliament elections in its determinants, Electoral Studies, 2011, 30, 1, 53-66, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

Election campaigns are not only party campaigns, but depend to a significant degree on the efforts and activities of individual candidates. While some country-specific analyses of candidate campaigning have been done, large-N comparative studies are missing. The 2009 European Election Candidate Study, conducted in all 27 EU countries, does allow for such a comparative analysis. On the basis of this data, the article takes a closer look at three core components of individual campaigns and their respective determinants: duration, intensity, and the use of different campaign tools. Our findings show that only a combination of factors on the individual, party, and country level is able to explain significant amounts of the observed variance in each of the core components.

<http://hdl.handle.net/1814/19979>

GINSBORG, Lisa, SCHEININ, Martin

You Can't Always Get What You Want: The Kadi II Conundrum and the Security Council 1267 Terrorist Sanctions Regime, Essex Human Rights Review, 2011, 8, 1, 7-19, Special Issue on

Articles

Balancing Counter-Terrorism Efforts with Human Rights a Decade After 9/11

This essay about the 1267 Security Council sanctions regime discusses the legal limitations to the powers conferred to the Security Council under Chapter VII of the UN Charter and the implications in relation to international human rights standards. It holds the opinion that the Security Council has taken on a quasi-judicial role, while its procedures continue to fall short of the fundamental principles of the right to fair trial as reflected in international human rights treaties and customary international law. In particular it addresses the question of judicial review of sanctions in light of the establishment of the Office of the Ombudsperson, first mandated under Resolution 1904 to receive requests for delisting from the 1267 'Consolidated List' and the implications of the recent split between the Al-Qaida and Taliban sanctions regimes through Resolutions 1988 and 1989. In its final section the essay analyses the recent Kadi II judgment by the General Court of the European Union (EGC) and concludes that, while effective judicial procedures for review are necessary but deficient in the 1267 regime also in its current form, the requirement of the EGC of disclosure of full evidence appears to present particular challenges in this respect. In the assessment of the authors, although Resolution 1989 does not deliver what critics, including the EGC have wanted, it may, if properly implemented, provide one important element of what is actually needed to reach an acceptable arrangement of due process in the Al-Qaida sanctions regime, due to the prospect that the Ombudsperson will de facto have a decisive role in delisting. This prospect, however, does not flow automatically from Resolution 1989 but will require also political commitment.

<http://hdl.handle.net/1814/20882>

GIOVANNETTI, Giorgia, DE HAAN, Arjan, SABATES-WHEELER, Rachel, SANFILIPPO, Marco

Successes in Social Protection: What lessons can be learned?, Canadian Journal of Development Studies, 2011, 32, 4, 439-453

The recent food, fuel and financial crises have triggered innovation in social protection programmes around the world. Existing evidence suggests that such programmes both protect people from shocks and enable them to participate in economic growth. This paper explores lessons learned in social protection initiatives across countries and contexts, and identifies a set of 'success conditions' for social protection programmes, focusing mainly on sub-Saharan Africa. Ghana's national health insurance illustrates well three key features of an enabling environment: political commitment at the top; high administrative capacity; and financial sustainability and commitment to programme spending controls. To influence policy, these lessons need specification to the given context.

<http://hdl.handle.net/1814/21074>

GLENCROSS, Andrew, TRECHSEL, Alexander H.

First or Second Order Referendums? Understanding the votes on the EU constitutional treaty in four EU member states, West European Politics, 2011, 34, 4, 755-772 [EUDO];

This article uses post-referendum Flash-Eurobarometer surveys to analyse empirically voter attitudes towards the EU Constitution in four member states. The theoretical model used incorporates first and second order variables for voting to ascertain whether

<http://hdl.handle.net/1814/19895>

GOTTARDI, Piero, KUBLER, Felix

Social Security and Risk Sharing, Journal of Economic Theory, 2011, 146, 3, 1078-1106

In this paper we identify conditions under which the introduction of a pay-as-you-go social security system is ex ante Pareto-improving in a stochastic OLG economy with capital accumulation and land. We argue that these conditions are consistent with realistic specifications of the parameters of the economy. In our model financial markets are complete and competitive equilibria interim Pareto efficient. Therefore, a welfare improvement can only be obtained if agents' welfare is evaluated ex ante, and arises from an improvement in intergenerational risk sharing. We also examine the optimal size of a given social security system as well as its optimal reform.

<http://hdl.handle.net/1814/19017>

GREEN, Alexander

Expanding Law's Empire: Interpretivism, Morality and the Value of Legality, European Journal of

Legal Studies, 2011, 4, 1, 121-150

For interpretivist theories of law it is the value of legality that informs what counts as true legal propositions. The leading theory of legality in the interpretivist school is Ronald Dworkin's 'Law as Integrity'. This paper suggests that Dworkin's view fails to account for several features of modern legal practices, particularly those that deal with international and comparative legal standards. It also highlights some inconsistencies in law as integrity as a conception of the value of legality and suggests an alternative conception to correct for them. The result of this conception of legality provides the major thesis of this paper. This is that under an interpretivist theory, true propositions of law never conflict with what morality demands.

<http://hdl.handle.net/1814/18601>

GRIGOLO, Michele, HERMANIN, Costanza, MOSCHEL, Mathias

Introduction: How does race 'count' in fighting discrimination in Europe?, Ethnic and Racial Studies, 2011, 34, 10, 1635–1647

As opposed to the American and British reality, most European countries have adopted a position towards ethno-racial discrimination which could be summarized as attempting to fight 'racism without races'. This piece outlines the consequences of such a position from the normative, legal and political sciences points of view against the backdrop of an increasingly multi-ethnic continental Europe. Using the US as a comparator, the special issue summarizes a range of specific problems that race and ethnicity raise in the European context, such as categorization and discrimination against the Roma. In particular, we analyse whether and how race and ethnicity 'count' in legislation, jurisprudence and policies from the supranational to the local, and in the work of agencies entrusted with implementing anti-discrimination provisions.

<http://hdl.handle.net/1814/20698>

GROPAS, Ruby, TRIANDAFYLLIDOU, Anna

Greek Education Policy and the Challenge of Migration: An 'intercultural' view of assimilation, Race, Ethnicity and Education, 2011, 14, 3, 399-419

This article explores the policy responses and conceptual underpinnings of intercultural education in Greece. In the past two decades, and as a result of migration, Greece has seen its demography significantly and irreversibly altered in social, cultural, economic, ethnic, racial, and religious terms. Faced with an increasingly diverse student population, novel education policies are required. This article addresses the following questions: How has intercultural education been designed in Greece in response to growing immigration? What are the main objectives of Greek educational policy as regards contemporary Greek society overall and the immigrant population in particular? Are these changing, and if so in what direction? Is intercultural education perceived differently on the part of the various stakeholders? Based on our empirical research we highlight the connection between education policy approaches, practices and national identity discourses in order to explore the conceptual confusion of intercultural vs multicultural education approaches and the importance of the national context. We also raise a number of issues that we consider merit further examination both in policy and research terms in order to expand and enrich intercultural education in Greece.

<http://hdl.handle.net/1814/19360>

GUARDIANCICH, Igor

Pan-European Pension Funds: Current Situation and Future Prospects, International Social Security Review, 2011, 64, 1, 15-36

The competitive pressures arising from European economic integration increasingly challenge the territorial sovereignty of national welfare states. This generates the need to situate domestic social security schemes amid the European Union's national and supranational as well as economic and social spaces. At the trans-national level, the European Commission's 2003 Institutions for Occupational Retirement Provision (IORP) Directive created the illusion that a single market for occupational pensions would shortly be within reach. This did not happen, however, as IORPs—being at one and the same time financial vehicles and social insurance institutions—embody the constitutional asymmetry between policies promoting market efficiency and policies promoting social protection. Whereas the elimination of financial and tax barriers has proceeded smoothly,

harmonization of the social and labour components within the occupational pension domain did not occur, slowing down the development of pan-European pension plans. Nonetheless the road towards a single occupational pension market is still open, with first positive results emerging from the greater involvement of corporate and supranational actors.
<http://hdl.handle.net/1814/18437>

GUARDIANCICH, Igor

The Uncertain Future of Slovenian Exceptionalism, East European Politics and Societies, 2011, online first 29 July 2011

The political-economy literature has so far almost unanimously regarded Slovenia as the social-democratic exception in Central and Eastern Europe, due to a combination of highly consensual democratic institutions, low party polarization, strong social partners, and developed social dialogue. However, the situation, since the fall of the Liberal Democracy of Slovenia (LDS), which governed in 1992–2004, seems to be swiftly changing. Polarization has increased, union legitimacy declined, and social dialogue—especially in the aftermath of the 2007–2009 financial crisis—has all but collapsed. The 2010 pension reform is an archetypical example of how Slovenia now much more resembles its quarrelsome Eastern neighbours than the idealized exception that political scientists usually point at.
<http://hdl.handle.net/1814/18439>

GUARDIANCICH, Igor

The Survival and Return of Institutions: Examples from Pension Reforms in Central, Eastern and South-eastern Europe, West European Politics, 2011, 34, 5, 976-996

Opening a new phase in historical institutionalism, Wolfgang Streeck and Kathleen Thelen show how a rigid dichotomy between incremental adaptation and radical transformation fails to capture important transformative processes common to advanced political economies. While their research focuses on gradual but radical transformation, the two authors leave open the interpretation of what constitutes abrupt, but only limited change. This article integrates their framework, defines what they call survival and return, and, within this genus, indicates two analytically distinct species: replication, where the old logic survives due to the redundancy of the new institutional arrangement; and reaction, where structural reforms generate demand for the old incentive structures, which are ultimately reintroduced. To elucidate the concepts, recent Croatian, Hungarian and Polish pension reforms are compared and their institutional instability analysed.
<http://hdl.handle.net/1814/18438>

GUERRA-PUJOL, F. E.

A Bayesian Model of the Litigation Game, European Journal of Legal Studies, 2011, 4, 2, 220-240

Over a century ago, Oliver Wendell Holmes invited scholars to look at law through the lens of probability theory: 'The prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by the law'. But Holmes himself, and few others, have taken up this intriguing invitation. As such, in place of previous approaches to the study of law, this paper presents a non-normative, mathematical approach to law and the legal process. Specifically, we present a formal Bayesian model of civil and criminal litigation, or what we refer to as the 'litigation game'; that is, instead of focusing on the rules of civil or criminal procedure or substantive legal doctrine, we ask and attempt to answer a mathematical question: what is the posterior probability that a defendant in a civil or criminal trial will be found liable, given that the defendant has, in fact, committed a wrongful act?
<http://hdl.handle.net/1814/20184>

GUIISO, Luigi, SCHIVARDI, Fabiano

What Determines Entrepreneurial Clusters?, Journal of the European Economic Association, 2011, 9, 1, 61-86

We contrast two potential explanations of the substantial differences in entrepreneurial activity observed across geographical areas: entry costs and external effects. We extend the Lucas model of entrepreneurship to allow for heterogeneous entry costs and for externalities that shift the distribution of entrepreneurial talents. We show that these assumptions have opposite predictions on the relation between entrepreneurial activity and firm-level TFP: with different entry costs, in areas with more

entrepreneurs firms' average productivity should be lower; with heterogeneous external effects it should be higher. We test these implications on a sample of Italian firms and unambiguously reject the entry costs explanation in favor of the externalities explanation. We also investigate the sources of external effects, finding robust evidence that learning externalities are an important determinant of cross-sectional differences in entrepreneurial activity.

<http://hdl.handle.net/1814/16492>

HANNESSON, Ólafur Ísberg

The Status of Non-Implemented EEA Law in Iceland: Lessons from the judicial reactions of the Supreme Court to International Law, Nordic Journal of International Law, 2011, 80, 4, 425-458

In October 2007, the European Free Trade Association (EFTA) Court confirmed that the doctrines of direct effect and primacy could not be generated by the European Economic Area (EEA) Agreement alone. Rather, the effects of non-implemented EEA provisions were to remain in the hands of the EFTA States. Hence, the relevant question is what weight should be accorded to such norms in domestic law? The Icelandic Supreme Court has yet to take a stance on the direct effect question relation to incorrectly or insufficiently transposed EEA law. The issue has, however, been addressed several times in connection with the European Convention on Human Rights, before its incorporation. In order to address the unclear legal status of EEA norms in Icelandic law, this contribution takes a closer look at the judicial attitude of the Supreme Court taken towards international law in general and the Convention in particular. The perceived differences between EEA law and the Convention have made it easy for observers to dismiss such comparison on the grounds that the two kinds of legal regime are not readily comparable. The article questions these apparent differences by pointing out that EEA law in fact shares all of the features of the Convention that led judges to enforce it in the Icelandic legal order.

<http://hdl.handle.net/1814/20640>

HE, Xian, DELARUE, Erik, D'HAESELEER, William, GLACHANT, Jean-Michel

A Novel Business Model for Aggregating the Values of Electricity Storage, Energy Policy, 2011, 39, 3, 1575-85

Electricity storage is considered as a valuable source of flexibility with applications covering the whole electricity value chain. Most of the existing evaluation methods for electricity storage are conceived for one specific use of the storage, which often leads to the conclusion that the investment on storage does not pay off. However, the value of storage cannot be properly estimated without taking into account the possibility of aggregating the services that storage can offer to different actors. This paper proposes a new business model that allows aggregating multiple revenue streams of electricity storage in a systematic way. The main idea of the model is to coordinate a series of auctions in which the right to utilize the storage unit is auctioned upon different time horizons. The model consists of an optimization module and a coordination mechanism. The former simulates the optimal strategy of an actor to use the available storage capacities in a certain auction, while the latter ensures non-conflicting uses of storage by actors in different auctions. The functioning of the model is demonstrated by a case study. The results show that a storage unit can achieve higher return on investment in the manner proposed in the business model.

<http://hdl.handle.net/1814/19461>

HELBLING, Marc, TRESCH, Anke

Measuring Party Positions and Issue Salience from Media Coverage: Discussing and cross-validating new indicators, Electoral Studies, 2011, 30, 1, 174-183, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

Recent studies have started to use media data to measure party positions and issue salience. The aim of this article is to compare and cross-validate this alternative approach with the more commonly used party manifestos, expert judgments and mass surveys. To this purpose, we present two methods to generate indicators of party positions and issue salience from media coverage: the core sentence approach and political claims analysis. Our cross-validation shows that with regard to party positions, indicators derived from the media converge with traditionally used measurements from party manifestos, mass surveys and expert judgments, but that salience indicators measure different

underlying constructs. We conclude with a discussion of specific research questions for which media data offer potential advantages over more established methods.

<http://hdl.handle.net/1814/19990>

HERITIER, Adrienne, KARAGIANNIS, Yannis

The New Institutions of Transatlantic Aviation, *Global Policy*, 2011, 2, 2, 152-162

This article focuses on the institutions of transatlantic aviation since 1945, and aims at extracting from this historical process topical policy implications. Using the methodology of an analytic narrative, we describe and explain the creation of the international cartel institutions in the 1940s, their operation throughout the 1950s and 1960s, their increasing vulnerability in the 1970s and then the progressive liberalisation of the whole system. Our analytic narrative has a natural end, marked by the signing of an Open Skies Agreement between the US and the EU in 2007. We place particular explanatory power on (a) the progressive liberalisation of the US domestic market, and (b) the active role of the European Commission in Europe. More specifically, we explain these developments using two frameworks: first, a 'political limit pricing' model, which seemed promising, then failed, and then seemed promising again because it failed; second, a strategic bargaining model inspired by Susanne Schmidt's analysis of how the European Commission uses the threat of infringement proceedings to force member governments into line and obtain the sole negotiating power in transatlantic aviation.

<http://hdl.handle.net/1814/17537>

HERITIER, Adrienne, LEHMKUHL, Dirk

New Modes of Governance and Democratic Accountability, *Government and Opposition*, 2011, 46, 1, 126-144

This article raises the question of the link between new modes of governance and democratic accountability. Our definition of new modes of governance as modes refers to public policy-making that includes private actors and/or public policy-making by public actors that takes place outside legislative arenas, and which focuses on delimited sectoral or functional areas. We identify three different ways in which new modes of governance can be subjected to democratic control: parliamentary control, multi-stakeholder involvement and control through the public sphere and civil society at large. Building on a number of the illustrative insights from various empirical projects, we find that, in our cases at least, new modes of governance did not have a negative effect on existing patterns of democratic accountability. At the same time, neither multi-stakeholder policies nor the participation of civil society guarantee democratic accountability in the strict sense. We provide some evidence to the effect that, if institutionally linked to democratically elected governmental bodies – meaning, in this context, the European Parliament – it is more likely that negative externalities deriving from public policy-making in functionally segmented arenas of the European Union's multilevel polity will be dealt with in a more systematic way.

<http://hdl.handle.net/1814/15174>

HERITIER, Adrienne, MOURY, Catherine

Contested Delegation: The Impact of Co-decision on Comitology, *West European Politics*, 2011, 34, 1, 145-166

This article shows that, for the area of environmental policy, the Commission and the Council have been more willing to rely on extensive delegation after the introduction of co-decision. It also shows that the tendency of these two actors to delegate has followed the ratification of the Amsterdam Treaty - which indicates that the Council and Commission had anticipated their relative loss of power to the EP and rushed to delegate as much as possible before the effective introduction of co-decision. However, the Council was only willing to delegate more to the Commission on condition that it could exert as much control as possible over the procedure by using regulatory committees. These empirical findings confirm a distributive institutionalist argument according to which the Council and the Commission, seeking to maximise their institutional power, would try to circumvent the EP through delegation when the latter's competences in legislation increase. The expectation, also based on this argument, that the EP would react to this behaviour by opposing delegation altogether was not confirmed: the EP, rather than opposing delegation as such, has systematically tried to restrict its scope.

<http://hdl.handle.net/1814/15300>

HIX, Simon, MARSH, Michael

Second-Order Effects Plus Pan-European political Swings: an Analysis of European Parliament Elections Across Time, Electoral Studies, 2011, 30, 1, 4-15, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

After seven waves of European Parliament elections and European Union enlargement to 27 states, the time is ripe to analyse the temporal robustness of the second-order model. We pool all the elections in a single evaluation and also look at election-by-election variations. We analyse changes in party performance over time in all EU states as well as in the 'original 10', to see whether any cross-time changes are driven by the changing composition of the EU. We also look for pan-European trends in each election, as a way identifying 'European effects' distinct from second-order effects. There are few consistent winners and losers, although socialist parties performed worse in the last three elections than their size and government status would predict.

<http://hdl.handle.net/1814/19975>

HOBOLT, Sara Binzer, WITTROCK, Jill

The Second-Order Election Model Revisited: An experimental test of vote choices in European Parliament elections, Electoral Studies, 2011, 30, 1, 29-40, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

This paper examines the micro-foundations of the second-order elections model of European Parliament (EP) elections. We extend the existing literature in several ways. First, we propose an individual-level model of voting behaviour in second-order elections. Second, we present the first study using experimental methods to test the predictions of the second-order model, allowing us to test the individual-level propositions about vote choice in a controlled environment. Importantly, we also examine the conditioning effect of information on the 'second-order' nature of voting behaviour in EP elections. Our findings show that while voters base their EP vote choices primarily on domestic preferences, those who are given additional information about the European integration dimension are also more likely to vote on this basis.

<http://hdl.handle.net/1814/19977>

HOBOLT, Sara Binzer, FRANKLIN, Mark N.

Introduction: Electoral democracy in the European Union, Electoral Studies, 2011, 30, 1, 1-3, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

<http://hdl.handle.net/1814/19974>

HOBOLT, Sara Binzer, FRANKLIN, Mark N.

The Legacy of Lethargy: How elections to the European Parliament depress turnout, Electoral Studies, 2011, 30, 1, 67-76, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

Why has turnout in European Parliament (EP) elections remained so low, despite attempts to expand the Parliament's powers? One possible answer is that because little is at stake in these second-order elections only those with an established habit of voting, acquired in previous national elections, can be counted on to vote. Others argue that low turnout is an indication of apathy or even scepticism towards Europe. This article conducts a critical test of the "little at stake" hypothesis by focusing on a testable implication: that turnout at these elections will be particularly low on the part of voters not yet socialized into habitual voting. This proposition is examined using both time-series cross-section analyses and a regression discontinuity design. Our findings show that EP elections depress turnout as they inculcate habits of non-voting, with long-term implications for political participation in EU member states.

<http://hdl.handle.net/1814/19980>

HONOHAN, Iseult

Should Irish Emigrants Have Votes? External voting in Ireland, Irish Political Studies, 2011, 26, 4, 545-561 [EUDO Citizenship Observatory];

Ireland is one of the few countries in Europe not to offer some form of suffrage to its citizens who live

abroad permanently. By contrast, it has been a front-runner in the trend towards providing more liberal voting regimes for resident non-citizens, as
<http://hdl.handle.net/1814/19894>

IANNIELLO SALICETI, Alessandro

The Protection of EU Citizens Abroad: Accountability, Rule of Law, Role of Consular and Diplomatic Services, *European Public Law*, 2011, 17, 1, 91–109

The concept of protection of distressed citizens abroad was born inside the mainstream of theories on 'Law of Nations' in the seventeen and eighteen centuries. For a long time, this concept has been based on the strict relation between State and 'its' subjects. Since 1992, the new legal order of European Union (EU) law has given zest to the novel concept of protection of European citizens abroad, so that any EU country can intervene to protect unrepresented Europeans in third countries. Rule of law and Member State accountability are two basic milestones in EU law and well-settled case law of the EU Court of Justice, so that the traditional theories on State immunity and on discretionary power of consular and diplomatic agents cannot reasonably be maintained. The present study will conduct an in-depth analysis on Article 23 of the Treaty on the Functioning of the European Union (TFEU), where the basic provision on protection of Europeans.

<http://hdl.handle.net/1814/15505>

KAROVA, Rozeta

Regional Electricity Markets in Europe: Focus on the energy community, *Utilities Policy*, 2011, 19, 2, 80-86

Regional electricity markets (REM) are a natural step towards the creation of a single European electricity market. There are seven Electricity Regional Initiatives (ERI) launched by European Regulators Group for Electricity and Gas (EREG). This paper brings the focus to the eight REM covering the South East European (SEE) countries initiated by the European Commission. The congestion management and capacity allocation are used as an example to show that the SEE REM deals with the same priority issues as the other REMs do, and that the progress of this eight REM is great despite the short time of its existence. Given the EU membership perspective of the SEE countries and the expectation that the SEE REM shall become part of the internal electricity market, as well as the overlap between some members of the SEE REM and the other EREG ERI, the work of both initiatives shall be organized in a manner that uses the best practices and experience gained in each of them.

<http://hdl.handle.net/1814/16818>

KAUNERT, Christian, LEONARD, Sarah

EU counterterrorism and the European neighbourhood policy: an appraisal of the southern dimension, *Terrorism and political violence*, 2011, 23, 2, 286-309

Terrorists trained on European soil, but originating from the Middle East, attacked the world's only superpower on September 11, 2001. Countering this terrorist threat has become an increasingly significant part of European Foreign Policy. At the same time, the European Neighbourhood Policy (ENP) has become an increasingly important dimension of European Foreign Policy. This article examines the extent to which counterterrorism has occupied a prominent place in the ENP, with a particular focus on the Southern Mediterranean ENP partners. The findings of this article suggest that, despite the commonly held view in the literature that security issues, in particular terrorism, have dominated the ENP agenda, counterterrorism cooperation between the European Union (EU) and its Southern Mediterranean ENP partners has not advanced as much as might have been expected.

<http://hdl.handle.net/1814/17299>

KESSEL, Christian, MEEUS, Leonardo, SCHWEDLER, Christian

Experience with Interconnection Merchant Projects under Regulation (EC) 1228/2003: Perspectives for Regulation (EC) 714/2009, *Utilities Law Review*, 2011, 18, 4, 147-155

<http://hdl.handle.net/1814/20796>

KHALFALLAH, Haikel

A Game Theoretic Model for Generation Capacity Adequacy in Electricity Markets: Comparison between Investment Incentive Mechanisms in Electricity Markets, Energy Journal, 2011, 32, 4, 119-59

In this paper we study the problem of long-term capacity adequacy in electricity markets. We implement a dynamic model in which operators compete for investment and electricity production under imperfect Cournot competition. The main aim of this work is to compare three investment incentive mechanisms: reliability options, forward capacity market - which are both market-based - and capacity payments. Apart from the oligopoly case, we also analyze collusion and monopoly cases. Stochastic dynamic programming is used to deal with the stochastic environment of the market (future demand) and mixed complementarity problem formulation is employed to find a solution to this game. The main finding of this study is that market-based mechanisms would be the most cost-efficient mechanism for assuring long-term system adequacy and encouraging earlier and adequate new investments in the system. Moreover, generators would exert market power when introducing capacity payments. Finally, compared with a Cournot oligopoly, collusion and monopolistic situations lead to more installed capacities with market-based mechanisms and increase end-users' payments.
<http://hdl.handle.net/1814/19462>

KILPATRICK, Claire

The Court of Justice and Labour Law in 2010: A new EU discrimination law architecture, Industrial Law Journal, 2011, 40, 3, 280-301

This analysis is the third in a series of reviews surveying and analysing the Court of Justice's labour law jurisprudence.¹ One aim of these reviews is to build an accurate picture over time of how many labour law cases are decided, how they are decided and to identify distinctive features of the case load over time. Another is to select substantive areas of particular interest that emerge from the case-law for more detailed analysis.² This approach allows the systematic tracking of some key features of supranational labour law decision making as well as space to identify and explore more fully patterns and innovations in the Court's case-law. This year's review analyses the judicial emergence of a new European Union (EU) discrimination architecture.
<http://hdl.handle.net/1814/20704>

KNUTSEN, Carl Henrik

Which Democracies Prosper? Electoral rules, form of government and economic growth, Electoral Studies, 2011, 30, 1, 83-90, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

Electoral rules and form of government have important economic effects, for example on taxation and public spending. However, there are no robust results in the literature when it comes to their effect on economic growth. This paper investigates whether electoral rules and form of government affects economic growth by applying panel data techniques on a very extensive dataset. There is no robust effect of presidentialism or parliamentarism on growth. However, there is very robust evidence for a positive, and quite substantial, effect of Proportional Representation (PR) electoral rules on economic growth. This is partly due to PR systems' propensity to generate broad-interest policies, like universal education spending, property rights protection and free-trade, rather than special interest economic policies. Also semi-proportional systems seem to enhance growth relative to plural-majoritarian systems.
<http://hdl.handle.net/1814/19982>

KOCHAROV, Anna

Regulation that Defies Gravity - Policy, Economics and Law of Legal Immigration in Europe, European Journal of Legal Studies, 2011, 4, 2, 9-43

This article offers an assessment of EU directives in the field of legal immigration in the light of the Union's own claims of economic rationale behind its immigration policy. While stopping short of economic analysis of law, the work pinpoints the areas of EU immigration law of relevance to economists in future immigration research in the European context, and to policy makers when enacting

immigration laws. It is argued that, contrary to the political discourse, EU immigration law is inconsistent with the objectives of EU immigration policy and fails to take into account economic rationales for migration.

<http://hdl.handle.net/1814/20178>

KOHLER, Stefan

Altruism and Fairness in Experimental Decisions, Journal of Economic Behavior & Organization, 2011, 80, 1, 101-109

Experimental evidence from dictator games and simple choice situations indicates concerns for fairness and social welfare in human decision making. At the same time, models of inequality averse agents fail to explain the experimental data of individuals who reduce their payoff below a fair split in order to maximize social welfare. This paper presents a linear model of altruism and inequality aversion which reconciles inequality aversion with departures from distributional fairness if welfare is thereby gained. It also establishes a unique link between altruism and interest in social welfare in the proposed model.

<http://hdl.handle.net/1814/20503>

KOOP, Christel

Explaining the Accountability of Independent Agencies: The Importance of Political Salience, Journal of Public Policy, 2011, 31, 2, 209-234

Independent agencies are exempted from the accountability mechanisms inherent in the ministerial hierarchy. To compensate for this, politicians incorporate all kinds of information and reporting requirements into the statutes of the organizations. However, the degree to which this occurs varies considerably, which raises the question: Why are some agencies made more accountable than others? This study examines the impact of political salience on degrees of accountability, controlling for other potential explanations. Using original data on 103 independent agencies in the Netherlands, the analysis demonstrates that salience has a twofold effect. First, agencies dealing with more salient issues are made more politically accountable. Second, agencies whose statutes are written when the issue of accountability is more salient are also subject to higher degrees of accountability. Other explanatory factors are the number of veto players and the legal basis of the organization.

<http://hdl.handle.net/1814/18102>

KORENICA, Fisnik, DOLI, Dren

The 2009 Parliamentary Election in Albania, Electoral Studies, 2011, 30, 1, 223-226, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

<http://hdl.handle.net/1814/19994>

KUNNAS, Jan

How to Proceed After Copenhagen, Electronic Green Journal, 2011, 1, 31, 1-8 (Article 3)

In this paper, I bring forth a proposal on how to proceed with the Climate Negotiations after the meager results of the United Nations Climate Change Conference in December 2009 in Copenhagen. I argue that splitting continued negotiations into two separate blocks could both save time and make it more likely to ultimately reach a comprehensive treaty in Mexico City in December 2010. The first block would deal with historical emissions of greenhouse gases including a mutual debt cancellation: developed countries carbon debts vs. developing countries conventional monetary debts. The second block would deal with future emissions and how to finance adaptation to climate change. Following the polluter pays – principle, I argue that the funds should be collected in proportion to the responsibility for proceeding climate change and redistributed in proportion to the needs for adaptation.

<http://hdl.handle.net/1814/16094>

KUZIN, Vladimir, MARCELLINO, Massimiliano, SCHUMACHER, Christian

MIDAS vs. Mixed-Frequency VAR: Nowcasting GDP in the Euro Area, International Journal of Forecasting, 2011, 27, 2, 529-542

This paper compares the mixed-data sampling (MIDAS) and mixed-frequency VAR (MF-VAR) approaches to model specification in the presence of mixed-frequency data, e.g. monthly and quarterly series. MIDAS leads to parsimonious models which are based on exponential lag polynomials for the

coefficients, whereas MF-VAR does not restrict the dynamics and can therefore suffer from the curse of dimensionality. However, if the restrictions imposed by MIDAS are too stringent, the MF-VAR can perform better. Hence, it is difficult to rank MIDAS and MF-VAR a priori, and their relative rankings are better evaluated empirically. In this paper, we compare their performances in a case which is relevant for policy making, namely nowcasting and forecasting quarterly GDP growth in the euro area on a monthly basis, using a set of about 20 monthly indicators. It turns out that the two approaches are more complements than substitutes, since MIDAS tends to perform better for horizons up to four to five months, whereas MF-VAR performs better for longer horizons, up to nine months.

<http://hdl.handle.net/1814/19955>

LACEY, Joseph

Moral Phenomenology and a Moral Ontology of the Human Person, Phenomenology and the Cognitive Sciences, 2011, 10, online first

Terry Horgan and Mark Simmons' work implies four criteria that moral phenomenology must be capable of meeting if it is to be a viable field of study that can make a worthwhile contribution to moral philosophy. It must be (a) about a unified subject matter as well as being, (b) wide, (c) independent, and (d) robust. Contrary to some scepticism about the possibility or usefulness of this field, I suggest that these criteria can be met by elucidating the very foundations of moral experience or what I call a moral ontology of the human person. I attempt to partially outline such an ontology by engaging with Robert Sokolowski's phenomenology of the human person from a moral perspective. My analysis of Sokolowski's thought leads me to five core ideas of a moral ontology of the human person: well-being, virtue, freedom, responsibility, and phronesis. Though I do not by any means boast a complete moral ontology of the human person, I go on to demonstrate how the account I have presented, or something like it, can go a long way to helping moral phenomenology meet the criteria it requires to be a viable and worthwhile pursuit.

<http://hdl.handle.net/1814/20498>

LARIK, Joris

Two Ships in the Night or in the Same Boat Together: How the ECJ squared the circle and foreshadowed Lisbon in its Kadi judgement, Yearbook of Polish European Studies 2010, 2011, 13, 149-173

This paper argues that the ECJ in its seminal Kadi judgment made the right decision and foreshadowed numerous reforms in the EU's external action introduced by the Lisbon Treaty. It rightly rejected the approach presented by the Court of First Instance, which ultimately turned out to be a false friend of international law. By largely following the Advocate General's Opinion, the Court maintained the superior human rights standard of the EU legal order. Without, however, jeopardizing the compliance of the Member States with their UN obligations right away, it sent a clear warning signal to the UN Security Council to exhaust the potential for reform of the targeted sanction regime. The Court showed that in the face of such global threats as terrorism as well as the undermining of basic human rights, we are all in the same boat together after all.

<http://hdl.handle.net/1814/20638>

LARIK, Joris

Operation Atalanta and the Protection of EU Citizens: Civis Europaeus unheeded?, Perspectives on Federalism, 2011, 3, 2, 40-66

This paper critically assesses the EU's anti-piracy operation Atalanta in the light of the protection of Union citizens. The main question is to which extent a Union citizen threatened by pirates off the coast of Somalia could rely on the promise of *civis europaeus sum*. The paper discusses the various legal aspects pertaining to the forceful protection of EU citizens in international law, EU constitutional law and the operational parameters of Atalanta. It argues that within the particular framework of the international effort to combat piracy, the protection of citizens by military force could be legal. Moreover, the protection of citizens outside the EU forms now one of the legally-binding general objectives of the Union. Yet, this objective is not reiterated in the operational mandate, which creates tension and confusion between the general objective and the CSDP instrument. The paper concludes that the mandate of Atalanta, by focussing entirely on universal objectives, is constitutionally incomplete and

shows that the external dimension of Union citizenship is still underdeveloped.

<http://hdl.handle.net/1814/20635>

LAUWERS, Delphine

L'Ypres Salient come luogo della memoria europea? Public History e turismo di guerra dal 1919 ai giorni nostri, *Memoria e Ricerca*, 2011, 37, 2, 87-113

This paper seeks to explore the practice of battlefield tourism in the Ypres Salient (Belgium) since 1918. Battlefield tourism is now considered as one of the major fields of Public History. We will thus examine this practice and how it has evolved in a country where Public History does not exist as a discipline. The actors of this tourism and the meanings associated to the memorial landscape of the Ypres Salient have changed over the decades. Besides a growing involvement of local authorities and professional historians in the process of commemoration of the Great War around Ypres, one can notice a growing political use of these commemorations. In the very peculiar context of Belgium, any national dimension of the memories of the conflict seems to be excluded, the accent being put on the regional and transnational levels of the experiences of the Great War.

<http://hdl.handle.net/1814/19176>

LAVAPURO, Juha, OJANEN, Tuomas, SCHEININ, Martin

Rights-based Constitutionalism in Finland and the Development of Pluralist Constitutional Review, *International Journal of Constitutional Law*, 2011, 9, 2, 505–531

Traditional characteristics of Nordic constitutionalism have been challenged increasingly, since the late 1980s, by tendencies toward rights-based constitutionalism. Reminiscent of several other theaters within the global constitutional arena, northern constitutionalism has also witnessed a clear shift from the legislative sovereignty paradigm to one in which legislative acts are increasingly subordinated to rights-based judicial review. However, it is doubtful whether the Nordic variants of new constitutionalism will lead to a juristocracy or adoption of full-fledged judicial review typical for Continental constitutional courts and their counterpart in the United States. Instead, various weaker and pluralistic forms of constitutional review mechanisms and doctrines, which rely on both legislative and judicial institutions and purport to provide effective protection both to rights and to democratic values, are not just more likely but, in fact, already have begun to emerge since the early 1990s. This article analyzes the normative tensions underlying the development of constitutional review in one of the Nordic countries, Finland. Aside from showing that a weak-form theory is applicable to the current mode of Finnish constitutionalism, it also submits that idiosyncrasies of the Finnish model of constitutional review can significantly contribute to the topical discussion about pluralist forms of constitutional review.

<http://hdl.handle.net/1814/20881>

LEAL ARCAS, Rafael

Alternative Architecture for Climate Change - Major Economies, *European Journal of Legal Studies*, 2011, 4, 1, 25-56

This article argues that the Kyoto Protocol to the 1992 Framework Convention on Climate Change was doomed to face difficulties ab initio. Moving the climate change agenda forward multilaterally among the 195 parties to the United Nations Framework Convention on Climate Change (UNFCCC) is proving to be a serious challenge. The lack of progress in UNFCCC negotiations in recent years has led many to question whether the UNFCCC is, in fact, the best and most effective forum for mobilizing a global response to climate change. The current approach to negotiating a comprehensive, universal, and legally binding global agreement on climate change is unlikely to succeed, as demonstrated by the near-disaster of the Conference of the Parties-15 in Copenhagen. Moreover, international climate policy, as it has been understood and practiced by many governments under the Kyoto Protocol approach, has failed to produce any discernible real world reductions in emissions of greenhouse gases since the mid 1990s. In order for a future global climate change agreement to be successful, the article argues that there are nine fundamental factors that must be borne in mind, and concludes that no breakthroughs will take place regarding a global climate change agreement until there is more political maturity on the side of the U.S., and until rapidly emerging economies such as China and India indicate that they are ready to play their part. Large emitters of GHG need to be involved for negotiations to

come to a conclusion, and much progress is still needed until we reach an international agreement that is strong enough to tackle climate change effectively and is equitable enough to gain the sympathy of all countries.

<http://hdl.handle.net/1814/18597>

LECOMTE, Franck Alexandre

Embedding Employment Rights in Europe, Columbia Journal of European Law, 2011, 17, 1, 1-22
The most recent European employment law saga arising from Viking, Laval, and subsequent decisions has commonly been understood as perpetuating the infiltration of economic provisions into labor legislation. It has also been asserted, however, that these cases contain contradictory arguments, which offer a multifaceted narrative. The new construction of Article 151 TFEU (ex Article 136 EC) is of particular interest. Considered to be the cornerstone of European employment policy, this provision had generally been regarded as programmatic. During the past few years, however, it has progressively metamorphosed into a substantive rule and now plays a latent, but crucial, role in the court's reasoning. In combination with the new social clause introduced by the Lisbon Treaty, these elements provide normative arguments that can create an opening in the material constitution of the EU. This article contends, for the most part, that they provide tools that may be applied towards embedding employment rights in Europe.

<http://hdl.handle.net/1814/18103>

LEWIS, Orion, STEINMO, Sven

Tomemos en serio la evolución: análisis institucional y teoría evolutiva, Revista de Economía Institucional, 2011, 13, 24, 111-151

En este ensayo exploramos los supuestos epistemológicos y ontológicos que se adoptaron para que la ciencia política fuera "científica". Mostramos que adoptó en general una filosofía ontológicamente reduccionista de la ciencia derivada de la física newtoniana. Este marco mecánico tiene problemas y restricciones en su poder explicativo porque el énfasis en el análisis del equilibrio es inadecuado para el estudio del cambio político. Describimos las principales diferencias entre una ontología evolucionista de la ciencia social y la filosofía basada en la física que se suele utilizar. Por último, mostramos que el pensamiento evolutivo mejora la comprensión de fenómenos políticos y preguntas de investigación que son de importancia central en este campo, como la formación de preferencias.

<http://hdl.handle.net/1814/20199>

LEÓN-MORETA, María

Biofuels - A Threat to the Environment and Human Rights? An Analysis of the impact of the production of feedstock for agrofuels on the rights to water, land and food, European Journal of Legal Studies, 2011, 4, 1, 102-120

This article critically appraises the biofuels regimes from the perspective of their effects on the environment and human rights. It concentrates on agrofuels production in particular, and examines the risks associated with such production for local populations and regions. The article introduces biofuels and its associated problems to the reader and then proceeds to consider the specific cases of the human rights to water, to land and to food in the context of bioenergy. It argues that any biofuel or agrofuel production must take into account sustainability issues, including human rights, and that beyond the commercial risks inherent in failure to do so, greater international regulation of biofuels is necessary and desirable.

<http://hdl.handle.net/1814/18600>

LITTLE, Conor

The General Election of 2011 in the Republic of Ireland: All changed utterly?, West European Politics, 2011, 34, 6, 1304-1313

A review of the Irish General Election of 2011

<http://hdl.handle.net/1814/20201>

MACKENRODT, Mark-Oliver, WECHSLER, Andrea

Innovation, Kreativität und immaterialgüterrechtliche Fragestellungen: Ein

indisch-europäischer Dialog, 19.-20. November 2010 in Kalkutta, Indien, GRURInt, 2011, 8-9, 713-716
<http://hdl.handle.net/1814/20219>

MAIR, Peter

Gouvernement Représentatif v. Gouvernement Responsable, Revue Internationale de Politique Comparée, 2011, 18, 2, 149-164

L'environnement dans lequel les partis agissent dans les démocraties contemporaines, et les circonstances changeantes dans lesquelles les gouvernements gouvernent aujourd'hui ont entraîné un élargissement du fossé traditionnel entre gouvernement responsable et représentatif. Bien qu'il soit généralement considéré comme désirable que les partis au gouvernement soient à la fois représentatifs et responsables, ces deux caractéristiques tendent à devenir de plus en plus incompatibles. De plus, en raison de changements dans leur organisation et leurs relations avec la société civile, les partis ne parviennent plus à gérer ce fossé ni même à convaincre les électeurs de l'accepter comme un élément nécessaire de la vie politique. Cette incompatibilité croissante est une des principales sources du malaise démocratique de nombreuses démocraties aujourd'hui.
<http://hdl.handle.net/1814/18101>

MAIR, Peter

Miten hallita tyhjää tilaa? Länsimainen demokratia kumisee tyhjää, Poulue Peruste, 2011, 1, 9-41

<http://hdl.handle.net/1814/17598>

MARCELLINO, Massimiliano, MUSSO, Alberto

The Reliability of Real Time Estimates of the Euro Area Output Gap, Economic Modelling, 2011, 28, 4, 1842–1856

This paper provides evidence on the reliability of euro area real-time output gap estimates. A genuine real-time data set for the euro area is used, including vintages of several sets of euro area output gap estimates available from 1999 to 2010. It turns out that real-time estimates of the output gap tend to be characterised by a high degree of uncertainty, much higher than that resulting from model and estimation uncertainty only. In particular, the evidence indicates that both the magnitude and the sign of the real-time estimates of the euro area output gap are very uncertain. The uncertainty is mostly due to parameter instability and model uncertainty, while data revisions seem to play a minor role. Some euro area real-time measures, based on multivariate components models and capacity utilisation, are relatively less uncertain, but do not appear to be fully reliable along some dimensions. To benchmark our results, we repeat the analysis for the US over the same sample. It turns out that US real-time estimates tend to be revised to a lesser extent than euro area estimates. However, euro area real-time output gap estimates tend to display a higher correlation with the final estimates and the sign of the level of US real-time estimates tends to be revised more often compared to the corresponding euro area estimates. In addition, the data revision component of the revision error is larger for US estimates than for the euro area. Overall, the unreliability in real-time of the US output gap measures detected in earlier studies is confirmed in the more recent period.

<http://hdl.handle.net/1814/19957>

MARCHETTI, Juan A., MAVROIDIS, Petros C.

The Genesis of the GATS (General Agreement on Trade in Services), European Journal of International Law, 2011, 22, 3, 689-721

The Uruguay Round services negotiations saw the light of day amidst pressures from lobbies in developed countries, unilateral retaliatory actions, and ideological struggle in the developing world. The final outcome, the GATS, certainly characterized by a complex structure and awkward drafting here and there, is not optimal but is an important first step towards the liberalization of trade in services. This article traces the GATS negotiating history, from its very beginning in the late 1970s, paying particular attention to the main forces that brought the services dossier to the multilateral trading system (governments, industries, and academics), and the interaction between developed and developing countries before and during the Uruguay Round. We will follow the actions, positions, and negotiating

stances of four trading partners – Brazil, the European Union, India, and the United States – that were key in the development of the GATS. Finally, we will, indicatively at least, try to attribute a ‘paternity’ (or, rather, a ‘maternity’) to some key features and provisions of the agreement.

<http://hdl.handle.net/1814/20339>

MARTINICO, Giuseppe

Constitutionalism as a “Resource”. A constitutional approach to the development debate, International Journal of Public Law and Policy, 2011, 1, 2, 154-170

In this paper, I argue that cooperation for development may be seen as a technique of ‘second-modernity’ constitutionalism. I base this argument on the developmental goal of correcting the asymmetries produced by economic globalisation and on the idea of development policies as a process of emancipation of the person, especially as far as concerns the latest generation of such policies. Conditionality policies may be understood as an attempt to translate the development discourse from the mere economic level to a more comprehensive level, including human rights. This tension in the new cooperation for development policies – conceived as a vehicle to extend and affirm constitutional goods such as human rights – inevitably have paved the way for a constitutional approach to such issues. This paper focuses on the possible consequences of a constitutional approach to the development debate.

<http://hdl.handle.net/1814/19815>

MARTINICO, Giuseppe

Dating Cinderella: On subsidiarity as a political safeguard of federalism in the European Union, European Public Law, 17, 2011, 4, 649-660

The aim of this article is to provide a brief overview of the debate on the subsidiarity principle. Subsidiarity is one of the most ambiguous and debated notions in law, and it definitively belongs to all the legal disciplines, from EU law to constitutional and administrative laws, passing through human rights law. The debate on this principle has been enriched recently by a number of articles and books focused on the new provisions concerning national parliaments included in the Lisbon Treaty. When dealing with subsidiarity, the impression, at the first glance, is that of a Cinderella principle because of its evanescent nature (rule or principle?) and of its difficult justiciability. This article suggests that just a strong change in the European Court of Justice’s (ECJ’s) case law might transform our Cinderella into a real constitutional principle. Despite the vast existing literature, I have decided to focus on a few, in my view, fundamental readings on this point by attempting to describe the noble design behind the introduction of the subsidiarity principle in EU law and the re-evaluation of the weight of this concept in the practice of courts. In doing so, I started from the recent contribution of Robert Schütze, in Chapter 5 of his book, *From Dual to Cooperative Federalism: The Changing Structure of European Law*, which defines subsidiarity as a ‘political safeguard’ of EU federalism. The first part of this article thus will be devoted to the analysis of this work. As will be evident after a few lines, I share the comparative approach chosen by Schütze, but despite this methodological convergence, our conclusions are different. In the second part of this article, I will try to show how the interpretation of subsidiarity, as followed by the ECJ, is misleading and, consequently, how the choice of the Lisbon Treaty to rely on the national parliaments as the most suitable watchdogs of subsidiarity has to be regarded as unsatisfactory.

<http://hdl.handle.net/1814/19817>

MARTINICO, Giuseppe

Constitutional Failure or Constitutional Odyssey? What can we learn from Canada and Switzerland, Perspectives on Federalism, 2011, 3, 1, E-51-E-77

According to many scholars, the rejection of the Constitutional Treaty and the disappointment caused by the contents of the Lisbon Treaty — defined by Somek (2007) as a mere post-Constitutional Treaty — mark the failure of any possible constitutional ambition for the European Union (EU). In this paper I argue that the so-called constitutional “failure” of the EU is actually a confirmation of the current constitutional nature of the EU rather than proof of the impossibility of transplanting the constitutional discourse to the EU level. This point can be challenged both from a theoretical point of view – by

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describing the EU as an example of “evolutionary constitutionalism” – and a pragmatic one (i.e., looking at the functioning of concrete constitutional experiences), I will focus my paper on this second point, insisting on comparative argument. The research question of this work is: Can we compare the “constitutional crisis” of the EU to the constitutional difficulties encountered by other multinational experiences? My idea is that the latest attempts at amending the EU treaties – the period of the “Conventions” – can be traced back to the genus of mega-constitutional politics and starting from this parallelism I argue that the so-called constitutional “failure” of the EU is actually a confirmation of the current constitutional nature of the EU rather than the proof of the impossibility of transplanting the constitutional discourse to the EU level.

<http://hdl.handle.net/1814/18314>

MARTINICO, Giuseppe

Born To Be Together: The constitutional complexity of the EU, Review of Constitutional Studies/Revue d'études constitutionnelles, 2011, 16, 1, 63-95

<http://hdl.handle.net/1814/19854>

MATHIEU, Emmanuelle, AUBIN, David

La centralisation administrative de l'Union européenne : le cas de l'application de la régulation européenne des communications électroniques par la Belgique, Administration Publique (Trimestriel) (APT), 2011, 34, 3, 242-258

Le fédéralisme évolue suivant une tension entre le maintien de l'autonomie des entités fédérées et la nécessité de coordonner leurs interventions. Là où les entités fédérées sont en charge de mettre en oeuvre les législations fédérales, cette tension est susceptible de faire remonter le centre de gravité des compétences de mise en oeuvre vers le niveau fédéral. On retrouve cette dynamique dans les politiques de régulation du marché intérieur de l'Union européenne. Leur mise en oeuvre, assurée par les États membres, représente pour la Commission un enjeu d'harmonisation, donc de centralisation. Cet article montre comment la Commission européenne utilise ses relations avec les acteurs administratifs nationaux pour s'assurer du contrôle de la mise en oeuvre des politiques européennes de marché intérieur. Il développe les concepts de contrôle de la mise oeuvre, de centralisation administrative et de capacité d'influence, respectivement inspirés des théories du fédéralisme, des administrations à niveaux multiples et de la sociologie des organisations. S'appuyant sur une étude de cas relative à l'application de la régulation européenne des communications électroniques en Belgique, cet article met en évidence un modèle d'organisation «centre-périphérie» qui contredit la vision pluraliste et fragmentée du pouvoir véhiculée par la théorie de la gouvernance à niveaux multiples.

<http://hdl.handle.net/1814/20997>

MAVROIDIS, Petros C.

Always Look at the Bright Side of Non-Delivery: WTO and Preferential Trade Agreements, Yesterday and Today, World Trade Review, 2011, 10, 3, 375-387

The disciplining of Preferential Trade Agreements (PTAs) by the WTO has been 'relaxed' recently as a result of the new context (the Transparency Mechanism) within which notified PTAs are being multilaterally reviewed. This is probably a blessing for a number of reasons, including the success of the multilateral trading system in bringing tariffs down over the years (and the ensuing reduced trade diversion), the fact that modern PTAs deal with many non-trade issues as well (for which no WTO disciplines exist), and the recent empirical literature suggesting overall positive welfare implications for those participating in similar schemes. This paper discusses these and other reasons to support the view that the WTO should rather focus on the multilateral agenda instead of diverting its attention towards disciplining PTAs. In more concrete terms, this paper argues in support of the thesis that the Transparency Mechanism should not be simply a de facto substitute of the previous regime (where outlawing a PTA could not a priori be excluded), but the de jure new forum to discuss PTAs within the multilateral trading system, at least for the time being. A first do-no-harm-policy is one of the rationales for the thesis advocated here.

<http://hdl.handle.net/1814/20338>

MAVROIDIS, Petros C.

Doha, Dohalf, or Dohaha? The WTO licks its wounds, Trade, Law and Development, 2011, 3, 2, 367-381

The most flattering statement regarding the Doha Round is that there is a lot of uncertainty surrounding its fate. The Doha Round, as originally designed and understood, is not an option anymore. Although a formula has been found to keep the ball rolling, at this stage it is impossible to predict what direction it will take. There exists a lack of leadership to conclude the round and it suffers from inherent birth defects. This absence of a conclusion might send the wrong message at a moment when the WTO is emerging as the only genuine forum of multilateral cooperation. Though this is not the first trade round in the history of the multilateral trading system and definitely not the only one that is taking longer than planned to complete, it is the first time that the round risks being ditched altogether. In all previous rounds, which were essentially 'business' deals, trading nations managed to come up with an agreement in the end. This is the first time that they have announced 'we do it for development', and they now risk delivering nothing. Something has got to give at this stage, and we are running out of time as far as options regarding 'deliverables' are concerned. The accent has correctly been placed on priority issues for the bottom billion. The WTO, even if this effort succeeds, will have to face some tough tests in the near future arising from issues which were not at all addressed during the Doha Round.
<http://hdl.handle.net/1814/20340>

MAVROIDIS, Petros C.

Right Back Where We Started From (or Are We?), The Journal of World Investment & Trade, 2011, 12, 4, 449-456

There is a lot of uncertainty surrounding the state of the Doha round negotiations. A formula has been found to keep the ball rolling but at this stage it is impossible to predict towards what direction. There is lack of leadership to conclude a round. At the same time, the round was poorly designed from day one. The emerging dilemma for trading nations should be whether the round (either as originally planned, or a 'light' version of the original agenda) with its problems should be concluded, or whether they should be looking to start afresh. The better arguments are probably with the first option, especially since, if they opted for the alternative, this would be the first time in the world trade history that a round failed to conclude; to make it worse, this would also be the first time a round was supposed to primarily address development issues. Trading nations would be sending the world the wrong message if they were to fail in their development-oriented endeavour, when they have repeatedly succeeded in the past when negotiating the conventional trade agenda.

<http://hdl.handle.net/1814/20337>

MCDONNELL, Duncan, NEWELL, James

Outsider Parties in Government in Western Europe, Party Politics, 2011, 17, 4, 443-452

In recent decades, a growing number of 'outsider parties' have entered governing centre-left and centre-right coalitions across Western Europe. Here the authors define outsider parties as those which – even when their vote-share would have enabled it – have gone through a period of not being 'coalitionable', whether of their own volition or that of other parties in the system. The authors then discuss the problems which outsider parties encounter when entering government and suggest some reasons for their success and failure in office. Finally, we propose avenues for further research, in particular that of examining differences between the first and subsequent experiences of office for such parties.

<http://hdl.handle.net/1814/20507>

MEEUS, Leonardo

Why (and How) to Regulate Power Exchanges in the EU Market Integration Context?, Energy policy, 2011, 39, 3, 1470-1475

The European Union (EU) market integration is leading to increasingly monopolistic electricity market infrastructures, which has opened a debate on the regulation of these so-called power exchanges. In this paper, we start by stating that there are two types of power exchanges in Europe, i.e. "merchant" and "cost-of-service regulated" power exchanges. We then discuss how regulation can be used to better align their incentives with the main power exchange tasks. We conclude that adopting the

cost-of-service regulated model for all power exchanges in Europe could be counterproductive in the current context, but that regulation can help ensure that the benefits of the EU market integration materialize. Promising regulatory actions include tempering the reinforced market power of power exchanges, and quality-of-service regulation for the ongoing cooperation among power exchanges to organize trade across borders.

<http://hdl.handle.net/1814/17301>

MEEUS, Leonardo, SAGUAN, Marcelo

Innovating Grid Regulation to Regulate Grid Innovation: From the Orkney Isles to Kriegers Flak via Italy, *Renewable Energy*, 2011, 36, 6, 1761-1765

In the current context of a decarbonizing electricity system, grid innovation is needed to deal with the main challenges of integrating distributed generation, demand and storage, and large-scale renewable energy sources. Grid companies however have disincentives to innovate under the conventional regulatory framework, and if they do innovate, they are confronted with grid users that have disincentives to participate in the innovation. This paper analyzes three empirical cases where state of the art regulatory frameworks have been successful at stimulating grid innovation. The main lesson learned from the cases is that there is experience with addressing the disincentive of grid companies to innovate, but the participation of grid users in the innovation is much more an open issue.

<http://hdl.handle.net/1814/16558>

MEEUS, Leonardo

Implicit Auctioning on the Kontek Cable: Third Time Lucky?, *Energy Economics*, 2011, 33, 3, 413-418

Implicit auctioning in Europe is about eliminating cross-border trade inefficiencies by internalizing cross-border trade into the day-ahead auction procedures of the Power Exchanges that are already organizing trade nationally. On the Kontek Cable, implicit auctioning has first been implemented with “no coupling” between the relevant Power Exchanges, followed by a “volume coupling” implementation, and finally a “one way price coupling” implementation that is still operational today. The main contribution of this paper is to compare the theoretical properties of these three implementations and to analyze their performance empirically. We find that the third implementation is significantly outperforming the previous two implementations, but in this third implementation stakeholders partly abandoned the “volume coupling” approach they initially believed to be a viable alternative and institutionally easier to implement.

<http://hdl.handle.net/1814/20798>

MIKOLAJEWSKI, Lukasz

Pamięć fabularyzowana. Powojenne poprawki w Szkicach piórkiem Andrzeja Bobkowskiego, *Res Publica Nowa*, 2011, 15, 205, 110-131

Ever since its publication in 1957 Andrzej Bobkowski's literary diary from occupied France, “Szkice piórkiem”, was an object of controversy: did its author correct it ex-post and add new text while preparing it for publication? Comparing recently resurfaced original wartime manuscripts with the published version I show that he did, and I reconstruct those elements of interwar and wartime political thinking prominent among European intellectuals that Bobkowski chose to reformulate and obliterate in the Cold-War era, when he was living in exile in Guatemala: his wartime anti-Semitism, distrust towards the United States and elite distance towards mass culture.

<http://hdl.handle.net/1814/20917>

MILAZZO, Caitlin, SCHEINER, Ethan

When do You Follow the (National) Leader? Party switching by subnational legislators in Japan, *Electoral Studies*, 2011, 30, 1, 148-161, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

In 1993, after 38 years of single-party control, more than 20% of Japan's ruling Liberal Democratic Party (LDP) House of Representatives members left the party to form new alternatives and create an anti-LDP coalition government. However, despite substantial popular support, the new parties attracted few subnational politicians. The effect of this lack of subnational party switching was substantial since

the relatively small pool of subnational defectors meant that the new parties had difficulty forming the strong subnational bases of support that would help them to compete with the LDP in the future. In this paper, we consider why so few subnational politicians were willing to switch to these new party alternatives. Using case studies and conditional logit analysis of party affiliation pattern among prefectural assembly members in Japan, we find that party switching was most common among subnational politicians who had powerful patrons who had also left the LDP and had maintained especially good access to central government largesse. We also find that subnational politicians from urban areas, which depend less upon central government pork, were considerably less likely to switch parties, than their rural counterparts.

<http://hdl.handle.net/1814/19988>

MILLET, François-Xavier

La 'question prioritaire de constitutionnalité' e il dialogo a singhiozzo tra giudici in Europa (Unione europea, Corte di giustizia dell'Unione europea, grande sezione, sentenza 22 giugno 2010, cause C-188/10 e C-189/10), Giornale di diritto amministrativo, 2011, 17, 2, 139-148

La Corte di giustizia dell'Unione europea è stata adita in aprile 2010 dalla Corte di Cassazione francese per sapere se il nuovo meccanismo di giudizio ex post di legittimità costituzionale - la question prioritaire de constitutionnalité (Qpc) - fosse compatibile con il diritto dell'Ue. La Corte di giustizia Ue ha statuito che il sistema di controllo in via incidentale della costituzionalità delle leggi è compatibile con l'articolo 267 Tfu e a determinate condizioni e ha invitato la Corte di Cassazione a compiere tale empirica valutazione. Una settimana dopo, la Corte di Cassazione francese verificava se le condizioni imposte dalla Corte di giustizia Ue fossero rispettate, passando al setaccio la Qpc. Ritenendo che non tutte fossero soddisfatte, essa metteva da parte la priorità della Qpc e chiedeva al giudice a quo di fare una rigorosa applicazione della sentenza Simmenthal. Nonostante la relativa apertura dimostrata dalla Corte di giustizia Ue nei confronti della procedura costituzionale francese, la Corte di Cassazione sembra quindi aver optato per l'ortodossia comunitaria, compromettendo forse il futuro della question prioritaire de constitutionnalité.

<http://hdl.handle.net/1814/20139>

MIRALLES MURCIEGO, Graciela

The Tomra Case: Rebates and exclusive dealing in the light (and shadows) of dominance (Case Note: Case T-155/06, Tomra Systems ASA and Others v. European Commission), European Journal of Risk Regulation, 2011, 1, 129-133

The General Court reaffirms its traditional form-based approach to dominance.

<http://hdl.handle.net/1814/20445>

MONTI, Giorgio

Recovery Orders in State Aid Proceedings: Lessons from antitrust?, European State Aid Law Quarterly, 2011, 10, 3, 415-424

Recovery orders in state aid cases are often made difficult by problems in identifying the correct beneficiary – these are compounded by Member States reorganising the business. Drawing on principles from antitrust law, this paper suggests that the beneficiaries in state aid proceedings should be those undertakings that benefit from the aid in an anticompetitive way. This suggestion reduces the amount of aid that is recoverable but is more in line with the aim of the remedy.

<http://hdl.handle.net/1814/20738>

MONTINI, Massimiliano

Reshaping Climate Governance for Post-2012, European Journal of Legal Studies, 2011, 4, 1, 7-24

<http://hdl.handle.net/1814/18596>

MOSCHEL, Mathias

Race in Mainland European Legal Analysis: Towards a European critical race theory, Ethnic and Racial Studies, 2011, 34, 10, 1648-1664

Critical Race Theory (CRT), an American legal theory, has been known for bringing race into left-wing

legal analysis and for introducing power- and domination-related arguments into more traditional civil rights scholarship. So far, continental European legal literature has barely heeded CRT. This article seeks to assess CRT's potential contribution in analysing the relationship between race and law in the European context which is characterized by the invisibilization of race and by the narrow legal view of what constitutes racism. The case of French Republican colour-blindness illustrates the European model's contradictions with regard to the (non-)use of race. Instead of eliminating race, a more race-conscious legal analysis, as proposed by CRT in the United States, better addresses the lived experience of racism by people of colour in Europe.

<http://hdl.handle.net/1814/20699>

MOSES, A. Dirk

Historiographical Review. Paranoia and Partisanship: Genocide Studies, Holocaust

Historiography, and the 'Apocalyptic Conjuncture', *The Historical Journal*, 2011, 54, 2, 553–583

Recent literature on the Holocaust and (other) genocides reveals that on the whole differences in approach persist. For many historians, as for the public, the Holocaust is the prototypical genocide, such that mass violence must resemble the Holocaust to constitute genocide. Whereas 'normal' ethnic/national conflict is commonly believed to involve 'real' issues like land, resources, and political power, no such conflict is discernible in the Holocaust of European Jewry, whose victims were passive and agentless objects of the 'hallucinatory' ideology of the perpetrators. But is this distinction sustainable on closer inspection? This review suggests that genocide is mistakenly identified as a massive hate crime based entirely on 'race'. In fact, it has a political logic: irrational or at least exaggerated fears about subversion and national or 'ethnic' security. Prejudices do not cause violence: they are mobilized in conditions of emergency. Recent research tends in this direction by emphasizing paranoia rather than racism in the anti-Jewish policies of the Nazis but does not transcend the customary distinction between the 'delusional' grounds for the former and 'real' ethnic conflict. This separation of categories feeds into the anxieties in some contributors to this literature about potential genocides in the present by forecasting apocalyptic scenarios unless drastic military action is taken against specified enemies. Scholarship is better served by deflating rather than inflating such anxieties.

<http://hdl.handle.net/1814/18897>

MOSES, A. Dirk

Revisiting a Founding Assumption of Genocide Studies, *Genocide Studies and Prevention*, 2011, 6, 3, 287–300

Genocide studies has come a long way over the past decade, having attained a level of intellectual sobriety, academic credibility, and public recognition virtually inconceivable forty years ago. At the same time, there have been signs of convergence between the fields of genocide studies and Holocaust historiography and studies. This development can be challenging for those in Holocaust studies and historiography because the relationship between the two disciplines is complicated by genocide studies' claim to incorporate the Holocaust into its object of inquiry, whereas the reverse does not hold. There is a potentially subordinate situation here, or at least it can be experienced that way, even though Holocaust studies and historiography is a field with a substantial center of gravity, evidenced by the journals, book series, and research institutes devoted to the subject, such that it hardly needs to gesture to the relatively younger and smaller sibling, genocide studies. This article analyzes a recent critique of this convergence by revisiting the founding assumptions of Holocaust studies and genocide studies.

<http://hdl.handle.net/1814/20499>

MOSES, A. Dirk

Genocide and the Terror of History, *Parallax*, 2011, 17, 4, 90-108

This article explores how and why the 'terror of history' is an inescapable feature of modernity as it unfolds in historical reality as opposed to tidy sociological theories. For the 'small nations' and their diasporas in particular, traumatic memories of genocide and flight, and experiences of continuing exile from and occupation of imagined homelands, constitute a political imaginary that is irreducibly catastrophic. Politics is necessarily 'calamitized'. In this article, I account for the 'terror of history' by drawing on a variety of psychological and sociological literatures, and lay out its various modalities by referring to the statements of intellectuals and political leaders. Because of the 'organic' link between

Holocaust memory and its instrumentalisation in the Israeli/Palestinian conflict, I focus here on that case as the most accessible and salient example of the 'terror of history'.

<http://hdl.handle.net/1814/18896>

MOSES, A. Dirk

Official Apologies, Reconciliation, and Settler Colonialism: Australian indigenous alterity and political agency, *Citizenship Studies*, 2011, 15, 2, 145-159

The burgeoning literature on transitional justice, truth commissions, reconciliation and official apologies tends to ignore the conditions of settler states in which 'reconciliation' needs to take account of indigenous minorities. The settler colonialism literature is worth including in the general discussion because it is exceptionally reflective about political theory (the constitutional recognition of indigenous rights) and ethnogenesis (the origin and viability of both settler and indigenous identities), challenging mainstream liberalism, in particular, to account for difference beyond platitudes about multiculturalism. This article highlights the postcolonial critiques of the Australian governments' apology to the indigenous peoples of the country. The authors of these critiques seek to protect indigenous alterity from the Australian state, which they regard as irredeemably colonialist, especially in its liberal and progressive mode. The article suggests that Indigenous political agency transcends the resistance/co-option dichotomy presented in much of the apology's commentary.

<http://hdl.handle.net/1814/18898>

NICOLINI, Marcella, PACCAGNINI, Alessia

Does Trade Foster Institutions? An Empirical Assessment, *Review of Economics and Institutions*, 2011, 2, 2, Article 4, 1-20

The relationship between trade and institutions has been extensively debated by trade economists and political scientists. The aim of the present paper is to provide some empirical evidence on the causal relationship between institutions and trade flows in a panel framework. We present a Granger causality test (1969) as well as a Hurlin and Venet (2001) test for panel data using a bilateral trade flows panel that covers 29 years. The issue of zero flows of trade is handled by using a panel Poisson Pseudo-Maximum Likelihood estimator.

<http://hdl.handle.net/1814/18142>

NOIRET, Serge

Premessa. Per una Federazione Internazionale di Public History, *Memoria e Ricerca*, 2011, 37, 2, 5-7

<http://hdl.handle.net/1814/19175>

NOIRET, Serge

La "Public History": una disciplina fantasma?, *Memoria e Ricerca*, 2011, 37, 2, 9-35

The essay aims to analyze how the past is appropriated in the European Public Sphere and which institutions, media and actors are involved in Public History practices. In contrast to the Anglo-Saxon world, a variety of Public History discourses and practices emerged in continental Europe where the English term was rarely translated or deployed: only very rarely are "applied historians" or Public Historians practicing the discipline in a self-conscious manner. In Europe, Public History is often linked to collective identities at different levels: from local memories to the construction of regional, national and pan-European "Heimats" and "realms of memory". Thus, Europeans create multi-dimensional identities and traditions that are based upon Public History activities. This essay identifies the presence in the "polis", of Public History and Public Historians "without the name", using two case-studies, that of national history museums, and that of the emotional perception of the U.S. Civil War in Europe.

<http://hdl.handle.net/1814/18456>

NOIRET, Serge

La Digital History : histoire et mémoire à la portée de tous, *Ricerca storica*, 2011, 41, 1, 111-148

L'histoire numérique (Digital History) dans sa version 2.0, a certainement permis de désenclaver la «culture haute» mais avec l'apparition du web 2.0, l'histoire et la mémoire sont à présent la prérogative de tout le monde dans la toile grâce au «crowdsourcing». Le danger aujourd'hui est que les spécialistes

ne dominent pas les mutations du numérique. Sans une prise de conscience qui ne peut passer que par la connaissance des nouveaux instruments, la révolution du numérique éliminera la capacité professionnelle de reconstruire le passé qui deviendra l'apanage des mémoires individuelles et de l'horizon aveugle de chacun. L'auteur tente de comprendre quelles sont les mutations plus significatives de l'histoire 2.0 pour le métier d'historien et quels sont précisément les enjeux épistémologiques posés par le numérique participatif. Il s'attarde sur les pratiques nouvelles de la Digital Public History, l'histoire désenclavée à la portée de tout le monde qui répond aux profonds besoins identitaires de nos sociétés globalisées. Mots-Clés: Histoire Numérique, Web 2.0, Sources Historiques, Public History, Digital Public History, Humanités Numériques, Mémoires, Toile d'Histoire., Digital History in its version 2.0, has certainly helped to open up "high culture" but with the advent of web 2.0, history and memory are now the prerogative of anyone using "crowdsourcing" activities. The danger today is that specialists do not control these digital mutations. Without a knowledge of the new instruments and reflecting on the new historian's craft, the digital revolution will eliminate the professional capacity to reconstruct the past. History will soon become an open territory for unqualified individuals to play with. The author attempts to understand what are the most significant mutations of history 2.0 for the profession of historian and what exactly are the epistemological issues posed by the new digital realm. He focuses on the practices of Digital Public History, a history open to everyone and answering to the profound identity needs of our societies., La Storia digitale (Digital History) nella sua versione 2.0, ha certamente contribuito ad aprire a larghi pubblici la "cultura alta", ma con l'avvento del web 2.0, la storia e la memoria sono ora la prerogativa di tutti nel web con le pratiche di "crowdsourcing". Oggi, il pericolo è che gli specialisti non dominino più le mutazioni digitali. Senza una reale conoscenza dei nuovi strumenti, la rivoluzione digitale eliminerà la capacità professionale di ricostruire il passato per diventare prerogativa degli individui e dell'orizzonte 'cieco' di ciascuno. L'autore sta cercando di capire che cosa significano le mutazioni più significative della storia 2.0 per la professione di storico e quali sono precisamente le questioni epistemologiche poste dalle mutazioni partecipative del digitale nel campo della storia. Egli prende come esempio le nuove pratiche della storia pubblica digitale (Digital Public History), una storia alla portata di tutti e che risponde ad un profondo bisogno di storia e a alle ricerche identitarie delle nostre società globalizzate.
<http://hdl.handle.net/1814/17576>

OLESEN, Brian Kjær

Mod en genealogi om mulige historier - tre historiografiske ansatser, Synsvinkler: tidsskrift for nordisk litteratur og sprog, 2011, 43, 87-116
<http://hdl.handle.net/1814/20254>

OLMOS GIUPPONI, Maria Belen

Citizenship, Migration and Regional Integration: Re-shaping citizenship conceptions in the Southern Cone, European Journal of Legal Studies, 2011, 4, 2, 104-136

The paper examines the relation between citizenship and regional migrations in recent legislative changes in Argentina from a comparative perspective. The article discusses how these legislative changes are shaping a new migration paradigm and conceptions of citizenship; providing with relevant information about migration and citizenship in the Common Market of the Southern Cone (MERCOSUR). The article first gives a general review of the literature on citizenship and migration, with a focus on Latin America. In this framework, the contribution explores the factors which have driven recent legislative changes on migration and citizenship in Argentina and their implications in the light of the Supreme Court's case law on migrant's rights and access to citizenship. The article further underlines the impact of MERCOSUR regulations on migration and citizenship issues at internal level.
<http://hdl.handle.net/1814/20180>

PASKALEV, Vesselin

Network for a European Demoi-cracy: Are the National Parliaments up to the job?, Croatian Yearbook of European Law and Policy, 2011, 7, 43-67
<http://hdl.handle.net/1814/20501>

PASKALEV, Vesselin

Leviathans Welcome! (Publication Review: C. List & P. Pettit, Group Agency. The Possibility, Design and Status of Group Agents (Oxford University Press 2011)), European Journal of Legal Studies, 2011, 4, 1, 204-213
<http://hdl.handle.net/1814/18603>

PASTER, Thomas

Do German Employers Support Board-Level Codetermination? The paradox of individual support and collective opposition, Socio-Economic Review, 2011, 1-25, e-only

Existing studies on employers' preferences towards institutions of class cooperation suggest that certain types of employers support these institutions because they provide economic benefits. To test this thesis, this paper examines attitudes of German employers towards board-level codetermination. It compares firms' attitudes at the individual and the collective level: individual firms' attitudes are analysed using survey data and media statements from individual executives; collective attitudes are analysed using policy statements from the national business federations. The paper finds considerable support for board-level codetermination among individual firms but continued opposition from the federations. The paper suggests that this difference arises from the federations strategically over-representing dissatisfied members. The promotion of voluntary arrangements allows the federations to campaign against board-level codetermination without alienating the satisfied members. The paper highlights the need to complement a micro-foundational analysis of preference formation with an analysis of intra-associational processes of preference aggregation.

<http://hdl.handle.net/1814/18342>

PASTOR MERCHANTE, Fernando

State Aids and Environmental Taxes: The Northern Ireland exemption to the UK aggregates levy, European Journal of Risk Regulation, 2011, 1, 125-128

Case T-359/04 British Aggregates Association and others v. Commission [2010] NYR. The General Court annuls Decision C(2004) 1614 final, in which the Commission declared that the modified exemption to the aggregates levy in Northern Ireland, as notified by the United Kingdom, fell within the scope of Article 87(1) EC [107(1) TFEU] but was compatible with the common market on the basis of Article 87(3)(c) EC [107(3)(C) TFEU] (author's headnote).

<http://hdl.handle.net/1814/20537>

PATEL, Kiran Klaus

La scienza al tempo di Wikileaks. Riflessioni sulla storia contemporanea nel ventesimo secolo, Memoria e Ricerca, 2011, 37, 2, 155-171

The article discusses the challenges contemporary history has to face due to the changing nature of its sources in the digital age. It argues that so far, historians have not done enough to prepare themselves for this new situation that will force the discipline to rethink established routines and standards.

Moreover, it proposes concrete directions into which historiography should develop.

<http://hdl.handle.net/1814/19179>

PATEL, Kiran Klaus, SCHOT, Johan

Twisted Paths to European Integration: Comparing Agriculture and Transport in a Transnational Perspective, Contemporary European History, 2011, 20, 4, 383-403

Taking the comparison of agricultural and transport policies as an example, this article argues for a new way of writing European integration history. It goes beyond the state-centric confines of the diplomatic history which has dominated the field so far and challenges the teleologies in most accounts. Instead, it argues for the need to take into account long-term perspectives as well as the role of transnational actors with a more contingent narrative. Moreover, it demonstrates that the availability of alternative inter- and transnational regimes can be decisive for the trajectory of integration within EC/EU parameters.

<http://hdl.handle.net/1814/19843>

PATEL, Kiran Klaus

The Paradox of Planning. German Agricultural Policy in a European Perspective, 1920s to 1970s, Past & Present, 2011, 212, 1, 239-269
<http://hdl.handle.net/1814/19841>

PATEL, Kiran Klaus

Zeitgeschichte im digitalen Zeitalter. Neue und alte Herausforderungen alt, Vierteljahrshefte für Zeitgeschichte, 2011, 59, 3, 331-351
<http://hdl.handle.net/1814/19842>

PELKMANS, Jacques, RENDA, Andrea

Single eComms Market? No such thing..., Communications & Strategies, 2011, 82, 21-42
Notwithstanding the undeniable success of telecoms liberalisation in terms of price reduction, new services and technologies as well as consumer satisfaction, EU telecoms policy is at least a half failure. This might seem hard to believe, but we show in this paper that there is no such thing as an EU telecoms (or eComms) single market. We provide ample empirical economic and regulatory evidence of profound and lingering fragmentation as well as a brief assessment of the flaws of the eComms package as amended in 2009, and recently entered into force. Overcoming the fragmentation cannot but yield a considerable welfare improvement for the Union, which is exactly what a single market should be expected to deliver. Doing away with the flaws in the EU system requires a better institutional design. We wonder whether the regulatory (and competition policy) approach is really suitable for the Union and whether the fundamental conflict between the EU constitutional doctrine and the building of the single market (just as much a constitutional duty!) should not be resolved in novel ways.
<http://hdl.handle.net/1814/20701>

PETERSMANN, Ernst-Ulrich

The Future of the WTO: From authoritarian 'mercantilism' to multilevel governance for the benefit of citizens?, Asian Journal of WTO & International Health Law and Policy 2011, 6, 1, 45-80
<http://hdl.handle.net/1814/17261>

PETERSMANN, Ernst-Ulrich

International Economic Law, 'Public Reason' and Multilevel Governance of Interdependent Public Goods, Journal of International Economic Law, 2011, 14, 1, 23-76
Is ineffective protection of international public goods, and thereby also of interrelated national public goods, the inevitable fate of humanity? The negative answer to this question in Section II argues that ineffective protection of public goods is mainly due to a lack of adequate theories, rules, and institutions for overcoming the collective action problems in multilevel governance of interdependent public goods. Section III reviews the competing conceptions of 'international economic law' (IEL) such as public international law approaches, multilevel economic law approaches, 'global administrative law' (GAL) approaches, 'conflicts law approaches', and 'multilevel constitutional approaches'. Section IV argues that—similar to the experience that 'national public goods' can be supplied democratically only in a framework of constitutional, legislative, administrative, and judicial rules and procedures supported by domestic citizens—multilevel governance of 'international public goods' requires a multilevel constitutional framework for multilevel rule-making and judicial protection of rule of law and constitutional rights supported by domestic citizens as 'primary' legal subjects of IEL. Section V concludes that multilevel governance of interdependent public goods must no longer be designed only as 'foreign policy', but also as part of 'multilevel constitutionalism' necessary for protecting common, reasonable self-interests of all citizens and states.
<http://hdl.handle.net/1814/17260>

PIETROBELLI, Carlo, RABELLOTTI, Roberta, SANFILIPPO, Marco

Chinese FDI strategy in Italy: The 'Marco Polo' effect, International Journal of Technological Learning, Innovation and Development, 2011, 4, 4, 277-291
This study investigates the motivations driving Chinese outward direct investment to Italy. The analysis

is based on secondary sources and in-depth interviews with key informants and senior managers of Chinese affiliates in Italy. The evolution of the Chinese firms' pattern of entry in Italy confirms the model followed by Chinese firms in other European countries, but we obtain some additional interesting results. Chinese investments in Italy are increasingly targeting the acquisition of technological capabilities and of design skills and brands to tap local competences available in specialised manufacturing clusters in sectors such as automotives and home appliances. They try to link, leverage and learn from foreign acquisitions. The main industries of specialisation of Chinese OFDI in Italy reflect this approach and appear to be related to China's strategy to increase the sophistication of its exports and to move away from standardised commodities and intermediate manufactures and components.
<http://hdl.handle.net/1814/20509>

PIZZIMENTI, Eugenio, IGNAZI, Piero

Finanziamento pubblico e mutamenti organizzativi nei partiti italiani, Rivista Italiana di Scienza Politica, 2011, 41, 2, 199-236 [EURO Political Parties and Representation Observatory];

In the last decade, one of the major veins in political science has been the development of empirical researches on the impact of public funding on political competition. To a lesser extent, academic debate has focused on the effects of political finance

<http://hdl.handle.net/1814/19897>

PONZANO, Paolo

Un milione di cittadini potranno chiedere una legge europea: un diritto di iniziativa 'sui generis',

La cittadinanza europea, 2011, 8, 1, 115-125

<http://hdl.handle.net/1814/19951>

PONZANO, Paolo

Méthode intergouvernementale ou méthode communautaire : une querelle sans intérêt ?, Les

Brefs de Notre Europe, 2011, 23, online

<http://hdl.handle.net/1814/19950>

PROKSCH, Sven-Oliver, SLAPIN, Jonathan B., THIES, Michael F.

Party System Dynamics in Post-war Japan: A quantitative content analysis of electoral pledges, Electoral Studies, 2011, 30, 1, 114-124, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

Qualitative accounts of Japanese party politics allude to the standard left-right spectrum, but they invariably devote much more space to discussions of foreign policy differences than to socioeconomic conflict. Quantitative estimates of Japanese party positions treat short party responses to newspaper interviews as if they were true manifestos, and fail both to confirm the claims of the qualitative literature and to demonstrate any consistent basis for party differentiation at all. We address both puzzles by applying a text scaling algorithm to electoral pledges to estimate Japanese party positions on three major policy dimensions. Our analysis largely confirms the findings of the qualitative literature, but also offers new insights about party movement and polarization over time.

<http://hdl.handle.net/1814/19985>

RAYMOND, Christopher

The Continued Salience of Religious Voting in the United States, Germany, and Great Britain, Electoral Studies, 2011, 30, 1, 125-135, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

Conventional wisdom on party systems in advanced industrial democracies holds that modern electorates are dealigned and that social cleavages no longer structure party politics. Recent work on class cleavages has challenged this stylized fact. The analysis performed here extends this criticism to the religious-secular cleavage. Using path analysis and comparing the current electorates of the United States, Germany, and Great Britain with the early 1960s, this paper demonstrates that the religious-secular cleavage remains or has become a significant predictor of conservative vote choice. While the effects of the religious-secular cleavage on vote choice have become largely indirect, the total

of the direct and indirect effects is substantial and equivalent to the effects of class and status.
<http://hdl.handle.net/1814/19986>

REH, Christine, HERITIER, Adrienne, BRESSANELLI, Edoardo, KOOP, Christel

The Informal Politics of Legislation: Explaining secluded decision making in the European Union, Comparative Political Studies, OnlineFirst Version, 5 December 2011

This article investigates a widespread yet understudied trend in EU politics: the shift of legislative decision making from public inclusive to informal secluded arenas and the subsequent adoption of legislation as “early agreements.” Since its introduction in 1999, “fast-track legislation” has increased dramatically, accounting for 72% of codecision files in the Sixth European Parliament. Drawing from functionalist institutionalism, distributive bargaining theory, and sociological institutionalism, this article explains under what conditions informal decision making is likely to occur. The authors test their hypotheses on an original data set of all 797 codecision files negotiated between mid-1999 and mid-2009. Their analysis suggests that fast-track legislation is systematically related to the number of participants, legislative workload, and complexity. These findings back a functionalist argument, emphasizing the transaction costs of intraorganizational coordination and information gathering. However, redistributive and salient acts are regularly decided informally, and the Council presidency’s priorities have no significant effect on fast-track legislation. Hence, the authors cannot confirm explanations based on issue properties or actors’ privileged institutional positions. Finally, they find a strong effect for the time fast-track legislation has been used, suggesting socialization into interorganizational norms of cooperation.

<http://hdl.handle.net/1814/20203>

REITER-KORKMAZ, Axelle

Much Ado About Nothing? (Publication Review: M. T. Kamminga & M. Scheinin, The Impact of Human Rights Law on General International Law (Oxford University Press 2009), European Journal of Legal Studies, 2011, 4, 1, 214-224

<http://hdl.handle.net/1814/18604>

REUS-SMIT, Christian

Struggles for Individual Rights and the Expansion of the International System, International Organization, 2011, 65, 207-242

We live today in the world’s first universal, multicultural, and multiregional system of sovereign states. Five centuries ago, emergent sovereign states were confined to Europe and contained within the bounds of Latin Christendom. Through five great waves of expansion this nascent European system globalized. The Westphalian settlement, the independence of Latin America, the Versailles settlement, post-1945 decolonization, and the collapse of the Soviet Union each brought a host of new states into the system. How can we explain these great waves of expansion, each of which saw imperial systems of rule displaced by the now universal form of the sovereign state? After detailing the limits of existing explanations, this article presents a new account of the principal waves of systemic expansion that stresses the importance of subject peoples’ struggles for the recognition of individual rights. Empires are hierarchies, the legitimacy of which has been sustained historically by traditional regimes of unequal entitlements’ institutional frameworks that allocate individuals of different social status different social powers and entitlements. In the Westphalian, Latin American, and post-1945 waves of expansion, which together produced most of today’s sovereign states and gave the system its principal regions, subject peoples embraced local interpretations of new, distinctly modern ideas about individual rights and challenged the traditional distribution of entitlements that undergirded imperial hierarchy. Each wave differed, not the least because different rights were at work: liberty of religious conscience, the right to equal political representation, and after 1945, a compendium of civil and political rights. But in each case a ‘tipping point’ was reached when the imperial system in question proved incapable of accommodating the new rights claims and subject peoples turned from ‘voice’ to ‘exit’, and each time the sovereign state was seen as the institutional alternative to empire.

<http://hdl.handle.net/1814/16814>

REUS-SMIT, Christian

Human Rights in a Global Ecumene, *International Affairs*, 2011, 87, 5, 1205–1218

How should we understand the cultural politics that has surrounded the development of international human rights? Two perspectives frame contemporary debate. For ‘cultural particularists’, human rights are western artefacts; alien to other societies, and an inappropriate basis for international institutional development. For ‘negotiated universalists’, a widespread global consensus undergirds international human rights norms, with few states openly contesting their status as fundamental standards of political legitimacy. This article advances an alternative understanding, pursuing John Vincent’s provocative, yet undeveloped, suggestion that while the notion of human rights has its origins in European culture, its spread internationally is best understood as the product of a ‘universal social process’. The international politics of individual/human rights is located within an evolving global ecumene, a field of dynamic cultural engagement, characterized over time by the development of multiple modernities. Within this field, individual/human rights have been at the heart of diverse forms of historically transformative contentious politics, not the least being the struggles for imperial reform and change waged by subject peoples of diverse cultural backgrounds; struggles that not only played a key role in the construction of the contemporary global system of sovereign states, but also transformed the idea of ‘human’ rights itself. In developing this alternative understanding, the article advances a different understanding of the relation between power and human rights, one in which rights are seen as neither simple expressions of, or vehicles for, western domination, nor robbed of all power-political content by simple notions of negotiation or consensus. The article concludes by considering, in a very preliminary fashion, the implications of this new account for normative theorizing about human rights. If a prima facie case exists for the normative justifiability of such rights, it lies first in their radical nature—in their role in historically transformative contentious politics—and second in their universalizability, in the fact that one cannot plausibly claim them for oneself while denying them to others.

<http://hdl.handle.net/1814/19034>

REUS-SMIT, Christian

Obligation through Practice, *International Theory*, 2011, 3, 2, 339–347

Despite the many calls for bridge building between the fields of International Law and International Relations, genuinely integrative studies are few and far between. Lawyers leaven their writings with a dash of real politic here and utility maximizing there; International Relations scholars enlist the authority of legal interpretation and harvest insights into legal reasoning. But these are seldom exercises in genuine dialog, aimed at producing new theoretical perspectives, views that are more than the sum of their parts, which promise to advance understanding in both fields. Legitimacy and Legality in International Law is refreshing in this regard. Brunnee and Toope mine two complimentary strands of international legal and international relations theory to generate an ‘interactional’ theory of international law. They dig deep enough to grasp the complexities of each strand, and produce an artfully integrated amalgam of Lon Fuller’s approach to law (transplanted into the international arena) and constructivist international relations.

<http://hdl.handle.net/1814/18154>

RIZZI, Marco

Regulating Risks in Pharmaceutical Law: The need of an optimal interplay between products safety and products liability, *Opinio Juris in comparatione*, 2011, 1, 1, Paper 2, 1-25, (online publication June 2011)

The aim of this paper is to call for the need of a theoretical model of pharmaceutical products safety in which the two systems of regulation and liability operate complementarily. The question is why two legal tools that are meant to achieve and protect the same goal (protection of consumers) are shaped in a way that hinders, instead of promoting, a positive interaction between the two. At present we have two separate sets of rules that operate independently: pre-marketing regulation with post-marketing surveillance duties, and ex-post facto liability, linked to the pre-marketing available knowledge. Since the key issue in both regulatory and liability assessments related to pharmaceuticals is the one of “relevant knowledge”, we claim that the legal framework should be shaped in the way that better promotes the availability of such a knowledge. In the effort of identifying a global paradigm of

pharmaceutical safety (coherent with the global nature of the relevant market), a comparison of the legal frameworks in force in the two major “regional” drug markets (US and EU) is not only necessary, but valuable in order to identify the shortcomings of “local” solutions, and their inconsistencies vis à vis the transnational nature of the issue. The fact that the two scenarios present substantial institutional differences does not hinder such a value. If we consider that the market is globalized at both the stage of production and at the one of distribution, the construction of a global governance of pharmaceutical safety has to confront with legal and institutional diversities.

<http://hdl.handle.net/1814/17754>

RIZZI, Marco

In Search of Consensus? (Publication Review: G.-P. Calliess & P. Zumbansen, Rough Consensus and Running Code: A Theory of Transnational Private Law (Hart, 2010)), European Journal of Legal Studies, 2011, 4, 1, 231-237

<http://hdl.handle.net/1814/18606>

ROMERO, Federico

Introduction (to ‘The International History of European Integration in the Long 1970s. A roundtable discussion on research issues, methodologies, and directions’), Journal of European Integration History, 2011, 17, 2, 333-335

As a specific field of historical enquiry, the history of European integration is seldom integrated in the larger historical narratives on the waning of Soviet Communism, the rise and fall of the Third World project, or the restructuring of the international economy over the last third of the 20th century. Five scholars discuss the prospects and difficulties of contextualizing it, and possibly re-conceptualizing it, in a closer dialogue with ongoing historical scholarship on post-colonialism, globalization, Cold War history and other relevant international and transnational history subfields.

<http://hdl.handle.net/1814/20439>

ROMERO, Federico

NATO: The management of diversity, Quaderni del dipartimento di Scienze Politiche Università Cattolica del Sacro Cuore, 2011, 1, 1, 139-150

The image of a harmonious Atlantic alliance occasionally riven by acute crises was the actors’ own perception, and recurring fear, throughout its Cold War history. A long-term historical assessment, however, emphasizes a continuum of carefully managed frictions and disagreements. Differences were the norm, not the exception. More importantly, they were an asset rather than a burden. The negotiated, flexible accommodation of diversity expanded the range of Alliance policies, multiplied its diplomatic resources, and projected a more inclusive, attractive image. In the aftermath of détente, in particular, trans-Atlantic differences on East-West relations multiplied the comparative advantage of the West and played a key role in the peaceful demise of the Soviet empire.

<http://hdl.handle.net/1814/20436>

ROSATI, Eleonora

Searching Responsibilities for Service Providers: Italian courts and AGCOM find (too) many results, Entertainment Law Review, 2011, 22, 6, 169-174

<http://hdl.handle.net/1814/20559>

ROSATI, Eleonora

Originality in a Work, or a Work of Originality: The effects of the infopaq decision, European Intellectual Property Review, 2011, 33, 12, 746-755

The issue of further harmonisation of copyright at the EU level is currently at the centre of heated debates concerning its desirability and feasibility as such. In the course of 2010 alone, the Wittem Group published its European Copyright Code and the Monti Report addressed the role of copyright in the light of proposing a new strategy for the internal market. However, so far, no decisive legislative actions have been taken at the EU level to address the future of copyright. Despite this impasse, the Court of Justice has acted in a proactive way towards the actual harmonisation of copyright. The decision in Infopaq, as later followed in *Bezpečnostní softwarová asociace*, has provided the

harmonisation of a fundamental principle of copyright, i.e., the originality requirement. The impact of these judgments on the copyright laws of the Member States is likely to be relevant, as made clear (even if just in part) by the ruling of the High Court (England and Wales) in *Meltwater*, recently upheld by the Court of Appeal for England and Wales. However, the actual implications of CJEU's decisions have yet to be fully worked out: the *Football Dataco* reference stands as a demonstration of the doubts and ambiguities that *Infopaq* has cast on the overall architecture of EU copyright.
<http://hdl.handle.net/1814/20561>

ROSATI, Eleonora

The Hargreaves Report and Copyright Licensing: Can national initiatives work per se?, *European Intellectual Property Review*, 2011, 33, 11, 673-676

In May 2011 Prof. Hargreaves published his review of intellectual property and growth entitled *Digital Opportunity*, which had been commissioned by the UK Prime Minister, David Cameron. The Hargreaves Report is focused primarily on copyright, which is deemed to have fallen apart from what is needed to promote innovation and competitiveness.¹ The Report therefore contains a series of recommendations to improve the quality of UK copyright law and make it fit for the digital age. It advises the UK Government to consider reforming--inter alia--copyright licensing and introducing a digital copyright exchange and extended collecting licensing for orphan works, as well as promoting a single EU market for content licensing. The objectives relating to the reform of copyright licensing are ambitious, in that the relevant recommendations are thought to enormously favour UK competitiveness, if implemented. The present contribution questions whether this can actually be the case in the absence of a stable EU framework for licensing.
<http://hdl.handle.net/1814/20560>

ROSATI, Eleonora

Yahoo! Liable for Contributory Infringement by Display of Links to Infringing Websites, *Journal of Intellectual Property Law & Practice*, 2011, 6, 8, 521-523

Comment to *PFA Films S.r.l. v Google Italy, Microsoft S.r.l. and Yahoo! Italia S.r.l.*, Tribunale di Roma, ordinanza, 20 March 2011. By an ordinanza (interim injunction), the Tribunale di Roma (Rome court of first instance) held Yahoo! liable for contributory copyright infringement in that, despite the information received, the search engine had not taken any steps to remove unlawful content from displayed search results.
<http://hdl.handle.net/1814/20557>

ROSATI, Eleonora

Relighting a Lamp: The CJEU on revived protection for expired design rights, *ITMA Review*, 2011, 384, 14-16

Comment to CJEU, Case 168/09 *Flos SpA v Semeraro Casa e Famiglia SpA*, 27 January 2011.
<http://hdl.handle.net/1814/20558>

ROSATI, Eleonora

Originality in a Work, or a Work of Originality: The effects of the infopaq decision, *Journal of the Copyright Society of the U.S.A.*, 2011, 58, 4, 795-817
<http://hdl.handle.net/1814/20562>

ROSATI, Eleonora

Trade Marks with a Reputation: A Flow-Chart Analysis of the Legal Scenario as Resulting from the Decisions in Intel and L'Oréal, *Journal of Intellectual Property Law & Practice*, 2011, 6, 3, 155-160

Legal context. The Court of Justice of the European Union was recently referred to for preliminary ruling on the interpretation of provisions relevant to the determination of the particular degree of protection enjoyed by trade marks with a reputation. The decisions in *Intel* and *L'Oréal* clarified the meaning to be assigned to specific articles of Directives 89/104/EEC and 84/450/EEC. Key points. On the one hand, in the *Intel* decision, the Court excluded any form of automatic protection for trade marks with a reputation and explained the set of conditions which have therefore to be met. On the other hand, the judgment in

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L'Oréal seems to have taken a different approach from Intel, by means of a clear favouring of trade mark owners, rather than competitors and consumers. Practical significance. The result is that the two decisions, even if compatible with each other, are expressions of different interpretations of the rationale of trade mark protection and, in particular, of the specific status of trade marks with a reputation. Further guidance by the Court is thus awaited.

<http://hdl.handle.net/1814/20556>

ROSELLÓN, Juan, WEIGT, Hannes

A Dynamic Incentive Mechanism for Transmission Expansion in Electricity Networks: Theory, Modeling and Application, *The Energy Journal*, 2011, 32, 1, 119-48

We propose a price-cap mechanism for electricity-transmission expansion based on redefining transmission output in terms of financial transmission rights. Our mechanism applies the incentive-regulation logic of rebalancing a two-part tariff. First, we test this mechanism in a three-node network. We show that the mechanism intertemporally promotes an investment pattern that relieves congestion, increases welfare, augments the Transco's profits, and induces convergence of prices to marginal costs. We then apply the mechanism to a grid of northwestern Europe and show a gradual convergence toward a common-price benchmark, an increase in total capacity, and convergence toward the welfare optimum.

<http://hdl.handle.net/1814/19464>

ROSSET, Jan

The 2010 Presidential Election in Poland, *Electoral Studies*, 2011, 30, 1, 241-244, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

<http://hdl.handle.net/1814/19999>

ROY, Olivier

Breakthroughs in Faith, *World Policy Journal*, 2011, 28, 4, 7-13

Across the globe, a new form of religiosity is transforming the spiritual and secular landscape. Evangelical Christianity, Islamic fundamentalism, and many other modern religions, Olivier Roy argues, are no longer tied to a particular culture or location. This insight from one of Europe's leading thinkers dismantles the clash of civilizations theory that has dominated political theory debate for almost two decades. Fundamentalism, he argues, is actually product of secularization, not civilizations.

<http://hdl.handle.net/1814/19698>

ROY, Olivier

Du rôle consensuel des experts : La norme religieuse dans l'espace public, *Archives de Sciences Sociales des Religions*, 2011, 155, 11-19

<http://hdl.handle.net/1814/19914>

RUIBAL, Alba

Publication Review: D. Anagnostou & E. Psychogiopoulou (eds.), The European Court of Human Rights and the Rights of Marginalised Individuals and Minorities in National Context (Leiden: Martinus Nijhoff Publishers, 2010), *European Journal of Legal Studies*, 2011, 4, 1, 225-230

<http://hdl.handle.net/1814/18605>

RUPPRECHT, Tobias

Socialist High Modernity and Global Stagnation: A shared history of Brazil and the Soviet Union during the Cold War, *Journal of Global History*, 2011, 6, 3, 505-528

This article questions a prevailing bipolarity of traditional Cold War History by examining commonalities and interactions between the Soviet Union and Brazil in the 1950s and 60s. After outlining the common characteristics of both states around 1960, it analyses the cultural diplomacy of the post-Stalinist Soviet Union towards Brazil. Transforming its hitherto prevailing image as the cradle of world revolution and communist class struggle, the USSR now represented itself as a role model for the quick industrialisation of the economy and education of the masses. Many Brazilian intellectuals and political

reformers from Presidents Kubitschek to Goulart shared with the Soviets an interest in what is called here Socialist High Modernity. Contacts with the Soviet Union were a chief reason for the putsch and the end of Brazilian democracy in 1964. But the new military leaders also had their own interests in and surprisingly good relations with the stagnating Soviet Union – again based on a set of commonalities in the historical development of the two ostensibly idiosyncratic and distant states on either side of the Iron Curtain. Eschewing teleological interpretations of the period and exploring the ideational basis of actors in the conflict, this shared history – based on new documents from Moscow archives and recently declassified sources from the Brazilian Foreign Ministry – aims to contribute not only to Cold War historiography, but also to link it to the debates on Global History, which have lately neglected both Latin America and Eastern Europe.

<http://hdl.handle.net/1814/20579>

SAARILAHTI, Ilkka

Les innovations des procédures budgétaires de l'Union européenne. Huitième partie : le budget de l'Union pour 2011 – la première procédure selon les nouvelles dispositions budgétaires du traité de Lisbonne, Revue du Marché commun et de l'Union européenne, 2011, 553, 662-679

La procédure budgétaire pour 2011 est une procédure importante dans l'histoire financière de l'Union européenne, car il s'agit de la première procédure qui se soit déroulée intégralement selon les nouvelles règles du traité de Lisbonne. Elle est intervenue à un moment critique, non seulement à cause de la crise économique et de l'euro auxquelles ont été confrontés en 2010 les États membres de l'Union, mais également parce qu'elle a eu lieu au milieu de la période d'application du cadre financier pour la période 2007-2013. De ce fait elle constitue un point de référence essentiel pour les procédures budgétaires à venir et pour le prochain cadre financier pluriannuel. Cette procédure budgétaire a été une procédure difficile, la première procédure de conciliation dans le domaine budgétaire conformément au traité de Lisbonne se soldant par un échec. Le fait que la Commission ait présenté très rapidement un nouveau projet de budget pour 2011 que les deux branches de l'autorité budgétaire ont pu accepter encore en 2010 a néanmoins permis à l'UE d'éviter une crise budgétaire. Le Parlement européen et le Conseil ne sont pas non plus parvenus en 2010 à un accord sur le "paquet législatif Lisbonne" proposé par la Commission en mars 2010 ou sur le projet de BR no 10/2010 concernant notamment l'excédent pour 2010. Par ailleurs, le Parlement européen n'a pas donné son accord sur la révision du cadre financier pour 2007-2013 destiné à octroyer un financement additionnel au projet ITER en 2012 et 2013.

<http://hdl.handle.net/1814/19534>

SCHEININ, Martin, VERMEULEN, Mathias

Unilateral Exceptions to International Law: Systematic legal analysis and critique of doctrines to deny or reduce the applicability of Human Rights norms in the fight against terrorism, Essex Human Rights Review, 2011, 8, 1, 20-56 [DETECTER];

This article has been produced within the research project DETECTER, funded by the European Commission under the 7th Framework Programme.

It is well known that many governments have resorted to a wide range of constructions to justify, under international law, their unilateral exceptions to human rights in the name of countering terrorism. This paper seeks to take stock of a range of arguments, doctrines or constructions that states may resort to when seeking to justify their unilateral exceptions to human rights norms in the fight against terrorism. Many constructions have a valid legal basis and a proper scope of application. However, they also have limitations and often relate to a specific treaty, or the availability of a procedure, but do not alter the substantive obligations of the state in question under international law. In many cases, this results from the overlap of treaty law and customary norms of international law. Some of the constructions are open to abuse, i.e. bad faith efforts to distort international law to the detriment of human rights. Because the combined effect of the various excuses and exceptions are complex, there is a need for a holistic approach which seeks to address the combined effect of various constructions of unilateral exceptions.

<http://hdl.handle.net/1814/19056>

SCHUCK, Andreas R.T., XEZONAKIS, Georgios, ELENBAAS, Matthijs, BANDUCCI, Susan A., DE VREESE, Claes H.

Party Contestation and Europe on the News Agenda: The 2009 European Parliamentary elections, Electoral Studies, 2011, 30, 1, 41-52, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

In this article we analyse the news coverage of the 2009 EP elections in all 27 EU member states (N = 52,009). We propose that the extent to which these second-order elections are salient to the media depends on political parties contesting the elections. Consistent with expectations, the findings suggest that the saliency of EP elections is increasing and that the degree of political contestation over Europe contributes to this development in a non-linear fashion so that only when contestation develops beyond a certain point, does media coverage increase.

<http://hdl.handle.net/1814/19978>

SHAH, Nasra, FARGUES, Philippe

Introduction, Asian and Pacific Migration Journal, 2011, 20, 3-4, 267-272, Special issue on Migration in the Gulf States

<http://hdl.handle.net/1814/20566>

STASINOPOULOS, Panos

EU Citizenship as a Battle of the Concepts: Travailleur v Citoyen, European Journal of Legal Studies, 2011, 4, 2, 74-103

Ever since Citizenship was introduced at EU level, the concept's perception has varied from a mere declaratory status to a more substantial, fundamental status attached to Europeans. Regardless of whether one views Citizenship as the latter or the former of the above construes, this concept is undoubtedly intriguing and is still the subject of discussions and studies. This paper wishes to contribute to the debate regarding the concept of Union Citizenship and its future and relevance in today's EU. The scope of the notion has been enriched considerably since its conception, as a result of the work of the Court of Justice although the Treaty provisions have not reflected this and they remain largely unchanged since 1993. Owing to said case-law, different constructions of Citizenship have been proposed in the academic literature; this paper focuses on the nature of the relationship between Union Citizenship and the pursuit of an economic activity and the relative independence the former enjoys owing to the recent CJEU case-law. This independence will be assessed in three parts, covering this content of Citizenship which supports the latter's independence, its arguably receding association with the common market and its aims, and the support which the Lisbon Treaty's new stance on social values could potentially offer.

<http://hdl.handle.net/1814/20179>

STEGMAIER, Mary, VLACHOVÁ, Klára

The Parliamentary Election in the Czech Republic, May 2010, Electoral Studies, 2011, 30, 1, 238-241, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

<http://hdl.handle.net/1814/19998>

STEPHENSON, Sean

Does ODA Grow on Trees? A Legal Analysis of REDD-ODA Finance, European Journal of Legal Studies, 2011, 4, 1, 81-101

What sources of funding are available to enable the REDD to meet its potential in mitigating the effects of climate change? This article examines the possibilities and limits of using Official Development Assistance (ODA) as a source of REDD finance. The argument is two-fold, firstly that securing a source of public start-up funding is essential to the effectiveness of REDD, and secondly that ODA is in a position to fulfil that role with a number of additional benefits to contributors. In adopting ODA, there are a number of possible approaches which could be used as a basis, and here it is argued that an essentially co-benefits approach is the most likely option for producing meaningful collaboration between the two regimes. Following on from this, a number of potential building blocks for a

REDD-ODA legal framework are explored.

<http://hdl.handle.net/1814/18599>

STRAZZARI, Davide

Harmonizing Trends vs Domestic Regulatory Frameworks: Looking for the European Law on Cross-border Cooperation, European Journal of Legal Studies, 2011, 4, 1, 151-203

The European law of cross-border cooperation is the legal product of the interplay of different legal orders, namely the international public legal order (Madrid Outline Convention, following Protocols and international agreements enforcing it), the European Union and the national one. To this extent, the European law of CBC is a dynamic process where each of the three components plays a role but none is prevailing from a normative point of view. The paper examines the components of this European law of CBC by looking first at the way CBC is currently conceived by the supranational legal drivers (Council of Europe and EU). It emerges that CBC is not more a matter of dealing with the problems of proximity between communities and territories laying on either side of borders, but of putting together genuine projects for CBC area and implementing a real CBC policy. This implies some consequences. First, CBC as a policy tends to involve territorial units enjoying influential political capacity, such as: federal state, legislative regions or at least inter-municipal association. Even national state may have an interest in participating. The second feature is the institutionalization of CBC as a way to promote coordination of policies, even according to a multilevel governance concept, rather than as an instrument to solve specific cross-border problems. However, this conception of CBC and its consequences must be put into relation with the attitude national states have showed towards CBC. By taking into consideration some factors – namely, the type of decentralization, the intergovernmental relations, the ethnic minorities presence, the influence exerted by supranational actors in countries of democratic transition – we will investigate the potential degree of the national states' acceptability of the common regulatory solution advanced at the supranational level. To this extent, some specific references will be made to the national enforcement process of the EGTC Regulation in order to enlighten and understand why the EGTC application across Europe is likely to vary.

<http://hdl.handle.net/1814/18602>

SUDULICH, Maria Laura, WALL, Matthew

How do Candidates Spend Their Money? Objects of campaign spending and the effectiveness of diversification, Electoral Studies, 2011, 30, 1, 91-101, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

We present a novel approach to the study of campaign effectiveness using disaggregated spending returns from the 2007 Irish general election. While previous studies have focused on overall levels of expenditure as a predictor of electoral success, we consider the types of activities on which candidates spent money and the overall diversification of candidates' campaign expenditure as predictors of electoral success. We offer a replicable framework for the measurement of campaign diversification as well as for the evaluation of its effects on electoral performance. We examine how factors such as campaign expenditure and candidates' incumbency status condition the effects of campaign diversification. It is shown that diversification is only related to electoral success when campaigns are well-financed.

<http://hdl.handle.net/1814/19983>

SUÁREZ, Manuel, ALBERRO, Irina

Analyzing Partisanship in Central Mexico: A geographical approach, Electoral Studies, 2011, 30, 1, 136-147, Special Symposium on Electoral Democracy in the European Union [EURO Public Opinion Observatory];

The article explores the relevance of socioeconomic variables on partisanship in Central Mexico for the 2006 presidential election. We perform an exploratory canonical correlation analysis, a predictive binomial logit analysis and a further confirmatory set of OLS regression analyses. The analyses are based on a data set that uses electoral results as well as census information, constructed as 1.6 km (one mile) radii GIS neighborhoods, which allow for the integration of electoral and census geographies. The results suggest that income and education do not always influence party preferences in the same

direction. In particular in the case of the vote for the left leaning party, these two variables have contradicting effects.

<http://hdl.handle.net/1814/19987>

SVETLICINII, Alexandr

Who is To Blame? Liability of "Economic Units" for Infringements of EU Competition Law, European Law Reporter, 2011, 2, 52-56

The ECJ's ruling in Knauf Gips case (C-407/08P) further develops the concept of a «single economic unit» that allows attribution of liability for anti-competitive conduct in cases involving complex corporate structures where the possibility of exercising a decisive influence cannot be always determined on the basis of the controlling shareholdings. The existence of a «single economic unit» can be inferred on the basis of a «consistent body of evidence» requiring case-by-case assessment.

<http://hdl.handle.net/1814/16215>

SVETLICINII, Alexandr

Parental Liability for the Antitrust Infringements of Subsidiaries: A rebuttable presumption or probatio diabolica?, European Law Reporter, 2011, 10, 288-292

The ECJ judgments delivered in Arkema and Elf Aquitaine further develop the rules on application of the shareholding-based presumption which allows the Commission to impute to the parent companies liability for antitrust infringements committed by their subsidiaries. The ECJ reaffirms the rebuttable nature of the presumption and emphasises the need to conduct a detailed assessment of the parties' arguments presented for the rebuttal of the above presumption. It remains to be seen what evidence the parties will need to present in order to succeed in rebutting the presumption.

<http://hdl.handle.net/1814/19935>

TELESETSKY, Anastasia

Experimenting with International Collaborative Governance for Climate Change Mitigation by Private Actors: Scaling up Dutch Co-Regulation, European Journal of Legal Studies, 2011, 4, 1, 57-80

For the past two decades, international climate policy has been handled as a matter for State to State deliberation. Non-state actors have played at best marginal roles in making and implementing international policy. This paper argues that climate change remains an intractable transnational problem because State to State deliberations failed to acknowledge that both climate mitigation and adaptation require ongoing collaborative governance with non-State actors to shift normative behavior. This paper proposes experimenting with scaling up Dutch environmental covenants as an international co-regulation strategy to improve both the legitimacy and accountability of international climate governance. This paper specifically proposes in the context of climate change mitigation implementing a co-regulatory approach through a combination of State-approved emission targets and binding individual firm environmental agreements.

<http://hdl.handle.net/1814/18598>

TORO, Sergio Y., LUNA, Juan Pablo

The Chilean Elections of December 2009 and January 2010, Electoral Studies, 2011, 30, 1, 226-230, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];

On 13 December 2009, seven million Chileans went to the polls to elect the president who would run their country from 2010 to 2014, as well as lower chamber representatives of the country's sixty electoral districts. The congressional election was characterized by continuity, with the center-left Concertación (CPD) and the centerright Alianza Por Chile (APC) confirmed as the two dominant congressional blocs. At the party level, the rightist Unión Demócrata Independiente (UDI) continued as the largest single party in electoral terms, while the Partido Demócrata Cristiano (PDC) continued its gradual but steady decline. The only novelty at the congressional level was the election of three congressional representatives from the Partido Comunista (PC), enabled by a pragmatic pact with the CPD to end its exclusion from the chamber. In terms of voter turnout and citizenship's participation in elections, this electoral cycle was also characterized by continuity, with turnout reaching 84% of

registered voters (close to the average for post-1990 elections), but with the percentage of the eligible population registered to vote dropping to an all-time low of 68%.

<http://hdl.handle.net/1814/19995>

TRECHSEL, Alexander H., MAIR, Peter

When Parties (also) Position Themselves: An introduction to the EU Profiler, Journal of Information Technology and Politics, 2011, 8, 1, 1-20 [EUDO];

This article frames and describes a novel method of political party positioning within the European Union and beyond. The EU Profiler project, a large-scale, interdisciplinary, and pan-European research endeavor, takes a step beyond the conventional approaches by including party self-positioning and by using internet-based information technology to offer full documentation of the positions that are identified. In addition to conventional expert coding, some 270 political parties in Europe have been invited to place themselves on 30 issue dimensions. Where it proved possible, each coded position for each party is then fully documented with extracts from party manifestos, party leaders' speeches, or relevant press or policy statements. The resulting data offer unique opportunities for comparing the accuracy and efficiency among party positioning techniques, and explore for the first time and in a systematic way the auto-positioning of political parties throughout Europe.

<http://hdl.handle.net/1814/19896>

TÜNTE, Markus, APITZSCH, Birgit, SHIRE, Karen A.

Neue Beschäftigungsstrategien jenseits von externer und interner Flexibilisierung, Berliner Journal für Soziologie, 2011, 21, 3, 363-381

Recent research about regular employment in core areas of high qualified service work in Germany yields contradictory findings about continuities and changes in employment stability. In addressing current debates about changing employment relations, this paper examines how organizational change and the role of customers in service work interact to shape employer demands for more flexible employment. The results of a qualitative study of employment practices in one branch of qualified service work, IT services, shows how clients' intervention into the production process affects skill demand and firms' use of flexible employment. At the same time, a pronounced client orientation precipitates the need for context-specific knowledge and stability of employment. The resulting employment strategies aim at developing long-term relations with free-lancers and other short-term workers. These new employment practices call into question the well-accepted distinction between internal and external forms of employment flexibility. Die Beschäftigungsstabilität und die Möglichkeiten, hochqualifizierte Dienstleistungen extern zu flexibilisieren, werden in der gegenwärtigen Diskussion zum Arbeitsmarktwandel sehr gegensätzlich beurteilt. Anknüpfend an diese aktuelle Kontroverse analysieren wir das Wechselspiel zwischen Organisation und Kunden als integralen Bestandteil hochqualifizierter Dienstleistungen und arbeiten die Auswirkungen auf die Beschäftigung systematisch heraus. Die Ergebnisse unserer Untersuchung im Bereich der IT-Dienstleistungen zeigen, dass die kontinuierlichen Eingriffe des Kunden in den Prozess der Leistungserstellung einen sich ständig ändernden Kompetenzbedarf und damit erheblichen Flexibilisierungsbedarf auslösen. Gleichzeitig gewinnt das kunden- und organisationspezifische Kontextwissen an Bedeutung und erfordert eine langfristige Stabilisierung von Beschäftigung. Die resultierenden widersprüchlichen Anforderungen an die betrieblichen Beschäftigungsstrategien stellen jedoch die etablierte Unterscheidung zwischen internen und externen Flexibilisierungsstrategien infrage und verweisen auf umfassende Versuche der Unternehmen, externe Beschäftigte wie freie Mitarbeiter langfristig zu binden.

<http://hdl.handle.net/1814/20879>

ULASIUK, Iryna

Language Rights in Relations with Public Administration: European perspectives, International Journal on Minority and Group Rights, 2011, 18, 1, 93-113

The preservation of linguistic diversity has recently become a major concern to many researchers, politicians and leaders of linguistic communities in Europe. The issue of linguistic minorities has taken on a particular urgency because of the increasing recognition of the threat of extinction faced by many minority languages. The need for immediate action has become obvious. Europe has slowly but

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steadily started to come up with responses to how to keep the most vulnerable languages from extinction and guarantee rights to speakers of such languages at the same time. Today we can talk about the emergence of a European minimum standard of protection of language rights as it has developed since the 1990s in the European conventions and their monitoring activities. There is general understanding that three areas of the use of languages – education, administrative affairs and the media – are determinant for the survival of minority languages. The present article focuses on one of such areas, which has revealed to be particularly contentious and a source of ever-increasing concern. It investigates the guarantees provided in the Council of Europe's instruments pertaining to the use of minority languages before public authorities, the practical difficulties and ways of their overcoming in the implementation of the rights enshrined in European treaties.
<http://hdl.handle.net/1814/20697>

ULASIUK, Iryna

Legal protection of linguistic diversity in Russia: past and present, Journal of multilingual and multicultural development, 2011, 32, 1, 71-83

Russia is unique in its size and ethnic composition. There is a further linguistic complexity of more than 150 co-existing languages. Notwithstanding this diversity, the claims of linguistic minorities in Russia were traditionally neglected, first in imperial Russia and later in the Soviet politics and law. The political processes undergone from the middle of the 1980s have reactivated the awareness of identity in many linguistic communities of the new Russian Federation. Their aspirations demanded the most suitable legal and political initiatives to create the necessary conditions for the preservation of minority languages. How these demands have been reflected in the current legal framework is analysed in the paper.

<http://hdl.handle.net/1814/17302>

VAN KOTEN, Silvester

Legal Unbundling and Auctions in Vertically Integrated (Utilities) Markets, European Journal of Law and Economics, 2011, Online First, 8 September 2011

This paper addresses the effectiveness of auctions and legal unbundling as regulatory measures to tender a vertically integrated industry more competitive. Specifically, I analyze if implementing auctions and legal unbundling can counter market power in an industry where a Vertically Integrated Corporation (VIC) has a monopoly position in an essential, scarce upstream activity and also owns one of the firms active in the competitive downstream activity. In an earlier paper, Van Koten (2011), I showed that in this configuration the VIC, by having its downstream firm bid more aggressively, can—through increased auction revenue—increase its profit, while disadvantaging downstream competitors and lowering efficiency. Here I analyze the regulatory measure of also legally separating the downstream firm from the VIC. I show that such a measure may only be partially effective; the VIC can formulate a simple compensation scheme that does not violate restrictions typically imposed by legal separation but induces the manager of the VIC-owned downstream firm to bid more aggressively. This increases the profits of the VIC, decreases efficiency, and disadvantages downstream competitors.

<http://hdl.handle.net/1814/19498>

VANDECASTEELE, Leen

Life Course Risks or Cumulative Disadvantage? The Structuring Effect of Social Stratification Determinants and Life Course Events on Poverty Transitions in Europe, European Sociological Review, 2011, 27, 2, 246-263

The aim of this article is to assess the importance of a life event perspective on poverty in relation to the traditional social stratification approach. Lately, poverty has often been seen as a life course risk associated with certain life events and less influenced by characteristics of social position. The empirical part of this article explores the importance of the life course perspective as well as the social stratification framework for the understanding of the poverty risk. The question asked is whether risky life events have the same poverty-triggering effect for all social stratification groups or whether processes of cumulative disadvantage prevail at crucial life transitions. The findings, based on random effects event history analyses of the European Community Household Panel Survey, show that structural and biographical explanations of poverty do not present themselves as opposites, but they

rather complement each other and their interactions provide interesting insights. The results show that the most vulnerable social groups are more affected by the poverty-triggering effect of a life stage like childbirth. On the other hand, job loss is a more general poverty trigger, substantially increasing everyone's poverty entry risk. Also partnership dissolution has a poverty triggering effect for people of all educational levels and all social classes. In line with previous research, we found that partnership dissolution affects the poverty entry risk of women more strongly.

<http://hdl.handle.net/1814/20512>

VERMEULEN, Mathias

Koning Eenoog in het land der blinden: de BIM-wet gezien door het oog van de VN Mensenrechtenraad, Orde van de Dag, criminaliteit en samenleving, 2011, 56, 107-115

<http://hdl.handle.net/1814/20615>

VERMEULEN, Mathias

DE HERT, Paul - De Twitterschandpaal en de privacy, Juristenkrant, 2011, 237, 9, 11-11

<http://hdl.handle.net/1814/20616>

VIOLA DE AZEVEDO CUNHA, Mario

Combate à Fraude e Proteção de Dados: Inimigos ou Aliados?, Revista brasileira de risco e seguro, 2011, 6, 12, 37-50

For fighting fraud, insurance companies use different tools, being a relevant one the use and interconnection of databases containing personal information. There is, indeed, a clear interaction between data protection, which regulates the processing of personal data, and the activity of fighting insurance fraud. Taking into account this scenario, this article will analyse the European experience regarding data protection and insurance fraud fight, with focus on the initiatives carried out in the UK and in Italy (in the field of insurance fraud fight), trying to demonstrate that the adoption of data protection rules, a priori, does not create constraints for the fight against insurance fraud, and, can also make it more efficient, since one of the foundations of all data protection legislation is the data quality principle.

<http://hdl.handle.net/1814/17516>

VISKI, Andrea

The Status of Nuclear Export Control Regimes in International Law, Tilburg Law Review, 2011, 15, 2, 183-204

During an October 2008 speech to the Nuclear Energy Agency, IAEA Director General Mohamed Elbaradei stated that more than fifty countries had expressed interest in developing nuclear power programs to meet their growing energy demands.' This phenomenon, referred to commonly as the nuclear renaissance, has now become one of the most significant security challenges facing the international community. Under Article IV of the 1968 Non-Proliferation Treaty (NPT), non-nuclear weapons states have the right to develop nuclear energy as well as to receive transfers of nuclear technology as long as they use their programs strictly for peaceful purposes. Following the entry into force of the NPT two nuclear export control regimes were developed with the aim of controlling and managing the trade of nuclear materials from suppliers to receivers as well as multilaterally coordinating nuclear safeguards activities. While the two regimes, the Nuclear Suppliers Group (NSG) and the Zangger Committee, have played an important role in facilitating the goals of the NPT, the regimes lack the international legal mandate and enforcement power to act in a coordinated and effective manner to meet the challenges presented by the current nuclear proliferation threats facing the international community. In order to better understand the shortcomings of the global nuclear export control system, this article will evaluate the international legal context of existing controls. This necessitates a study of the documents and practices of both organizations in order to determine how a lack of legal foundation affects their ability to execute non-proliferation activities. In addition, evaluating the effectiveness of nuclear export controls necessitates a serious analysis of the circumstances in which they function and the elements that give them force, such as the international non-proliferation legal context, legal aspects of the regimes' organization, and the national implementation of the guidelines agreed to by regime members. The article determines the status of nuclear export controls in international law by

evaluating their potential basis in international treaty law and international customary law. To achieve this task, it will be composed of two main parts. The first part evaluates nuclear export control regimes in international treaty law based on their organization, documents, and relationship with international legal non-proliferation tools. The second part evaluates the concrete activities of these regimes in the international sphere in order to determine whether state practice provides a basis for any status of nuclear export control regimes in customary international law. Evaluating the international legal status of nuclear export control regimes will allow for a deeper analysis in the conclusion of this article pertaining to current challenges to the nuclear export control system.

<http://hdl.handle.net/1814/20995>

VISKI, Andrea

The National Implementation of Nuclear Export Controls: Developing a best practices model, European Safeguards Research and Development Organization (ESARDA) Bulletin, 2011, 46, 98-111
The nuclear renaissance promises significant benefits to the international community, but also raises security challenges, particularly relating to the trade of nuclear materials and equipment. The objective of this paper is to examine how supply-side non-proliferation efforts can be strengthened by developing a best practices model for national nuclear export control implementation. In order to achieve this goal, nuclear export control measures identified by the 1540 Committee will be used as a framework from which a best practices model can be formed. Such a model concentrates specifically on national legislation and enforcement measures delineated by the Committee in order to bring countries in accordance with international law. Developing a best practices model seeks to deliver an ideal process for national export control law actualization in order to encourage the peaceful development of nuclear energy and develop the infrastructure and framework for precluding nuclear proliferation.

<http://hdl.handle.net/1814/20976>

VISKI, Andrea

International Nuclear Law and Nuclear Export Controls, International Journal of Nuclear Law, 2011, 3, 3, 216-229

Evaluating the effectiveness of nuclear export controls necessitates a serious analysis of the circumstances in which they function and the elements that give them force, such as the international non-proliferation legal context, legal aspects of the regimes' organisation and the national implementation of the guidelines agreed to by regime members. This paper analyses the relevant nuclear law related to nuclear export controls by evaluating sources of international nuclear law as well as the structure and activities of the two international nuclear export control regimes, the Nuclear Suppliers Group and the Zangger Committee.

<http://hdl.handle.net/1814/20994>

VOGEL, Dita, TRIANDAFYLLIDOU, Anna, DÜVELL, Franck

Irregular Migration from a European Perspective: An introduction, International Migration, 2011, 49, 5, 48-52

<http://hdl.handle.net/1814/19358>

WAGNER, Ben

"I Have Understood You": The Co-evolution of expression and control on the internet, television and mobile phones during the Jasmine Revolution in Tunisia, International Journal of Communication, 2011, 5, 1295–1302

The mass demonstrations that led to the Jasmine Revolution in late 2010 and early 2011 have radically changed the media and communications landscape in Tunisia. All forms of information technology were until recently either heavily regulated by the Tunisian state or were owned by individuals with close links to then-President Zine El Abidine Ben Ali. This analysis looks at regulatory regimes across three media and communications technologies during the Jasmine Revolution in Tunisia—Internet, television and mobile phones—and shows that the regulatory regimes of media and communications technologies co-evolved with the protests. As expression about public protests became increasingly pervasive within these media, efforts to control them became increasingly restrictive. Thus changes in the media and

communications landscape are discussed in the context of the co-evolution of regulatory regimes.
<http://hdl.handle.net/1814/20435>

WECHSLER, Andrea

Intellectual Property Law in the Peoples' Republic of China: A powerful economic tool for innovation and development, China-EU Law Journal, 2011, 1, 1-2, 3-54
<http://hdl.handle.net/1814/20218>

WEWERINKE, Margreet, DOEBBLER, Curtis F.J.

Exploring the Legal Basis of a Human Rights Approach to Climate Change, Chinese Journal of International Law, 2011, 10, 1, 141-160

In this contribution, we consider the relevance of international human rights law to climate change. We review the widely agreed understanding that climate change interferes with human rights. We then examine how a particular State or States may be held responsible for internationally wrongful acts that are caused by contributions to climate change emanating from activities that are under that State's or those States' jurisdiction. We focus on human beings' actions that the best available science indicates with a high degree of certainty are responsible for climate change and the consequential interference with the human rights of individuals that are caused by the adverse impacts of climate change. We also explore the consequences of international human rights law for States' responsibility to cooperate to achieve adequate international action on climate change.

<http://hdl.handle.net/1814/20642>

WILSON, Bruce M., RODRÍGUEZ-CORDERO, Juan Carlos

The General Election in Costa Rica, February 2010, Electoral Studies, 2011, 30, 1, 231-234, Special Symposium on Electoral Democracy in the European Union [EUDO Public Opinion Observatory];
<http://hdl.handle.net/1814/19996>

WRAY, Benedict S.

Editorial. From Government to Governance: Reflections on change, European Journal of Legal Studies, 2011, 4, 1, 1-6
<http://hdl.handle.net/1814/18595>

YORDANOVA, Nikoleta

Inter-Institutional Rules and Division of Power in the European Parliament: Allocation of Consultation and Co-Decision Reports, West European Politics, 2011, 34, 1, 97-121
Studies on the European Parliament have largely overlooked the impact of the inter-institutional context on its internal organisation. This paper argues that the stronger legislative powers of the Parliament vis-a-vis the Council of Ministers under the co-decision than under the consultation procedure affect the intra-parliamentary allocation of different types of legislative report. The analysis of the period 2004-07 shows that legislators from the centre-right party group coalition and loyal party group members are privileged in the allocation of co-decision reports. In contrast, legislators with outlying special interests and experts are given systematic access to drafting only consultation reports. The higher competition for co-decision versus consultation reports left unchecked by the formal EP rules has thus been exploited by party group leaders to promote group cohesion and coalition-building, producing clear winners and losers.
<http://hdl.handle.net/1814/16639>

ZAAGSMA, Gerben

Public History oltre lo Stato: presentare il passato Yiddish nell'Europa contemporanea, Memoria e Ricerca, 2011, 37, 2, 129-142

This article analyses how Europe's 'Yiddish past' is presented, commemorated and engaged with in contemporary Europe from a Public History perspective. It investigates the ways in which Yiddish, its culture and its speakers, are inscribed in representations of Jewish history in museums, websites, and other settings. In doing so a distinction is made between Western Europe, where Yiddish-speaking

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immigrants and their culture formed but a part of local Jewish populations, and Central/Eastern Europe, where Jewish life was to a large extent Yiddish life. The article shows how a growing attention for migration in Western Europe, and the demand for Jewish heritage from abroad in Central and Eastern Europe, drive new and revised versions of Jewish, as well as national, historical narratives. It also contrasts such larger developments and contexts with local, 'bottom-up', activities. At the same it moves beyond national contexts and considers the role that European institutions play in preserving Yiddish heritage. The article argues that definitions of Public History, which predominantly focus on how professional historians take history to a broader non-academic public, are insufficient. The case of Yiddish in Europe also highlights the important role of the state in driving public history activities.
<http://hdl.handle.net/1814/19177>

ZAHN, Rebecca

Donatella della Porta and Manuela Caiani. Social Movements and Europeanization. Book Review, *European Journal of International Law*, 2011, 22, 2, 611-614
<http://hdl.handle.net/1814/18099>

ZAHN, Rebecca

Trade Unions and New Member State Workers in Germany and the UK, *International Journal of Comparative Labour Law and Industrial Relations*, 2011, 27, 2, 139-164

This article compares German and British trade union responses in a European context following the European enlargements in 2004 and 2007 that are unprecedented in the history of the European Union (EU). In particular, this article examines two case studies to explore how trade unions have responded to increased migration following the enlargements. Increased migration has created a number of problems for trade unions that are examined in the case studies. The findings of the case studies are used to undertake a contextualized comparison of trade union behaviour in responding to the changing regulatory and opportunity structures that present themselves following the enlargements. Account is taken of the role that trade unions adopt within their national legal systems, as well as of the effects of the EU's policy of Europeanization on national trade unions. This article concludes by elaborating a number of recommendations based on the analysis.

<http://hdl.handle.net/1814/18097>

Working Papers

ACCONCIA, Antonio, CORSETTI, Giancarlo, SIMONELLI, Saverio

Mafia and Public Spending: Evidence on the Fiscal Multiplier from a Quasi-experiment, EUI ECO, 2011/12;

We estimate the multiplier by relying on differences in spending in infrastructure across Italian provinces and an instrument identifying investment changes that are large and exogenous to local cyclical conditions. We derive our instrument from the an Italian law mandating the interruption of public work on evidence of mafia infiltration of city councils. Our IV estimates on cross sectional data allow us to address common problems in time series analysis, such as the risk of estimating spuriously high multipliers because of endogeneity and reverse causation, or the risk of confounding the effects of fiscal and monetary measures. While accounting for contemporaneous and lagged effects, and controlling for the direct impact of anti-mafia measures on output, our results suggest a multiplier as high as 1.4 on impact, and 2 including dynamic effects.

<http://hdl.handle.net/1814/17194>

ADDA, Jérôme, BERLINSKI, Samuel, BHASKAR, V., MACHIN, Stephen

Market Regulation and Firm Performance: The Case of Smoking Bans in the UK, EUI ECO, 2011/09;

Financial help acknowledged from the Nuffield Foundation and the ESRC (grant M544285003).

This paper analyzes the effects of a ban on smoking in public places upon firms and consumers. Analysis of survey data from public houses finds that the Scottish smoking ban (introduced in March 2006) reduced pub sales and harmed medium run profitability. An event study analysis of the stock market performance of pub-holding companies corroborates the negative effects of the smoking ban on firm performance. We develop a model of public good provision by firms to offer an interpretation of these findings. In the context of smoking, the public good aspect and consumer heterogeneity in preferences regarding smoking appear to be central to the problem. The model allows us to examine the appropriate form of optimal regulation and to study the welfare effect of a smoking ban. The optimal policy response ensures that some pubs be permitted to allow smoking while others are not.

<http://hdl.handle.net/1814/15955>

ADDA, Jérôme, BJÖRKLUND, Anders, HOLMLUND, Helena

The Role of Mothers and Fathers in Providing Skills: Evidence from Parental Deaths, EUI ECO, 2011/08;

This paper evaluates the long-term consequences of parental death on children's cognitive and noncognitive skills, as well as on labor market outcomes. We exploit a large administrative data set covering many Swedish cohorts. We develop new estimation methods to tackle the potential endogeneity of death at an early age, based on the idea that the amount of endogeneity is constant or decreasing during childhood. Our method also allows us to identify a set of death causes that are conditionally exogenous. We find that the loss of either a father or a mother on boys' earnings is no higher than 6-7 percent and slightly lower for girls. Our examination of the impact on cognitive skills (IQ and educational attainment) and on noncognitive skills (emotional stability, social skills) shows rather small effects on each type of skill. We find that both mothers and fathers are important, but mothers are somewhat more important for cognitive skills and fathers for noncognitive ones.

<http://hdl.handle.net/1814/15954>

ADDA, Jérôme, CORNAGLIA, Francesca

Taxes, Cigarette Consumption, and Smoking Intensity: Reply, EUI ECO, 2011/32;

This paper shows that smoking intensity, i.e. the amount of nicotine extracted per cigarette smoked, responds to changes in excise taxes and tobacco prices. We exploit data covering the period 1988 to 2006 across many US states. Moreover, we provide new evidence on the importance of cotinine measures in explaining long-run smoking behavior and we investigate the sensitivity of smoking cessation to changes in excise taxes and their interaction with smoking intensity.

<http://hdl.handle.net/1814/19554>

AFONSO, Alexandre

What's Left to Trade: the Changing Logic of Corporatist Policymaking in Europe, EUI MWP, 2011/14;

This paper outlines evolutions in the underlying logic of corporatist policymaking in Western Europe. Starting from the discrepancy between the observable decline in the power of organised labour on the one hand, and the persistence of corporatist concertation as a mode of policymaking on the other, the paper outlines the remaining incentives for governments to involve trade unions and employers in policymaking. The paper shifts the focus from the traditional structural explanations of corporatist policymaking to political explanations emphasising political support, compliance and knowledge. The paper then outlines a few elements regarding the relationship between political and partisan configurations on corporatism.

<http://hdl.handle.net/1814/18139>

ALLEN, Franklin, CARLETTI, Elena, GALE, Douglas

Money, Financial Stability and Efficiency, EUI ECO, 2011/04;

Most analyses of banking crises assume that banks use real contracts. However, in practice contracts are nominal and this is what is assumed here. We consider a standard banking model with aggregate return risk, aggregate liquidity risk and idiosyncratic liquidity shocks. We show that, with non-contingent nominal deposit contracts, the first-best efficient allocation can be achieved in a decentralized banking system. What is required is that the central bank accommodates the demands of the private sector for fiat money. Variations in the price level allow full sharing of aggregate risks. An interbank market allows the sharing of idiosyncratic liquidity risk. In contrast, idiosyncratic (bank-specific) return risks cannot be shared using monetary policy alone; real transfers are needed.

<http://hdl.handle.net/1814/15645>

ALLEN, Franklin, CARLETTI, Elena, GALE, Douglas

Money, Financial Stability and Efficiency, Wharton Financial Institutions Center, 2011/28;

Most analyses of banking crises assume that banks use real contracts. However, in practice contracts are nominal and this is what is assumed here. We consider a standard banking model with aggregate return risk, aggregate liquidity risk and idiosyncratic liquidity shocks. We show that, with non-contingent nominal deposit contracts, the first-best efficient allocation can be achieved in a decentralized banking system. What is required is that the central bank accommodates the demands of the private sector for fiat money. Variations in the price level allow full sharing of aggregate risks. An interbank market allows the sharing of idiosyncratic liquidity risk. In contrast, idiosyncratic (bank-specific) return risks cannot be shared using monetary policy alone; real transfers are needed.

<http://fic.wharton.upenn.edu/fic/papers/11/11-28.pdf>, <http://hdl.handle.net/1814/15978>

ALLEN, Franklin, CARLETTI, Elena

What Should Central Banks do about Real Estate Prices?, Wharton Financial Institutions Center, 2011/29;

Many central banks use inflation targeting as the basis for their monetary policy. The underlying notion of this approach is that there are no long term benefits in terms of reduced unemployment from having inflation. The traditional view is that monetary policy should focus on controlling consumer price inflation. Asset prices should only be considered in as much as they feed into consumer prices and short term output. However, Reinhart and Rogoff (2009) provide considerable evidence that collapses in real estate prices are the main cause of many financial crises. In this paper we consider how inflation targeting should be adapted to account for real estate prices. We develop a theory of real estate bubbles and show how these can be triggered by low interest rates. It is suggested that in small homogenous countries like Sweden interest rates can be used to prevent bubbles. In large economies this may not be desirable because bubbles tend to be regional. In all economies macroprudential policies have a role to play in preventing and pricking bubbles. However, there is an important issue of how effective they will be in practice.

<http://fic.wharton.upenn.edu/fic/papers/11/11-29.pdf>, <http://hdl.handle.net/1814/15975>

AL-SHARMANI, Mulki

Islamic Feminism and Reforming Muslim Family Laws, EUI RSCAS, 2011/29, Mediterranean Programme;

(Product of workshop No. 2 at the 12th MRM 2011)

In this paper, I will engage with some of the recent literature that attempts to define, map out, analyze, categorize, and critique a growing body of academic scholarship that has emerged in the late 80s and early 90s and which has been termed as Islamic feminism. I will examine three contestations around Islamic feminism. The first is related to its conceptualization and categorization. The second contestation concerns the relation of Islamic feminism as an epistemic project to classical Islamic knowledge such as exegesis and jurisprudence. And the third revolves around the relation of Islamic feminism to other kinds of feminism and the limits of the former in delivering equality to Muslim women. Notwithstanding the above-mentioned contestations, I argue that there are two main and systematic interpretive projects within Islamic feminism. The first project focuses on the exegesis of the Qur'an such as the work of Amina Wadud and Asma Barlas. The second engages with Islamic jurisprudence (fiqh). It is best exemplified by the work of scholars such as Mir-Hosseini, and Kecia Ali. It is my contention that it is the combination of these two projects, both in their methodologies, theoretical frameworks, and their knowledge outputs that can establish sound foundations for Islamic feminism and pave the way for its further development. Most of all, current efforts to reform Muslim family laws are best served by drawing on comprehensive understanding of the important links between these two interpretive projects within Islamic feminism. This is because on the one hand, Qur'an-oriented Islamic feminism has emphasized Qur'anic worldviews that foreground justice in God's relation to humans and in human being's relations to one another, and see patriarchy and patriarchal relations as irreconcilable with the Islamic concept of believing in one God (tawhid). Such insights give intellectual and moral force to Islamic feminists' quest for gender equality and justice within an Islamic framework. Furthermore, the historical and epistemological deconstruction of the assumptions as well as some of the methodologies and doctrines of classical Islamic jurisprudence, which is being carried out by Fiqh-oriented Islamic feminists can greatly strengthen current efforts on the part of women's rights activists to counter Fiqh-based arguments that oppose gender-sensitive Muslim family laws. I will conclude with some examples from Egypt to explicate the above-mentioned arguments.

<http://hdl.handle.net/1814/17596>

AMIGHINI, Alessia, RABELLOTTI, Roberta, SANFILIPPO, Marco

China's Outward FDI: An industry-level analysis of host country determinants, CESifo Working Papers, 2011/3688;

We provide an empirical analysis of host country determinants of Chinese outward FDI for the period 2003 to 2008, using data disaggregated by country and industry. We want to assess the relevance of market-seeking, resource-seeking and strategic asset seeking motivations suggested by the theory on FDI determinants. Our results show that only FDI in manufacturing is attracted by market seeking motivations. As expected, resource seeking is an important motivation for Chinese FDI in resource related sectors, which usually refers to countries with political fragile environments. Strategic asset seeking motivations are relevant for both manufacturing and services.

<http://hdl.handle.net/1814/20510>

ANDERSON Q.C., David, MURPHY, Cian C.

The Charter of Fundamental Rights: History and Prospects in Post-Lisbon Europe, EUI LAW, 2011/08;

The EU Charter of Fundamental Rights has been incorporated into European constitutional law ten years after it was adopted by the EU institutions. In that time the Charter developed from a 'solemn proclamation' to a persuasive authority before the European Courts and now a binding Charter for the EU. It has been referred to in the case-law of both the European Court of Justice and the European Court of Human Rights. However, the Charter's history and future are the subject of political contest and academic debate. Along with the accession to the European Convention on Human Rights, it is likely to provide much scope for debate in coming years. This paper assesses the Charter's development from a proposal to increase EU legitimacy to its current status as the Union's own Bill of Rights. It examines the

rights protected by the Charter, their sources and how they may be interpreted in light of the 'Explanations' in the Official Journal. The case-law of the European Courts on the Charter is catalogued and analysed to determine the Charter's likely value in human rights litigation. Finally, the chapter analyses the application of the Charter across the EU and considers its implications in the Member States that have limited its effect. Three related themes are woven throughout the analysis: the conflicting motivations of the Member States and the EU institutions, the potential for broadening and strengthening human rights protection in the EU and the Charter's relationship with the European Convention on Human Rights.

<http://hdl.handle.net/1814/17597>

ANDERSON, Robert, DUBOIS, Hans, KOARK, Anne, LECHNER, Götz, RAMSAY, Iain, ROETHE, Thomas MICKLITZ, Hans-Wolfgang (ed/s)

Consumer Bankruptcy in Europe Different Paths for Debtors and Creditors, EUI LAW, 2011/09;

The economic crisis has fuelled the debate on regulated state insolvencies. And while debt relief is being considered for nations, in some European countries consumers live their whole lives in debt as there is no consumer bankruptcy process which provides for an exemption from residual debt. There are thus no uniform regulations on how private individuals can make a clean financial start in Europe and debtors and creditors have different roads to take. The standard moral debate on consumer bankruptcy proceedings ranges between two extremes, i.e. from attaching individual blame for debt to expropriation of creditors.

<http://hdl.handle.net/1814/18255>

ANDRIGHETTO, Giulia, VILLATORO, Daniel

Sanction as a Viable Tool for Promoting Cooperation: A Cognitive and Simulation Model, EUI MWP, 2011/10;

Punishment plays a crucial role in achieving and maintaining norm compliance. Several works have shown that cooperation greatly increases when punishment opportunities are allowed. However, these studies have mainly looked at punishment from the classical economic perspective, as a way of changing people's conduct by increasing the cost of undesired behaviour. In this paper, we distinguish between two enforcing mechanisms, punishment and sanction, focusing on the specific ways in which they promote and maintain cooperation. In particular, by punishment we refer to a practice that works only by imposing a cost, while by sanction we indicate a practice that in addition to that also signals the existence of a norm and that its violation is not condoned. To achieve this, we have developed a normative agent able both to punish and sanction offenders and to be affected by these enforcing mechanisms itself. The results obtained through agent-based simulation show us that sanction is more effective and makes the population more resilient to sudden changes than mere punishment.

<http://hdl.handle.net/1814/18014>

ANDRIYCHUK, Oles

Rediscovering the Spirit of Competition: On the Normative Value of the Competitive Process, EUI LAW, 2011/01;

The normative argument of this paper is that competition should constitute a fundamental value of liberal democracy. The antitrust law thereby should primarily address the deontological issues of protection and promotion of the competitive process. The utilitarian values of competition, such as consumer or total welfare, as well as other economic or political interests which competition ancillary promotes should not be considered as the only legitimate reason for the existence of antitrust law. The assumption that competition is only useful as a means to generate welfare is critically contested in this paper. If liberal democracies appreciate welfare more than competition then the latter could be subject of compromise any time when there are more efficient ways to generate welfare. This would undermine the very concept of freedom which constitutes the main component of the competitive process. The normative justification of this statement is provided by analysing similarities between political, cultural and economic aspects of competition and by demonstrating their constitutional significance for liberal humanistic societies. This bold premise, however, faces many practical difficulties which are addressed in this paper with the view of providing an operational algorithm for correlation between the ethical

dimensions of competition and its functional, welfare-centred aspects.

<http://hdl.handle.net/1814/15705>

ARGENTON, Cédric, WILLEMS, Bert

Exclusion Through Speculation, EUI RSCAS, 2011/63, Loyola de Palacio Programme on Energy Policy;

Bert Willems' work was funded under a Marie Curie Intra European Fellowship (PIEF-GA-2008-221085)

Many commodities are traded on both a spot market and a derivative market. We show that an incumbent producer may use purely financial derivatives to extract rent from a potential entrant. It can do so by selling derivatives to a large buyer for more than his expected production level. This exclusionary scheme comes at the cost of inefficiently deterring entry and creating too much risk for the buyer. We further show that it can still be used when contracts are offered anonymously through a broker, as the incumbent can signal its identity by adjusting the contracting terms.

<http://hdl.handle.net/1814/19497>

ASCARI, Sergio

An American Model for the EU Gas Market?, EUI RSCAS, 2011/39, Florence School of Regulation;

It is generally believed that the American model is not suitable for Europe, yet North America is the only large and working competitive gas market in the world. The paper shows how its model could be adapted as a target for market design within the European institutional framework. It starts from analysis of the main peculiar economic features of the gas transportation industry, which should underpin any efficient model. After the Third Package is properly implemented the EU will share several building blocks of the American model: effective unbundling of transportation and supply; regulated tariffs which, for long distance transportation, are in fact largely related to capacity and distance; investments based mostly on industry's initiative and resources, and the related decisions are increasingly made after open and public processes. Yet Europe needs to harmonize tariff regulation criteria, which could be achieved through a monitoring process. National separation of main investment decisions should be overcome, possibly by organising a common platform where market forces and public authorities interact with private suppliers to require existing and develop new capacity, whereas industry competitively offers its solutions. Such platform would allow for long term capacity reservation, subject to caps and congestion management provisions. Auctions and possibly market coupling would play an important role in the allocation of short term capacity but a limited one in long term. Market architecture and the organisation of hubs would also be developed mostly by market forces under regulatory oversight. The continental nature of the market suggests a likely concentration of trading in a very limited number of main markets, whereas minor markets would have a limited role and would be connected to major ones, with price differences reflecting transportation costs and market conditions. Excessive interference or pursuit of political goals in less than transparent ways involves the risk of slower liquidity development and higher market fragmentation. With this view as a background, regulatory work aimed at completing the European market should be based on ensuring the viability of interconnections between current markets and on the establishment of common platforms and co-ordinated tariff systems, fostering the conditions for upstream and transportation capacity development.

<http://hdl.handle.net/1814/18056>

AUSTER, Sarah

Asymmetric Awareness and Moral Hazard, EUI ECO, 2011/31;

This paper introduces asymmetric awareness into the classical principal-agent model and discusses the optimal contract between a fully aware principal and an unaware agent. The principal enlarges the agent's awareness strategically when proposing the contract. He faces a trade off between participation and incentives. Leaving the agent unaware allows him to exploit the agent's incomplete understanding of the world. Making the agent aware enables the principal to use the revealed contingencies as signals about the agent's action choice. The optimal contract reveals contingencies that have low probability but are highly informative about the agent's effort.

<http://hdl.handle.net/1814/19355>

AZOULAI, Loic

The Force and Forms of European Legal Integration, EUI LAW, 2011/06;

This paper addresses the problem of the integration of EU law into the national legal systems. By what title can EU law impose its norms on domestic legal orders, and so much so that the conditions in which the rule-making process is organized within the Member States are considerably affected? On what conditions can EU law be integrated? What consequences does such normative integration entail? The legal dynamics of integration produces different discourses of justification that can be defined within a general grammar of relations between legal orders. The purpose of the paper is to describe these discourses and their respective relevance in the actual course of integration.

<http://hdl.handle.net/1814/16894>

BAHI, Riham

Islamic and Secular Feminisms: Two Discourses Mobilized for Gender Justice, EUI RSCAS, 2011/25, Mediterranean Programme;

(Product of workshop No. 2 at the 12th MRM 2011)

The role of women in Islam is invested with diverse meanings and discourses. The state, religious authorities, traditional Islamists and reformist intellectuals all claim the right to define the role of women in the Islamic society. This contestation over the meanings attached to women makes the issue of gender a key dimension of contemporary Muslim politics. This paper surveys the growing academic literature on women in Islam and presents two oppositional interpretative and analytical categories: secular modernist and Islamic reformist that both address the traditional, patriarchal Islamic discourse. The dichotomy between the two scholarly discourses emanates from differences in their frames of reference, methodology and outcome. It also presents arguments for synergy between secularism and Islam. My main argument in this paper is that searching for the appropriate framework is vital in understanding women activism in non-Western societies. The appropriate framing of the “Muslim women” question is needed not only for itself, but also because it carries important policy implications. Instead of subsuming the “Muslim women” question directly under the feminist theory, like most scholars do, I argue that we may use the well-developed theory to pose telling questions about the phenomenon, but without supposing that the answers will be the same and without insisting on strict correspondence.

<http://hdl.handle.net/1814/17294>

BANDIERA, Oriana, GUIISO, Luigi, PRAT, Andrea, SADUN, Raffaella

What Do CEOs Do?, EUI ECO, 2011/06;

We develop a methodology to collect and analyze data on CEO's time use. The idea sketched out in a simple theoretical set-up is that CEO time is a scarce resource and its allocation can help us identify the firm's priorities as well as the presence of governance issues. We follow 94 CEOs of top-600 Italian firms over a pre-specified week and record the time devoted each day to different work activities. We focus on the distinction between time spent with insiders (employees of the firm) and outsiders (people not employed by the firm). Individual CEOs differ systematically in how much time they spend at work and in how much time they devote to insiders vs. outsiders. We analyze the correlation between time use, managerial effort, quality of governance and firm performance, and interpret the empirical findings within two versions of our model, one with effective and one with imperfect corporate governance. The patterns we observe are consistent with the hypothesis that time spent with outsiders is on average less beneficial to the firm and more beneficial to the CEO and that the CEO spends more time with outsiders when governance is poor.

<http://hdl.handle.net/1814/15647>

BASER, Bahar

Kurdish Diaspora Political Activism in Europe with a Particular Focus on Great Britain, Research Report, Berghof Peace Support/Centre for Just Peace and Democracy, 2011;

The Kurdish diaspora is the largest stateless diaspora in the world and it is thought to be the most politically active migrant group in Europe. Their activities consequently caused a spill over of the conflict in Turkey to Europe and beyond. The diffusion of conflict outside Turkish borders reveals itself in frequent Kurdish protests and demonstrations, hunger strikes, and occasional violence between

Turkish and Kurdish groups in Europe. Besides these activities, the diaspora works alongside numerous civil society organisations throughout Europe to raise awareness of the situation of the Kurds in Turkey. They have succeeded in putting the Kurdish issue on the European agenda and have lobbied European politicians and governments to put pressure on Turkey over a resolution to the Kurdish issue. This article is an attempt to chart the Kurdish diaspora and their political activism with regard to the Kurdish question in Turkey. It focuses on the reasons for the Kurdish influx into Europe and Kurdish diaspora engagements. Moreover, it aims to put special emphasis on the first and second generation Kurds in Europe, as well as the situation of Kurdish women in the diaspora. The paper includes a discussion devoted to the mobilization of the Kurdish diaspora in the UK.
<http://hdl.handle.net/1814/18114>

BAUBOCK, Rainer, HELBLING, Marc (ed/s)

Which Indicators are Most Useful for Comparing Citizenship Policies?, EUI RSCAS, 2011/54, EUDO Citizenship Observatory;

The comparative study of citizenship regimes has reached a new stage. Several authors and research teams have constructed indicators and compound indices that allow comparing larger numbers of countries in more systematic ways. In his kickoff contribution for the EUDO CITIZENSHIP forum debate, Marc Helbling asks whether indicators that are constructed independently from each other, but often measure similar phenomena, are really useful. He suggests to distinguish between policy outputs and outcomes, naturalisation and rejection rates as well as simple and complex indicators. Nine authors respond to this challenge. Several among them propose that citizenship indicators serve different research purposes and some challenge the very idea of indicator-based evaluation of citizenship policies. Although this debate certainly does not conclude in consensus, Helbling's rejoinder shows that the link between research purposes and methods has been clarified to a certain extent. By social science standards, this is not insignificant progress.
<http://hdl.handle.net/1814/19015>

BAUKNECHT, Dierk

Incentive Regulation and Network Innovations, EUI RSCAS, 2011/02, Loyola de Palacio Programme on Energy Policy;

Smart Grids require innovations in the electricity networks, mainly on the level of the distributed system operator (DSO). A main objective is to increase the share of distributed generation (DG) connected to that network level, but also to enable load management on the demand side. This paper analyses network innovations in the context of the regulatory framework, namely incentive regulation. It is structured as follows: The first section examines how cost-based and price-based regulatory schemes influence RD&D by regulated companies. This is followed by a discussion of various regulatory instruments to stimulate innovation. The third section provides a more general discussion of the pros and cons of promoting network innovations via network regulation.
<http://hdl.handle.net/1814/15481>

BEKIROS, Stelios D., MARCELLINO, Massimiliano

The Multiscale Causal Dynamics of Foreign Exchange Markets, EUI ECO, 2011/23;

This paper relies on wavelet multiresolution analysis to capture the dependence structure of currency markets and reveal the complex dynamics across different timescales. It investigates the nature and direction of causal relationships among the most widely traded currencies denoted relative to the United States Dollar (USD), namely Euro (EUR), Great Britain Pound (GBP) and Japanese Yen (JPY). The timescale analysis involves the estimation of linear vis-à-vis nonlinear and spectral causality of wavelet components and aggregate series as well as the detection of short- vs. long-run linkages and cross-scale correlations. Moreover, this study attempts to probe into the micro-foundations of across-scale heterogeneity in the causality pattern on the basis of trader behavior with different time horizons. New stylized properties emerge in the volatility structure and the implications for the flow of information across scales are inferred. The examined period starts from the introduction of the Euro and covers the dot-com bubble, the financial crisis of 2007-2010 and the Eurozone debt crisis. Technically, this paper presents an invariant discrete wavelet transform that deals efficiently with phase shifts, dyadic-length and boundary effects. It also proposes a new entropy-based methodology for the

determination of the optimal decomposition level. Overall, there is no indication of a global causal behavior that dominates at all timescales. When the nonlinear effects are accounted for, the evidence of dynamical bidirectional causality implies that the pattern of leads and lags changes over time. These results may prove useful to quantify the process of integration as well as influence the greater predictability of currency markets.

<http://hdl.handle.net/1814/17582>

BEKIROS, Stelios D.

Exchange Rates and Fundamentals: Co-movement, long-run relationships and short-run dynamics, EUI ECO, 2011/21;

The present study builds upon the seminal work of Engel and West [2005, *Journal of Political Economy* 113, 485-517] and in particular on the relationship between exchange rates and fundamentals. The paper discusses the well-known puzzle that fundamental variables such as money supplies, interest rates, outputs etc. provide help in predicting changes in floating exchange rates. It also tests the theoretical result of Engel and West (2005) that in a rational expectations present-value model, the asset price manifests near-random walk behaviour if the fundamentals are I(1) and the factor for discounting future fundamentals is near one. The study explores the direction and nature of causal interdependencies and cross-correlations among the most widely traded currencies in the world, their country-specific fundamentals and their US-differentials. A new VAR/VECM-GARCH multivariate filtering approach is implemented, whilst linear and nonlinear non-causality is tested on the time series. In addition to pairwise causality testing, several different groupings of variables are explored. The methodology is extensively tested and validated on simulated and empirical data. The implication is that although exchange rates and fundamentals appear to be linked in a way that is broadly consistent with asset-pricing models, there is no indication of a prevailing causal behaviour from fundamentals to exchange rates or vice-versa. When nonlinear effects are accounted for, the evidence implies that the pattern of leads and lags changes over time. These results may influence the greater predictability of currency markets. Overall, fundamentals may be important determinants of FX rates, however there may be some other unobservable variables driving the currency rates that current asset-pricing models have not yet captured.

<http://hdl.handle.net/1814/17580>

BEKIROS, Stelios D.

Nonlinear Causality Testing with Stepwise Multivariate Filtering, EUI ECO, 2011/22;

This study explores the direction and nature of causal linkages among six currencies denoted relative to United States dollar (USD), namely Euro (EUR), Great Britain Pound (GBP), Japanese Yen (JPY), Swiss Frank (CHF), Australian Dollar (AUD) and Canadian Dollar (CAD). These are the most liquid and widely traded currency pairs in the world and make up about 90% of total Forex trading worldwide. The data covers the period 3/20/1987-11/14/2007, including the Asian crisis, the dot-com bubble and the period just before the outbreak of the US subprime crisis. The objective of the paper is to test for the existence of both linear and nonlinear causal relationships among these currency markets. The modified Baek-Brock test for nonlinear non-causality is applied on the currency return time series as well as the linear Granger test. Further to the classical pairwise analysis causality testing is conducted in a multivariate formulation, to correct for the effects of the other variables. A new stepwise multivariate filtering approach is implemented. To check if any of the observed causality is strictly nonlinear, the nonlinear causal relationships of VAR/VECM filtered residuals are also examined. Finally, the hypothesis of nonlinear non-causality is investigated after controlling for conditional heteroskedasticity in the data using GARCH-BEKK, CCC-GARCH and DCC-GARCH models. Significant nonlinear causal linkages persisted even after multivariate GARCH filtering. This indicates that if nonlinear effects are accounted for, neither FX market leads or lags the other consistently and currency returns may exhibit statistically significant higher-order moments and asymmetries.

<http://hdl.handle.net/1814/17581>

BELLOC, Filippo, NICITA, Antonio, PARCU, Pier Luigi

Deregulating Telecommunications in Europe: Timing, Path-Dependency, and Institutional

Complementarities, EUI RSCAS, 2011/47, Florence School of Regulation;

We investigate institutional and policy drivers of telecommunications deregulation in Europe. In particular, we focus on those determinants which received so-far a comparatively little attention: policy speed and timing, path-dependency, institutional complementarity. We find that: first, crosseffects from privatizations to liberalizations reveal to affect the liberalization process; second, the telecommunications industry is shown to play a 'pivotal role' in the liberalization patterns of European countries; third, 'path dependency' turns out to be a crucial driver for telecommunications' liberalizations; fourth, liberalizations in telecommunications result to be linked across European countries; fifth, 'institutional complementarities' between liberalization initiatives and regulatory authorities are shown to significantly shape the telecommunications market structure. Finally, we interpret our findings in light of the evolution of the European regulatory framework and suggest that these results may represent important lessons for policy design in other network industries.
<http://hdl.handle.net/1814/18359>

BERNARDI, Fabrizio, BALLARINO, Gabriele

Participation, Equality of Opportunity and Returns to Tertiary Education in Contemporary Europe, AlmaLaurea Working Paper, 2011/10;

The aim of the paper is to investigate the consequences of higher educational expansion on two goals of the educational system, that of promoting equity of educational opportunities and that of providing credentials that facilitate the matching between labour supply and demand. The first goal is typically studied by research on inequality of educational opportunities, the second by research on returns to education and credential inflation. The key idea of the paper is that educational expansion can have different and possible opposite effects on the two goals. -- a. If with educational expansion equality of educational opportunities increases, while the occupational values of the titles decreases, one has a trade-off scenario, ie an increase in equality of educational opportunities is matched by a decline in the value of higher education in the labour market. -- b. If equality of opportunities does not increase, despite expansion of higher education, and the returns of higher education degrees decline, one has then a worst-off scenario. -- c. Finally, if with educational expansion equality of opportunities increases and there is no credential inflation, one has a best-off scenario. In this paper we systematically investigate these alternative scenarios. We perform the same empirical analysis on two distinct data sets in order to test the robustness of our findings. We use micro data from EU-SILC 2005 and from the four merged waves of the European Social Survey (2002- 2008) for 23 countries.
<http://hdl.handle.net/1814/21002>

BESSUDNOV, Alexey

Social Class, Employment Contracts and Economic Security in the Russian Labour Market, EUI MWP, 2011/13;

In this paper I explore occupational class differences in employment contracts, fringe benefits and unemployment risks in Russia. Using panel data, I provide both a descriptive account of class differentials in these labour market outcomes and fixed-effects estimates of the effects of occupational class. I also discuss the dynamics of the class structure in post-Soviet Russia.
<http://hdl.handle.net/1814/18138>

BIEBER, Roland

Observer - Policeman - Pilot: On lacunae of legitimacy and the contradictions of financial crisis management in the European Union, EUI LAW, 2011/16;

In matters of economic policy, the institutions of the European Union exercise uncoordinated functions of observer, policeman and pilot. Under normal circumstances the EU institutions act as observer of the economic policies of the Member States. This "soft law" approach contrasts sharply with their role to act as "policemen" and as a pilot, when excessive debts arise in the Member States. The contrast is illustrated by the "friendly advice", given to Greece in 2009 and the peremptory command addressed to this country in 2010/2011. A stable legal framework would require the elimination - or at least, attenuation - of the mismatch between the feeble powers to shape policy and the robustness of the powers to intervene in case of excessive public deficit and to impose policy sanctions. EU action needs

to be targeted at an earlier stage in the process, so that ex post facto intervention with sanctions can be avoided. Furthermore, the present rules on EMU place at risk the legitimacy of both the EU and Member States. Neither national parliaments nor the European Parliament are involved in the shaping of and the decision on Recommendations for economic policy. In the longer term, there is no alternative: the EU will have to be granted powers to take binding decisions in the area of economic policy, and, in parallel, to reconfigure the decision-making system so that economic and social policy measures have democratic legitimacy. In any event, the only reliable “pilot” is the “institutional framework” as described in Article 13 of the TEU.

<http://hdl.handle.net/1814/19696>

BONAPARTE, Yosef, COOPER, Russell, ZHU, Guozhong

Consumption Smoothing and Portfolio Rebalancing: The effects of adjustment costs, NBER Working Paper, 2011/16957;

This paper studies the dynamics of portfolio rebalancing and consumption smoothing in the presence of non-convex portfolio adjustment costs. The goal is to understand a household's response to income and return shocks. The model includes the choice of two assets: one riskless without adjustment costs and a second risky asset with adjustment costs. With these multiple assets, a household can buffer some income fluctuations through the asset without adjustment costs and engage in costly portfolio rebalancing less frequently. We estimate both preference parameters and portfolio adjustment costs. The estimates are used for evaluating consumption smoothing and portfolio adjustment in the face of income and return shocks.

<http://hdl.handle.net/1814/21215>

BONOLI, Giuliano, NATALI, David

The Politics of the New Welfare States in Western Europe, EUI RSCAS, 2011/17;

The present paper has a twofold objective. First we discuss different possible interpretations of recent current social policy change. Western European welfare states have been characterised by (functional and normative) innovation towards cost-containment, activation, social investment, and the flexicurity model. While the effect of recent waves of reforms is still debated, norms and cognitive elements of welfare policy have clearly changed. Second, on the basis of existing scholarship, we try to develop an explanation of the observed pattern of change with specific reference to the politics of ‘blame avoidance’ and ‘credit claiming’. The recent reform process has seen the emergence of a complex set of strategies policymakers have implemented to improve social and political consensus for innovation. The latter has consisted in the transformation of the social and employment policies inherited from the past. Third we shed light on some key aspects of the reforms’ output and outcome, with a brief summary of the main issues in need for further research. Reforms have been consistent with the ‘contingent’ convergence of national welfare states through a sequence of transformative innovations, with evident distributional effects.

<http://hdl.handle.net/1814/16194>

BORTOLOTTI, Bernardo, CAMBINI, Carlo, RONDI, Laura

Regulatory Independence, Ownership and Firm Value: The Role of Political Institutions, EUI RSCAS, 2011/43, Florence School of Regulation;

We study the effect of the establishment of independent regulatory agencies on the market-to-book ratios of publicly traded European regulated firms observed from 1994 to 2005. We find that independent regulation in combination with residual State ownership positively affects the market value of regulated firms while high leverage increases the market value of privately controlled firms. The positive relationship between firm value and the government's stake is particularly strong and significant in countries where political institutions do not constrain the power of the executive. We conclude that where the institutional foundations of regulatory commitment are weak, the government tends to affect the regulatory process in order to benefit State-owned firms.

<http://hdl.handle.net/1814/18237>

BRANDSMA, Gijs Jan, BLOM-HANSEN, Jens

The Post-Lisbon Battle Over Comitology: Another round of the politics of structural choice, EUI

SPS, 2011/03;

The entry into force of the Lisbon Treaty has presented the three EU institutions with a rare opportunity to completely re-design the system of control of the Commission's delegated powers. Hitherto, the Commission's ability to adopt implementing measures was controlled via the by now well-known comitology system, that has undergone only minor changes since it was introduced in the early 1960s. Since the new Treaty distinguishes between delegated and implementing acts, and also specifies that the rules of the game for implementing acts have to be decided via a co-decision regulation, all institutions attempted to secure strong control positions in the newly emerging system. Now that the new system has been finally agreed upon, this paper asks the *qui bono* question: Who benefits from the new system, and how did those actors get what they wanted? In our analysis we treat the negotiations on the new system as a game of structural choice, and trace back the course of the negotiations through a close analysis of formal and informal documents and interviews. Although in the end we find much support for our hypotheses, we find that the course of events in some respects has gone further than we theoretically expected.

<http://hdl.handle.net/1814/18440>

BRESSANELLI, Edoardo

The Organization of the EU Parliamentary Parties: the Impact of Eastern Enlargement, Studies in Public Policy, University of Aberdeen SPP 483;

This paper elaborates on the work of Bailer and colleagues (2009) and it seeks to apply two sociological theories on the effects of group size - oligarchization and formalization - to political Groups in the European Parliament. On the basis of these theories, the substantial expansion in the membership of the political Groups which resulted from the 'Big Bang' enlargement towards Central and Eastern Europe is expected to bear two consequences for their organizations: their chief organs (Bureau and/or Presidency) will become more powerful and their bureaucratic structure will expand and become more complex. Empirically, this paper makes a qualitative comparison of the internal organization of the three largest political Groups (the Conservative EPP, the Socialists and the Liberals) before and after enlargement. It is based on original archival research in the political Group secretariats in Brussels and interviews with senior administrators and MEPs. By presenting an in-depth study of the Groups' internal organizations, this paper contributes to the debate on the sources of voting cohesion in the EP.

<http://hdl.handle.net/1814/18075>

BRUEGGEMANN, Ralf, LUETKEPOHL, Helmut

Forecasting Contemporaneous Aggregates with Stochastic Aggregation Weights, EUI ECO, 2011/17;

Many contemporaneously aggregated variables have stochastic aggregation weights. We compare different forecasts for such variables including univariate forecasts of the aggregate, a multivariate forecast of the aggregate that uses information from the disaggregate components, a forecast which aggregates a multivariate forecast of the disaggregate components and the aggregation weights, and a forecast which aggregates univariate forecasts for individual disaggregate components and the aggregation weights. In empirical illustrations based on aggregate GDP and money growth rates, we find forecast efficiency gains from using the information in the stochastic aggregation weights. A Monte Carlo study confirms that using the information on stochastic aggregation weights explicitly may result in forecast mean squared error reductions.

<http://hdl.handle.net/1814/17217>

BRUGIAVINI, Agar, PACE, Noemi

Extending Health Insurance: Effects of the National Health Insurance Scheme in Ghana, EUI RSCAS, 2011/27, European Report on Development;

There is considerable interest in exploring the potential of health insurance to increase the access to, and the affordability of, health care in Africa. We focus on the recent experience of Ghana, where a National Health Insurance Scheme (NHIS) became law in 2003 and fully implemented from late 2005. Even though there is some evidence of large coverage levels, the effect of the NHIS on health care demand and out-of-pocket expenditures has still not been fully examined. This paper is an attempt to close this gap. Using nationally-representative household data from the Ghana Demographic and

Health Survey, we find that the introduction of the NHIS has a positive and significant effect on the utilisation of health care services, although it does have only a weak effect on out-of-pocket expenditure.

<http://hdl.handle.net/1814/17221>

BUSHNELL, James

Building Blocks: Investment in Renewable and Nonrenewable Technologies, EUI RSCAS, 2011/53, Loyola de Palacio Programme on Energy Policy;

This paper examines how the increasing penetration of intermittent renewable generation can change the economic landscape for merchant power investment in conventional thermal generation. An equilibrium model of generation investment is developed, based on the long-standing principles of finding the optimal mix of capital intensive and higher marginal cost resources to serve a market with fluctuating demand. This model is then applied to data on electricity markets from several regions of the western United States to examine how the interaction of increasing wind capacity and electricity market design affects the equilibrium mix of thermal capacity and the revenues earned by renewable suppliers. <http://hdl.handle.net/1814/19421>

BUTLER, Jeffrey V., GUISO, Luigi, JAPPELLI, Tullio

The Role of Intuition and Reasoning in Driving Aversion to Risk and Ambiguity, EUI ECO, 2011/13;

Using information on a large sample of retail investors and experimental data we find that risk aversion and risk ambiguity are correlated: individuals who dislike risk also dislike ambiguity. We show that what links these traits is the way people handle decisions. Intuitive thinkers are less averse to risk and less averse to ambiguity than individuals who base their decisions on effortful reasoning. We confirm this finding in a series of experiments. One interpretation of our results is that the high-speed of intuitive thinking puts intuitive thinkers at a comparative advantage in situations involving high risk and ambiguity, making them less averse to both. Consistent with this view we show evidence from the field and from the lab that intuitive thinkers perform better than deliberative thinkers when making decisions in highly ambiguous and risky environments. We also find that attitudes toward risk and ambiguity are related to different individual characteristics and wealth. While the wealthy are less averse to risk, they dislike ambiguity more, a finding that has implications for financial puzzles.

<http://hdl.handle.net/1814/17195>

CAFAGGI, Fabrizio

The Architecture of Transnational Private Regulation, EUI LAW, 2011/12;

Conflicting interests among private actors constitute an important factor to explain why and how transnational private regulation has grown and the proliferation of standards and standard setting organizations that has followed. This essay provides a map of transnational regulatory space suggesting that the different levels are related to various governance responses to conflicts within the private sphere and between private and public actors. Three levels of the global regulatory space are considered: (1) the single global regulatory body, where interests are integrated into one organization, (2) the regime, in which multiple organizations operate, regulating within the same policy field, (3) multiple regimes often associated with different, often conflicting, policies that interplay cooperatively or competitively. In the last instance the conflict of interests translates into a conflict of norms. Unlike in the traditional multilevel governance literature, where 'levels' are primarily defined on the basis of a territorial metric, here the notion of regulatory space is functional and independent from the administrative boundaries of nation states. For the three levels, the choice of the key governance features are driven by the different forms of the relationship between regulators, regulatees and beneficiaries and how their conflicting interests are balanced at the organizational and/or regime level. Depending on how the interests of regulatees and beneficiaries are combined, different governance options will emerge: creating single or multiple regulators, defining the architecture of the whole regime, in particular the alternative between monopoly and plurality of private regulators, or creating independent regimes, each one representing the interests of a constituency with potentially policies' interdependencies. The selection of the legal instruments, in particular the choice between contract and organization to coordinate conflicting interests is correlated to the level: organization law is more

important in the first level while contract law becomes increasingly important moving up to the regime or inter-regime level. Two forms of governance are distinguished: micro-governance, operating primarily through organizations where judicial intervention by domestic courts is very limited; macrogovernance, using transactional rather than organizational tools, deploying coordination mechanisms between organizations or regimes representing different interests (trade and environment, e-commerce and data protection, labour and consumer). In the latter case the role of domestic Courts increases to regulate conflicts and allocate ex post the regulatory space. The paper concludes arguing that the future of TPR and its effectiveness will depend on the choice among these different levels which will be partly driven by endogenous factors, and partly by exogenous legal and non legal factors, among which competition law is likely to play an important role.

<http://hdl.handle.net/1814/18256>

CALVI, Giulia, FADIL, Nadia (ed/s)

Politics of Diversity: Sexual and Religious Self-fashioning in Contemporary and Historical Contexts, EUI HEC, 2011/01;

Scott's seminal book 'Politics of the Veil' (2007) offers a multifaceted analysis of the French headscarf debate since its emergence in 1989 and a critique of French republican universalism which constructs veiled women as 'others' who transgress the attempts to carve a unified imaginary of France. This work provided a fruitful ground to engage with questions of 'difference' and 'belonging' from a multidisciplinary and gendered perspective. Two broad interpretative approaches can be discerned in the following papers: a structural, perspective which seeks to examine the way 'otherness' is regulated and shaped; a postcolonial dimension of this discussion. The papers collected here thus provide a rich set of perspectives upon how 'difference' is shaped, contested and negotiated in a juridical, sociological and historical dimension. The themes addressed trespass the sole question of the place of religion in the public sphere, or the question of 'integration' and cultural diversity, but they rather demonstrate how a semblance of homogeneity and coherence is shaped through this regulation of difference. It is this regulation of difference that lies at the heart of the current political conjuncture, as the question of Europe's identity turns into a central societal and political preoccupation.

<http://hdl.handle.net/1814/15946>

CAMBINI, Carlo, RONDI, Laura

Independence, Investment and Political Interference: Evidence from the European Union, EUI RSCAS, 2011/42, Florence School of Regulation;

This paper examines the implications of "modern" regulatory governance - i.e. the inception of Independent Regulatory Authorities (IRAs) - for the investment decisions of a large sample of EU publicly traded regulated firms from 1994 to 2004. These firms provide massively consumed services, and this is why governments are highly sensitive to regulatory decisions and outcomes. We therefore analyse and empirically investigate if: i) the inception of IRAs reduces the time-inconsistency problems that lead regulated firms to underinvest, and ii) governments' political orientation and residual state ownership interfere with investment decisions. To control for potential endogeneity of the key institutional variables, we draw our identification strategy from the political economy literature. Our results show that regulatory independence has a positive impact on regulated firms' investment while private vs. state ownership is not significant. We also find that, under executives at the extreme of the political spectrum, government interference in the functioning of the IRA is likely to re-introduce instability and uncertainty in the regulatory framework, thus undermining investment incentives.

<http://hdl.handle.net/1814/18058>

CAMPESI, Giuseppe

The Arab Spring and the Crisis of the European Border Regime: Manufacturing Emergency in the Lampedusa Crisis, EUI RSCAS, 2011/59, Mediterranean Programme;

The so-called Arab Spring has thrown out of kilter the precarious balance on which the Euro-Mediterranean border-control regime has been built over the years, illustrating the need to set this regime on a new foundation. The breaking point in the crisis came when the flow of migrants landing on Italian shores in Lampedusa took a spike at the beginning of this year. I analyze how the Italian

government manufactured the Lampedusa crisis by matching a discursive rhetoric to government strategy, and I highlight how the sovereign prerogative to define emergency was questioned at both a supranational and a subnational level. I also discuss the main assumption behind securitization theory, exploring the complex web of political and institutional relationships involved in the securitization process and illustrating the ambiguity of the security language deployed by the main securitizing actors. Finally, I look at the possible outcomes of the crisis by looking at the interests involved when it comes to reconfiguring the power to define and govern emergency within the framework of the European border-control regime.

<http://hdl.handle.net/1814/19375>

CASAL BÉRTOA, Fernando

Sources of Party System Institutionalization in New Democracies: Lessons from East Central Europe, EUI SPS, 2011/01;

Building on Casal Bértoa and Mair's (2010) work on the institutionalization of post-communist party systems and as a response to their uneasiness with the failure of the party politics literature to determine what causes party system institutionalization in the first place, this paper addresses the following question: what are the sources of party system institutionalization in post-communist East Central Europe? In particular, what is it that explains the institutionalization of the Hungarian and Czech party systems in clear contrast to those of Slovakia and Poland, which are considered weak and under-institutionalized, respectively?

<http://hdl.handle.net/1814/15804>

CASAROSA, Federica

Protection of Minors Online: Available Regulatory Approaches, EUI RSCAS, 2011/15;

If the second half of the 20th century saw the flourishing of a wide range of new technologies, the 21st century is the time in which such technologies become ubiquitous. In particular, the Internet, originally designed as a system of communication for military services in case of default of radio systems, is now the most widespread technology globally, providing the easiest and cheapest way to connect users from different parts of the world. Needless to say, the most prominent users of interchangeable devices for the interactive use of the Internet are minors, either during their childhood or their teenage years. The widening of this new class of users, on the one hand, is a trigger for public policy to "revitalise agendas of informal education, health and lifestyle advice, and civic participation", but, on the other hand, it multiplies the difficulties of policymakers, who have become more and more concerned about the risks and perils that minors face during their online surfing activities. This paper will try to address the regulatory solutions put forward for the different types of risk that minors can encounter online, analyzing their scope and potential flaws in order to provide a set of criteria that could be taken into account in the drafting process of such policies.

<http://hdl.handle.net/1814/16174>

CASSARINO, Jean-Pierre

Confidence-building in Tunisia after the Popular Uprising: Strategies and Dilemmas of the Interim Government, IAI Working Paper, 11/04;

Since the fall of Ben Ali on 14th January 2011, Tunisia has been going through a process of transformation and reconfiguration of the manifold relationships between the state and society. So far, a series of legal amendments and policy provisions have been considered to respond to immediate political demands in the run-up to the next elections. However, the numerous policy steps that have been achieved so far should not conceal resilient challenges pertaining, among others, to the structure of the economy and to its capacity to tackle youth unemployment, poverty in depressed areas, unfair competition, and corruption. The interim government will need to address these deeper challenges lest its credibility be jeopardised and the overall reform process compromised.

<http://hdl.handle.net/1814/15950>

CLOSA, Carlos

Dealing with the Past: Memory and European Integration, Jean Monnet Working Papers, 2011/01;

Memory has become an object of dispute in the EU. Different groups and states do not have a full convergence of views and this raises the question as to whether the EU should or should not be involved. A pluralist conception of justice would argue that the recognition of memory is not excluded as a form of justice. Adopting this view, this paper argues that the recognition of memory can be addressed at the EU level if the different components of justice are allocated to the proper spheres (recognition, retribution and recognition) and levels (national and European).
<http://hdl.handle.net/1814/19836>

COLE, Daniel H.

From Global to Polycentric Climate Governance, EUI RSCAS, 2011/30, Global Governance Programme;

Global governance institutions for climate change, such as those established by the United Nations Framework Convention on Climate Change and the Kyoto Protocol, have so far failed to make a significant impact on greenhouse gas emissions. Following the lead of Elinor Ostrom, this paper offers an alternative theoretical framework for reconstructing global climate policy in accordance with the polycentric approach to governance pioneered in the early 1960s by Vincent Ostrom, Charles Tiebout, and Robert Warren. Instead of a thoroughly top-down global regime, in which lower levels of government simply carry out the mandates of international negotiators, a polycentric approach provides for greater experimentation, learning, and cross-influence among different levels and units of government, which are both independent and interdependent. After exploring several of the design flaws of the existing set of global institutions and organizations for greenhouse gas mitigation, the paper explores how those global institutions and organizations might be improved by learning from various innovative policies instituted by local, state, and regional governments. The paper argues that any successful governance system for stabilizing the global climate must function as part of a larger, polycentric set of nested institutions and organizations at various governmental levels.
<http://hdl.handle.net/1814/17757>

CONTISSA, Giuseppe

Addressing Liability of Automated Systems in Air Traffic Management, EUI MWP, 2011/30;

In the current operational scenario of Air Traffic Management (ATM), liability is mainly allocated to the operators who are responsible for air traffic control and air navigation. However, this scenario will rapidly change: the adoption of new technologies with high automation levels is likely to raise new legal issues related to liability. The paper presents an outline of the issues of liability in relation to automation, focusing on the concept of autonomy and on the delegation of tasks to automatic systems or to hybrid human-machine systems. Finally a proposal to handle such issues is presented, based on a model of ATM as a socio-technical system, where the allocation of liabilities may be seen as a governance mechanism enabling the enhancement of the functioning of ATM.
<http://hdl.handle.net/1814/19014>

COOPER, Russell, KEMPF, Hubert

Deposit Insurance without Commitment: Wall St. versus Main St., EUI ECO, 2011/07;

This paper studies the provision of deposit insurance without commitment in an economy with heterogeneous households. When households are identical, deposit insurance will be provided ex post to reap insurance gains. But the ex post provision of deposit insurance redistributes consumption when households differ in their claims on the banking system as well as in their tax obligations to finance the deposit insurance. Deposit insurance will not be provided ex post if it requires a (socially) undesirable redistribution of consumption which outweighs insurance gains.
<http://hdl.handle.net/1814/15648>

CORSETTI, Giancarlo, DEDOLA, Luca, VIANI, Francesca

The International Risk-Sharing Puzzle is at Business Cycle and Lower Frequency, EUI ECO, 2011/16;

We decompose the Backus-Smith [1993] statistic -- a low or negative correlation between relative consumption and the real exchange rate at odds with a high degree of international risk sharing -- in its dynamic components at different frequencies. Using multivariate spectral analysis techniques we show

that, in most OECD countries, the dynamic correlation tends to be more negative, and significantly so, at business cycle or lower frequencies -- the appropriate frequencies for assessing the performance of international business cycle models. Theoretically, we show that the dynamic correlation predicted by standard open-economy models is the sum of two terms: a term constant across frequencies, which can be negative as a function of uninsurable risk; a term variable across frequencies, which in bond economies is necessarily positive, reflecting the insurance intertemporal trade provides against forecastable contingencies. We show that the main mechanisms proposed in the literature to account for the puzzle are consistent with the evidence.

<http://hdl.handle.net/1814/17216>

CREMONA, Marise

Justice and Home Affairs in a Globalised World: Ambitions and reality in the tale of the EU-US SWIFT Agreement, Austrian Academy of Sciences, Institute for European Integration Research Working Paper, 2011/04;

The EU's policy on Justice and Home Affairs has as its objective the establishment of the Union as 'an area of freedom, security and justice with respect for fundamental rights and the different legal systems and traditions of the Member States'. How does this essentially internal objective translate into international action? How does the Union respond, in an internal policy field, to external challenges? This paper will assess the ambitions and the reality of the external dimension of the EU's policy of Justice and Home Affairs from two perspectives. The first is the close link between internal and external objectives and policies, and the implications for both EU competence and policy priorities. The second is the progressive constitutionalisation of the JHA field, its transformation from inter-governmental cooperation into a policy domain subject to the political and judicial accountability of ordinary legislative procedures. The paper is structured around a case study of the negotiation, renegotiation and eventual conclusion of the EU-US Agreement on the transfer of financial messaging data for the purpose of combating terrorism (the 'SWIFT' Agreement), and in particular the interplay thereby revealed between (i) different regulatory approaches to data protection in the context of international commercial transactions and the needs of private commercial undertakings; (ii) different (EU) institutional actors in the context of international action against terrorism where the EU needs to be seen as an effective actor and partner of the US; and (iii) the needs of public security and the need to provide against the risk of breaches of individual rights of data protection and privacy through the misuse of security-based powers.

<http://hdl.handle.net/1814/20416>

D'ALBIS, Cécile

Richelieu. A Role of Action and its Legacy, EUI MWP, 2011/26;

Biography, a difficult and ambiguous genre, the most popular in all of literature, has played such an important role in the meaning of the individual self in western civilization. Its history has also followed the main crises of history, challenging its relationship to narration and fiction. It has been criticized many times, even if history seems incapable of dealing without it. Perhaps biography is even more difficult to handle and justify when the man whose life you are trying to puzzle out is a wellknown and emblematic politician, as is the case of Armand Jean du Plessis, best known as Cardinal de Richelieu (1585-1642). First Minister of King Louis XIII for 20 years, from 1624 to his death in 1642, he (willingly or not) carried out, promoted and witnessed some of the most significant political and social changes in French and European history. Richelieu has been so often portrayed, criticized and glorified over the centuries that his personality, and even the very reasons for his actions, sometimes seem to us to be covered with a thick coat of finish, like an old painting to be restored. How did Richelieu construct his own image: as a public man, an authoritarian Minister and a Cardinal, occupying the summit of the pyramid of wealth and patronage, an inveterate art collector, but also a Christ-like suffering servant of the king? I attempt to show how he wove together different social, political and personal qualities, in a way that enabled him to stay in his position, and also to legitimize his actions in an epoch of major changes.

<http://hdl.handle.net/1814/18794>

D'AURIZIO, Leandro, ROMANO, Livio

Family Firms and the Great Recession: Out of Sight, Out of Mind?, EUI ECO, 2011/28;

The purpose of this paper is to study how family firms, compared to widely-held companies, reacted to the 2008 economic crisis in terms of employment adjustments. By using a difference-in-difference approach, we provide empirical evidence that divergent paths of adjustment between family and non-family firms exist, with family firms systematically preferring to safeguard workplaces close to the firm's headquarters, compared to other plants. We offer a new theoretical framework consistent with these findings, that we define the social recognition motive, based on the psychological relation linking the family owner with his community of reference. We investigate possible alternative explanations for the results, most of whom can be ruled out in our setting. Finally, we test more directly for the validity of the social recognition theory, finding encouraging results in line with the predictions.
<http://hdl.handle.net/1814/18356>

DE HAUTECLOCQUE, Adrien, PEREZ, Yannick

Law & Economics Perspectives on Electricity Regulation, EUI RSCAS, 2011/21, Loyola de Palacio Programme on Energy Policy;

This paper first reviews some of the main contributions of the new institutional economics to the analysis of the process of competitive transformation of network industries. It shows that neoinstitutional analysis is complementary to the microeconomics of rational pricing, since it accounts for the decisive role of an institutional framework adapted to new transactions. It emphasizes the importance of the political reform process, which draws on the conditions of attractiveness and feasibility to define an initial reorganization of property rights in these industries. The paper then analyzes in this light some of the main challenges ahead for electricity regulation: the question of investment in generation capacities and the link to long term contracts, the regulation of wholesale market power, the support to Renewable Energy Sources for Electricity (RES-E) and the design of new regulatory authorities.
<http://hdl.handle.net/1814/16355>

DE HAUTECLOCQUE, Adrien, TALUS, Kim

Capacity to Compete: Recent trends in access regimes in electricity and natural gas networks, EUI RSCAS, 2011/09, Loyola de Palacio Programme on Energy Policy;

Ensuring access to a truly 'European' energy grid for every consumer and supplier in the European Union is a core objective of the single market project. From the first wave of liberalization directives up until the 'draft' framework guidelines of September 2010 on capacity allocation and congestion management being prepared by ERGEG on behalf of the new Agency for the Cooperation of Energy Regulators (ACER), the objective of the access regime in both sectors is similar: to creating capacity to compete. The objective of this paper is to review and compare from a legal point of view the evolution of the EU access regime in the electricity and gas sectors. We find strong similarities for two otherwise very different sectors, as well as an influence of the electricity regime on the gas regime. The sector-specific regulatory regime, supported by the use of competition law, organises a market design in both sectors based as much as possible on short-term capacity allocation with a liquid secondary trading platforms. The imposition of UIOLI mechanisms and an increased focus on firmness of capacity is certainly the way forward but implementation still is an issue. The right portfolio of capacity durations that are to be proposed by TSOs also remains an open question. The specific features of these two commodities result however in slightly different results in practice. In electricity, the development of market coupling initiatives creates new regulatory challenges but price convergence is now in sight. In gas, the progress has been slower and efficiently functioning spot markets are yet to emerge.
<http://hdl.handle.net/1814/15796>

DE WITTE, Bruno

The European Treaty Amendment for the Creation of a Financial Stability Mechanism, Europapolitisk Analys/European Policy Analysis, 2011/06, 1-8EPA;

Som svar på den finanskris som bröt ut i Grekland, beslutade Europeiska Rådet att genom en ändring i Fördraget om Europeiska Unionens Funktionssätt tillåta införandet av en stabilitetsmekanism för att garantera stabiliteten i euro-området. Det är första gången man har utnyttjat ett av de två förfarandena för "förenklad" fördragsändring som infördes med Lissabonfördraget. Den här analysen beskriver förfarandena, granskar skälen bakom Europeiska Rådets beslut samt diskuterar de steg som hittills har tagits i fördragsändringsarbetet. Analysen ingår i forskningsprojektet 'Långsiktiga effekter av den

ekonomiska krisen'.;

On 25 March 2011, the European Council adopted a decision aiming at the amendment of the Treaty on the Functioning of the European Union by the addition of a new paragraph to Article 136 of that Treaty. The additional paragraph, consisting of two short sentences, runs as follows: "The Member States whose currency is the euro may establish a stability mechanism to be activated if indispensable to safeguard the stability of the euro area as a whole. The granting of any required financial assistance under the mechanism will be made subject to strict conditionality." This is the first use made of one of the two 'simplified' Treaty revision procedures which were created by the Lisbon Treaty. In this paper, the Lisbon reform of the Treaty revision procedures will first be described in general terms. Two other initiatives for post-Lisbon treaty revision will then be mentioned; both relate to the composition of the European Parliament and do not involve the use of the simplified revision procedure. The paper will then explain the reasons why the European Council considered it necessary to amend the TFEU in order to contribute to the smooth functioning of the Economic and Monetary Union. Finally, there will be a discussion of the various steps taken so far in this amendment process which is scheduled to be finished by January 2013, after approval of the amendment from the side of each of the 27 EU states. <http://hdl.handle.net/1814/18338>

DEFRAIGNE, Philippe, DE STREEL, Alexandre

What is the Digital Internal Market and where the European Union Should Intervene?, EUI RSCAS, 2011/33, Florence School of Regulation;

This paper analyses the digital internal market and when EU intervention is needed to achieve this internal market. It sets legal and economic criteria to determine the appropriate scope of the EU intervention. It applies these criteria to several case studies and concludes that sometimes the EU intervention is not justified (choice of regulatory remedies in many national markets, regulation of mobile termination rate, price control of Next Generation Access networks), whereas in other cases EU intervention is justified (entry regulation, international roaming, spectrum). The paper calls for a more open debate of the concept and the means to achieve the digital internal market. It also submits that EU intervention should focus on the areas where its benefits are the highest (in particular given the possibilities of economies of scale provided by the technology or the cross-country externalities), and where its costs are the lowest (in particular given the heterogeneity of national preferences or the need for regulatory experimentation and competition). Therefore, EU intervention is more relevant for the content part of digital regulation (such as copyright, privacy, electronic commerce, dispute resolution) than for the infrastructure part (i.e. the electronic communications networks and services). In particular, this paper calls the Commission to use with extreme caution its new power on regulatory remedies, especially in the context of the deployment of NGA, given the uncertainty on the best form of regulation. <http://hdl.handle.net/1814/17914>

DEKKER, Willem Martijn

What the Bombing of Hanoi Tells Us About Compellence Theory, EUI MWP, 2011/28;

This paper analyses the dynamics of coercion and counter-coercion and argues that, for compellence to be successful, the opponent's counter-coercive strategy must be undermined. Existing theories rely on a cost-benefit model in which the target state is expected to give in when its costs outweigh the benefits. The problem with the existing model is that it neglects strategic interaction. This paper presents an improved model by including an interaction term that represents the effect of the target's counter-coercion. Because of the importance of this interaction term, it can be shown that the cost benefit model only holds if the level of counter-coercion is very low. If the level is high, the target state can win the coercive contest even if the costs outweigh the benefits. As a result, the target will hold out in situations where existing theories predict it will give in. This is possible even if the compeller has lowered its demands to acceptable terms for the target, if the target believes that its counter-coercion might cause it to achieve better terms. The new model is tested using Operation LINEBACKER II as a crucial case. The findings of this analysis provide strong evidence for the new model. No supporting evidence can be found for the main rival hypothesis, but supporting evidence can be found for the strategic interaction hypothesis. Although inferences drawn from a single case must necessarily be tentative, the fact that a crucial case was selected offers a certain measure of confidence in the

conclusions drawn.

<http://hdl.handle.net/1814/18834>

DELARUE, Erik, MEEUS, Leonardo, BELMANS, Ronnie, D'HAESELEER, William, GLACHANT, Jean-Michel

Decarbonizing the European Electric Power Sector by 2050: A tale of three studies, EUI RSCAS, 2011/03, Loyola de Palacio Programme on Energy Policy;

If Europe is serious about climate change, it has to reduce its overall greenhouse gas emissions by 80% by 2050, thereby effectively going to a (near-) zero carbon energy and thus, electricity system. The European Climate Foundation, Eurelectric, and the International Energy Agency have consequently published a study elaborating on the final goal of this transition. The studies project scenarios of how such a (near-) zero electricity system would look like and provide recommendations on the policies needed to guide the transition. In this paper, we observe that these studies tell a tale with many similarities. In spite of increased energy efficiency, the electricity demand is projected to increase substantially, with up to 50% from today towards 2050, due to shifts from other sectors towards electricity. This demand will be supplied by a minimum of 40% electricity generation by RES, with the remainder being filled up with nuclear and fossils with CCS. The importance of grid reinforcement, expansion, and planning in this context is emphasized in all three studies. While all three studies further recommend relying on the EU ETS for the transition, the European Climate Foundation and the International Energy Agency consider continuing with targets for RES in combination with a more harmonized EU RES support scheme.

<http://hdl.handle.net/1814/15485>

DELLEDONNE, Giacomo, MARTINICO, Giuseppe

Legal Conflicts and Subnational Constitutionalism, EUI LAW, 2011/03;

This paper analyses the increasing use of the concept of subnational identity, understood as a peculiar (to some extent) category that is opposed to the State or federal identity. References to it are included in the second-generation Italian (subnational) fundamental charters (Statuti) and Spanish Estatutos de autonomia. After an overview of the identity clauses contained in the sub-national constitutions, we will move to analyse the first cases of judicial relevance of these clauses when they are invoked before national courts, and test whether and how these subnational identity provisions could be interpreted in a manner consistent with the national constitution.

<http://hdl.handle.net/1814/16214>

DERMINEUR, Elise

Rural Communities and the Reformation: Social discipline and the process of confessionalization in Montbéliard, 1524-1660, EUI MWP, 2011/24;

In the sixteenth century, the dukes of Württemberg, also sovereigns of Montbéliard, enforced Lutheranism as the new faith in the city and its surrounding dependent villages. The dukes sought to convert the French-speaking peasants there to the new religion but stumbled on ancestral traditions, old rituals, local identity and language, part of the peasants' mentalities, culture and set of social norms. In order to disseminate the new faith, the authorities relied on pastoral visits and teaching in order to convert the faithful, and also established a consistory to make sure social discipline and new moral norms were effectively respected. This paper explores rural communities confronted by the process of conversion and confessionalization in Montbéliard from 1524 to 1660 and intends to demonstrate that peasants adapted somehow to the new faith but kept their own beliefs, rituals and social norms, refusing therefore an acculturation process.

<http://hdl.handle.net/1814/18638>

DONI, Nicola, MENICUCCI, Domenico

Revenue Comparison in Asymmetric Auctions with Discrete Valuations, EUI ECO, 2011/27;

We consider an asymmetric auction setting with two bidders such that the valuation of each bidder has a binary support. We prove that in this context the second price auction yields a higher expected revenue than the first price auction for a broad set of parameter values, although the opposite result is common in the literature on asymmetric auctions. For instance, the second price auction is superior

both when a bidder's valuation is more uncertain than the valuation of the other bidder, and in case of a not too large distribution shift or rescaling. In addition, we show that in some cases the revenue in the first price auction decreases when all the valuations increase [in doing so, we correct a claim in Maskin and Riley (1985)], and we derive the bidders' preferences between the two auctions.
<http://hdl.handle.net/1814/18355>

DURAKOĞLU, S. Mustafa

Political Endowments and Electricity Market Regulation in Turkey: An Institutional Analysis, EUI RSCAS, 2011/08, Loyola de Palacio Programme on Energy Policy;

Turkey has been going through a liberalization process in its electricity market over the last decade. So far, the regulatory content of the market reforms has been in the center of attention in the literature, to the negligence of regulatory governance. However, recent studies, which applied the theoretical insights of new institutional economics to utilities regulation, have demonstrated that political endowments of the country draw the boundaries to which extent such regulatory content can be effectively implemented. In line with these studies, this paper adopts an institutional approach and attempts to identify the political endowments of Turkey in order to further analyze whether the market reforms succeeded in bringing about sufficient checks to cure the institutional problems. In other words, the paper takes a picture of the overall regulatory arena. The results show that the current regulatory structure, especially government-regulator relations, fails to meet good regulatory governance criteria. The paper also provides some policy suggestions.

<http://hdl.handle.net/1814/15795>

ELBASANI, Arolda, LIPINSKI, Artur

Public Contestation and Politics of Transitional Justice: Poland and Albania Compared, EUI SPS, 2011/02;

This article explores the role of politics and public debates in the pursuit of transitional justice after communism. Our analysis of Albania and Poland enables a variation of both explanatory factors and results. The two cases feature different arrays of political actors who have picked up the issue and made it a part of the political contest, but they have also opted for different models and recorded different degrees of success in dealing with the past. The paired comparison follows a similar structure, proceeding from the actors involved and the unfolding debates, to the analysis of the models adopted, and the process of implementation in each of our cases. The paper finds that political interests have permeated the entire process of ensuring transitional justice but, concentrated public contestation proved important to restrain political strategies and usage of transitional justice at the service of narrow political agendas.

<http://hdl.handle.net/1814/15805>

EMERSON, Michael, TOCCI, Nathalie, YOUNGS, Richard, CASSARINO, Jean-Pierre, EGENHOFER, Christian, GREVI, Giovanni, GROS, Daniel

Global Matrix: A conceptual and organisational framework for researching the future of global governance, CEPS Working Documents, 2011/355;

Conceptually, Global Matrix advances in a systematic and structured inter-disciplinary (matrix) framework a research agenda for examining the stance of major world actors on the key policy dimensions to world politics (political ideologies, economics, migration, climate change, security and world view); drawing out evidence of cross-cutting linkages (between sectors and among major actors); and evaluating the evolution and adequacy of existing multilateral institutions in relation to the emerging multi-polarity, and formulating recommendations. As a matter of organisation, Global Matrix has assembled a network of teams of scholars from think tanks in China, the EU, India, Russia and the US, with participation to be extended to other G20 states (Brazil, South Africa, Korea, Japan). The objective is to create a semi-permanent network as part of the emerging structures of the global civil society. It will serve as a continuing 'track-2' initiative to monitor major developments in global governance, including at the G20, and at other global fora as appropriate. It is a capacity-building venture at global level, with the leading think tanks intending to work together for a sustained effort, while precise participation can evolve over time. The network consists initially of the Centre for European Policy Studies (CEPS) in Brussels, Istituto Affari Internazionale (IAI) in Rome, Fundacion par las Relaciones Internacionales y el

Dialogo Exterior (FRIDE) in Madrid, Fudan University in Shanghai, Johns Hopkins University in Washington, D.C., the Delhi Policy Group and Carnegie Moscow Center.
<http://hdl.handle.net/1814/18215>

FLETCHER, Catherine

"Those Who Give Are Not All Generous": Tips and bribes at the sixteenth-century papal court, EUI MWP, 2011/15;

Ambassadors in early modern Europe were frequent disbursers of tips, rewards and bribes, and usually expected something in return for their liberality. This paper considers the conventions, both written and unwritten, that governed such activities in Renaissance Rome, setting them in the context of the extensive literature on gift-giving. While official, ceremonial gifts were often recorded in writing, the less licit payments with which this article is concerned were often not. However, there is enough of a paper trail to reconstruct at least some of the gift-giving practices at the papal court, and the essay considers diplomatic letters, trial records and prescriptive treatises in order to do so. Its first section examines the extent to which gift-giving at the papal court was subject to regulation, where the boundary between legitimate and illegitimate gifts lay, and what constituted 'corruption' in this period, drawing in particular on evidence about the tipping of lower-ranking officials. Its second section looks at the language used by diplomats to justify their gift-giving, in particular the concept of liberality and the reciprocal pair 'reward' and 'service'. Here the discussion focuses on two instances in the course of negotiations over Henry VIII's 'divorce' from Catherine of Aragon when Henry's diplomats offered gifts to cardinals but subsequently encountered problems, enabling a consideration of the ways that gifts might, as Natalie Zemon Davis has put it, 'go wrong'.

<http://hdl.handle.net/1814/18140>

FOROWICZ, Magdalena

State Discretion as a Paradox of EU Evolution, EUI MWP, 2011/27;

The notion of State discretion is a fundamental concept for the determination of powers and the effective functioning of regional and international legal systems. It is an inherently controversial notion in a system such as the European Union, as it implies that a freedom of decision and interpretation is left to Member States. State discretion disturbs and fosters diversity, thereby potentially threatening the coherent development and harmonisation of EU law and policies. Nonetheless, as part of an expanding EU, it becomes increasingly difficult to build consensus among States with varied legal, economic and political traditions. The increasingly pluralist nature of the EU membership and regime often requires patience and compromise. In this context, the notion of State discretion could play an important role in improving the efficiency of EU law and relations between EU Institutions and Member States. This Working Paper envisages State discretion as process which is defined in the ex ante legislative phase and the ex post judicial phase. As an alternative to the principle of subsidiarity, this paper proposes a different and more comprehensive framework for interpreting relations between Member States and EU Institutions. It is also part of a longer study focusing on several areas of EU Law.

<http://hdl.handle.net/1814/18835>

GABALLO, Gaetano

Good Luck or Good Policy?: An expectational theory of macro volatility switches, EUI MWP, 2011/19;

In an otherwise unique-equilibrium model, agents are segmented into a few informational islands according to the signal they receive about others' expectations. Even if agents perfectly observe fundamentals, rational-exuberance equilibria (REX) can arise as they put weight on expectational signals to refine their forecasts. Constant-gain adaptive learning can trigger jumps between the equilibrium where only fundamentals are weighted and a REX. This determines regime switching in aggregate volatility despite unchanged monetary policy and time-invariant distribution of exogenous shocks. In this context, a thigh inflation-targeting policy can lower expectational complementarity preventing rational exuberance, although its effect is non-monotone.

<http://hdl.handle.net/1814/18275>

GAGATEK, Wojciech, VAN HECKE, Steven

Towards Policy-Seeking Europarties? The development of european political foundations, EUI RSCAS, 2011/58, EUDO - European Union Democracy Observatory;

Political parties at the European level – Europarties – do not only seek to be represented in the institutions of the EU (office-seeking) and to strengthen their role in the European Parliament elections (vote-seeking). Also, they try to colour the politics and policies of the Union, through the dissemination of ideas and the promotion of values linked to their political ideologies. In contrast to political groups in the European Parliament, until recently, Europarties were lacking resources enabling them to follow closely the substance of the EU policy process. However, the recent creation and funding of European political foundations affiliated to Europarties has been seen as a chance to provide them with the tools to become more policy-oriented. Currently, no less than eleven European political foundations are active in Brussels and beyond, and the total EU grant available to them for 2011 amounts to more than 11 million EURO. This paper investigates, for the first time, these European political foundations. It does so empirically and comparatively, based on the study of primary resources and a number of semistructured interviews, alongside existing research. The topic is addressed through a focus on the establishment of European political foundations, their organisation and their ‘transnational’ character (as networks of national political foundations). The central questions are: What are the key features of European political foundations? What purposes do they serve? And how should their relationship with Europarties be understood? Answers to these questions will shed light on one of the most recent innovations in the development of Europarties, and thus contribute to a new research agenda on EU party politics.

<http://hdl.handle.net/1814/19156>

GALLO, Daniele

Social Security and Health Services in EU Law: Towards convergence or divergence in competition state aids and free movement?, EUI RSCAS, 2011/19;

With this paper I maintain that the regulation of social security and healthcare in EU law revolves around the quest for a right balance between conflicting interests, involving the issues of social rights, State and Market, distribution of competences. In particular, the analysis of the way in which the ECJ legally frames the so called public/private divide permits to underline the emergence of relevant dissonances in the jurisprudence concerning the three sectors of competition, free movement and State aids. The rationale behind some of such divergences pertain to the existence of natural asymmetries on which evolve and take shape the constitutive elements of the European economic and social constitution. In this sense, the lack of convergence is not undesirable per se. On the contrary, it depends on the different role and function exercised by the solidarity principle on one hand and on the relevance of the public financing of social services on the other hand, in their interplay with the choice between abandon or revaluation of a (more or less) idealtpic public/private dichotomy. At the centre of the analysis is the full incorporation or, alternatively, attenuation, in the field of social security and healthcare, of the functional approach adopted in relation to the notion of economic activity. Some other divergences, however, are not justifiable. That is to say that in some cases there seems to emerge a need for a rapprochement between competition, free movement and States aids. This concerns the concept of general (economic?) interest and its potential intervention as a method of positive market and rights integration. Finally, the paper intends to highlight that at the core of the EU discourse is the pursuit of (and the quest for) a “healthy” interaction and relationship between individual free movement rights, social rights and State redistributive autonomy for the management of national social security and healthcare systems. In this respect, I will underline role, function and potentialities of Art. 106.2 TFEU as the appropriate sedes materiae to balance public interest’s aims and values with market principles and demands, both considered as constitutive elements, respectively, of the EU social and economic constitution.

<http://hdl.handle.net/1814/16196>

GATTA, Giunia

Empathy, Situations, and an Enlarged Mentality: Iterations between Jaspers and Arendt, EUI MWP, 2011/18;

This paper has the broad goal of inquiring into the role of empathy in contemporary interpretations of judgment as enlarged mentality. Specifically, it puts Hannah Arendt in dialogue with Karl Jaspers, her mentor and friend, on this question. While a disagreement (or even a conversation) on this issue never seemed to emerge between the two, I argue that they offer differing interpretations of enlarged mentality and specifically of the role of empathy within it. Arendt is skeptical of empathy and unfavorably contrasts it with imagination when it comes to their role in enlarged mentality. Jaspers, on the other hand, offers an understanding of empathy as fundamental for communication and understanding of the other. It is, for him, a dialectic process of bracketing and drawing from one's own experience. While Hannah Arendt did consider Jaspers' thought as a bright example of enlarged mentality, I argue that she underplayed the role of empathy, and of idiosyncratic, non-necessarily cognitive elements in Jaspers' own formulation of it.

<http://hdl.handle.net/1814/18357>

GINSBORG, Lisa, SCHEININ, Martin

Judicial Powers, Due Process and Evidence in the Security Council 1267 Terrorist Sanctions Regime: The Kadi II conundrum, EUI RSCAS, 2011/44, Global Governance Programme;

The United Nations Security Council regime of listing Al Qaida and Taliban terrorists under Resolution 1267 (1999), as subsequently amended, has been subject to increasing criticism, including through litigation and judicial pronouncements. The role of EU courts in voicing the criticism, and quashing EU-level implementation measures of the sanctions required under the 1267 regime, has become important. The authors assess the current status of the 1267 regime, notably after the adoption of Resolution 1904 (2010) and the establishment of the office of a delisting Ombudsperson. In the view of the authors, also after the reforms, the 1267 regime falls short of international or European standards concerning fair trial or due process. After discussing the Kadi II ruling by the General Court of the EU, the authors propose a political solution to the tension between the legal orders of the UN and the EU, namely that those EU Member States that sit on the Security Council should block any terrorist listing proposal, where the proposing state does not accept the disclosure of information used for the listing decision in a manner that will enable the EU courts to exercise judicial review over the implementation of the resulting sanctions, to a degree that will be acceptable to these courts. As to the issue of the required degree of disclosure, the authors propose that EU courts, departing from the Kadi II ruling by the General Court, should be prepared to accept a more modest degree of disclosure than the sharing of all evidence with the listed individual or entity.

<http://hdl.handle.net/1814/18238>

GIOVANNETTI, Giorgia, SANFILIPPO, Marco, VELUCCHI, Margherita

The 'China Effect' on EU Exports to OECD Markets: A focus on Italy, UNIFI Scienze Economiche Working Papers, 2011/17;

This paper analyzes the indirect impact of China on the export performance of major European countries (Italy, France, Germany and Spain) in their main destination markets (OECD countries). Given a strong specialization in manufacturing sector, these EU countries are likely to be at risk from China's competition, especially in consumer goods. The heterogeneity in the production (and export) structures of EU countries makes Italy, whose productive structure is based on so-called "traditional" sectors, most vulnerable to China's competitive pressure. Using data for the period 1995-2009, this paper estimates the possible displacement effect at sector level. Results show that there is a considerable variation in different EU countries' exposure to China's competition and that, in some sectors the Chinese exports effect is, indeed, strong. This is particularly true for the more recent period, after China has entered WTO and for Italy, both in traditional and more capital intensive sectors.

<http://hdl.handle.net/1814/20511>

GLACHANT, Jean-Michel

A Vision for the EU Gas Target Model: the MECO-S Model, EUI RSCAS, 2011/38, Florence School of Regulation;

The discussion on a target model for European gas network access started at the 18th Madrid Forum in 2010. This model shall provide a unifying vision on the future layout of the European gas market architecture. That vision shall assist all stakeholders in implementing the 3rd EU energy market

package on the internal gas market in a consistent way. Here is my proposal for the European gas target model termed MECO-S Model. It is a “Market Enabling, Connecting and Securing Model” describing an end-state of the gas market to be achieved over time. It rests on three pillars that share a common foundation, being that economical investments in pipelines are realized: Pillar 1: Structuring network access to the European gas grid in a way that enables functioning wholesale markets; Pillar 2: Fostering short- and mid-term price alignment between the functioning wholesale markets by tightly connecting the markets; Pillar 3: Enabling the establishment of secure supply patterns to the functioning wholesale markets.

<http://hdl.handle.net/1814/17974>

GOBBATO, Marco

Contractual Formalization and Governance of Long-Term Relationships, EUI MWP, 2011/22, [REFGOV];

In this paper I discuss the relationship between contractual formalization, contractual incompleteness and the governance of long-term relationships. I analyze data on contracts for the production and distribution of goods collected between 2004 and 2009 in two research projects, one carried out in four industrial districts in north-east Italy in different manufacturing industries, and the other conducted at European level on the wine sector with seven case studies. The data show that purely oral contracts are rare, while formalization is significant even if the amount of litigation before courts is almost nil. I first consider some factors affecting contract formalization. Then, I try to provide an explanation which relates to the governance of contractual relationships. I divide contractual relationships into market transactions, where parties rely mainly on detailed written contracts, and strategic relationships, which are partly regulated in writing – however vaguely – and partly not regulated at all. In this latter case, parties leave some issues unregulated because they may enter self-enforcing agreements or, if this is not the case, because they face radical uncertainty. In this situation, they prefer to resolve adaptation problems cooperatively instead of resorting to legal enforcement. I hold that for strategic relationships courts should adopt a mixed strategy: to adhere to written terms as much as possible and, for disputes arising on issues which are not regulated at all, to try to avoid filling the gaps and leave the determination to the parties.

<http://hdl.handle.net/1814/18636>

GODARD, Olivier

Climate Justice, between Global and International Justice: Insights from justification theory, EUI RSCAS, 2011/56, Global Governance Programme-11;

For 20 years, climate negotiations have faced the difficult task of designing an international regime accepted by the main parties as fair, equitable and efficient. Climate justice is called for from all sides, but there is no agreement as to what justice actually requires. The goal of this paper is to propose a critical overview of the intellectual landscape surrounding the concept of climate justice, and to clarify the challenges, positions, arguments and theoretical background of a concept that is dramatically exposed to the risk of being reduced to either naive moral calls, simple ideological slogans or political gesticulations from stakeholders and parties to negotiations. I will dispute the idea that moral intuition offers a sufficient basis to elicit the correct standard of justice. To begin with, I will underline the sharp contrasts between four rival intellectual constructs: utilitarianism, cosmopolitanism, international justice and the rejection of the relevance of the concept of justice in the context of international relations. In particular, cosmopolitan justice is shown to be inconsistent with and wholly inappropriate to the situation of climate negotiations. The second part of the paper develops an alternative analysis based on justification theory: the pluralism of justification is consubstantial with complex societies, but the criterion of the appropriateness of norms of justice to situations helps us to understand which norms of justice can be supported and which should be disregarded. In particular, the choice of a given coordination regime is shown to have huge implications for the appropriate norms of justice, taking the case of international carbon trading in a Kyoto Protocol-type regime as an example.

<http://hdl.handle.net/1814/19157>

GOTTARDI, Piero, KAJII, Atsushi, NAKAJIMA, Tomoyuki

Optimal Taxation and Constrained Inefficiency in an Infinite-Horizon Economy with Incomplete

Markets, EUI ECO, 2011/18;

We study the dynamic Ramsey problem of finding optimal public debt and linear taxes on capital and labor income within a tractable infinite horizon model with incomplete markets. With zero public expenditure and debt, it is optimal to tax the risky labor income and subsidize capital, while a positive amount of public debt is welfare improving. A steady state optimality condition is derived which implies that the tax on capital is positive, when savings are sufficiently inelastic to returns. A calibration of our model to the US economy indicates positive optimal taxes and a small but positive optimal debt level.
<http://hdl.handle.net/1814/17218>

GOTTARDI, Piero, TALLON, Jean Marc, GHIRARDATO, Paolo

Flexible Contracts, EUI ECO, 2011/26;

This paper studies the costs and benefits of delegating decisions to superiorly informed agents relative to the use of rigid, non discretionary contracts. The main focus of the paper lies in the analysis of the costs of delegation, primarily agency costs, versus their benefits, primarily the flexibility of the action choice. We first determine and characterize the properties of the optimal flexible contract. We then show that the higher the agent's degree of risk aversion, the higher is the agency costs of delegation and the less profitable a flexible contract relative to a rigid one. When the parties do not have sharp probability beliefs, the agent's degree of imprecision aversion introduces another agency cost, which again reduces the relative profitability of flexible contracts.
<http://hdl.handle.net/1814/18096>

GRAM-SKJOLDAGER, Karen

Bringing the Diplomat Back In: Elements of a New Historical Research Agenda, EUI RSCAS, 2011/13;

In the 20th century and since 1945 in particular the institution of diplomacy has changed. While traditional bilateral diplomatic relations have expanded rapidly as a consequence of decolonisation, other developments have challenged the very nature of existing diplomatic practices. The overall aim of this paper is to reflect on how, from a historical starting point, one can grapple with the changes diplomacy has undergone in an increasingly interconnected and institutionally integrated world. It argues that in order to do so it is necessary to bring the historical study of diplomacy into dialogue with recent transnational perspectives and to draw inspiration from the political and social sciences. It tentatively attempts to develop such a new historical approach and it conducts a pilot study into how increased regional European economic cooperation in the 1950s and 1960s contributed to reshaping diplomatic roles and patterns of actions in the Danish Foreign Service.
<http://hdl.handle.net/1814/15952>

GRAY, Joanna

What is Systemic Risk and What Can be Done About It? A legal perspective, EUI RSCAS, 2011/55, Global Governance Programme-10;

The global financial crisis challenges scholars from across many different disciplines to think about causes, immediate consequences and long term responses from the perspective of their particular disciplinary standpoint. This paper focuses on one particular response to the landscape and architecture of financial regulation that results from the lessons about the need to better recognise and counter risk to the financial system as a whole as opposed to its constituent parts and participants. One important policy response to the challenges posed by systemic risk has been the construction of the emergent macroprudential regulatory agenda that is now beginning to take root in practical forms and institutional architecture within the global, European and national spaces within which norms, standards and laws operate. It is argued here that this emerging agenda will challenge lawyers and legal systems more than may be being currently imagined.
<http://hdl.handle.net/1814/19016>

GUÉRIN, Pierre, MARCELLINO, Massimiliano

Markov-Switching MIDAS Models, EUI ECO, 2011/03;

This paper introduces a new regression model - Markov-switching mixed data sampling (MS-MIDAS) - that incorporates regime changes in the parameters of the mixed data sampling (MIDAS) models and

allows for the use of mixed-frequency data in Markov-switching models. After a discussion of estimation and inference for MS-MIDAS, and a small sample simulation based evaluation, the MS-MIDAS model is applied to the prediction of the US and UK economic activity, in terms both of quantitative forecasts of the aggregate economic activity and of the prediction of the business cycle regimes. Both simulation and empirical results indicate that MSMIDAS is a very useful specification.

<http://hdl.handle.net/1814/15644>

GUIDI, Mattia

Does Independence Affect Regulatory Performance? The case of national competition authorities in the European Union, EUI RSCAS, 2011/64;

Despite having always been assumed to be true, a relationship between the independence of regulatory agencies and their performance has never been formally tested. This paper aims at verifying whether formal regulatory independence affects the performance of national competition authorities in the EU member states. The author presents and discusses a statistical analysis which shows that greater formal independence leads competition authorities to investigate more cases and to issue more decisions.

<http://hdl.handle.net/1814/19814>

GUIO, Luigi, LAI, Chaoqun, NIREI, Makoto

Detecting Propagation Effects by Observing Aggregate Distributions: The Case of Lumpy Investments, EUI ECO, 2011/25;

By using an extensive panel data set of Italian firms, we show empirically that the fraction of firms that engage in a lumpy investment follows a non-normal, double-exponential distribution across region-year. We propose a simple sectoral model that generates the double-exponential distribution that arises from the complementarity of the firms' lumpy investments within a region. We calibrate the degree of complementarity by estimating an individual firm's behavior with the firm-level data. Simulations show that the degree of complementarity estimated at the firm level is consistent with the double-exponential fluctuations observed at the aggregate level.

<http://hdl.handle.net/1814/18095>

GUIO, Luigi, RUSTICHINI, Aldo

Understanding the Size and Profitability of Firms: The role of a biological factor, EUI ECO, 2011/01;

Aldo Rustichini acknowledges financial support of the ESRC grant RES-062-23-1385.

We collect information on prenatal testosterone in a large sample of entrepreneurs by measuring the length of their 2nd to 4th fingers in face to face interviews. Entrepreneurs with higher exposure to prenatal testosterone (lower second to fourth digit ratio) manage larger firms, are matched with larger firms when acquire control and experience faster average growth over the years they manage the firm. We also find that prenatal testosterone is correlated with elicited measures of entrepreneurial skills such as ability to stand work, and the latter are correlated with firm size. This evidence suggests entrepreneurial skills have a biological component and is consistent with models of the size distribution of firms based on entrepreneurial ability. However, firms run by high-testosterone entrepreneurs have lower profitability as measured by return on assets. We offer evidence that this is because the same biological factor that enhances entrepreneurial skills also induces empire building preferences, which leads high-testosterone entrepreneurs to target a firm size that exceeds the profit maximizing value.

<http://hdl.handle.net/1814/15642>

GUIO, Luigi, RUSTICHINI, Aldo

What Drives Women Out of Entrepreneurship? The joint role of testosterone and culture, EUI ECO, 2011/02;

Aldo Rustichini acknowledges financial support of the ESRC grant RES-062-23-1385.

The ratio of second to fourth digit (2D4D) has been shown to correlate negatively with entrepreneurial skills and financial success. We document that in a sample of entrepreneur women have a lower 2D4D ratio than men, in sharp contrast with the features of the distribution in random samples. Exploiting variation across communities in indices correlated with women emancipation, we show that in regions

where women are less emancipated their average DR is lower than that of men compared to regions with higher indices. This finding is consistent with the existence of gender related obstacles into entrepreneurship so that only women with well above average entrepreneurial skills find it attractive to self-select into entrepreneurship. This finding can rationalize three facts: a) fewer women than men are entrepreneurs; b) the proportion of women among entrepreneurs tends to be higher in countries with higher women emancipation; c) women who break the barrier into entrepreneurship seem to show more masculine traits. We also find that once women enter entrepreneurship, they are equally able than man to translate their ability into outcomes for the firm.

<http://hdl.handle.net/1814/15643>

GULLÌ, Francesco

The Interaction between Emissions Trading and Energy and Competition Policies, EUI RSCAS, 2011/20, Loyola de Palacio Programme on Energy Policy;

Emissions trading is a “cap and trade” regulation aimed at reducing the cost of meeting environmental targets. This paper studies how this regulation interacts with energy and competition policies. Two vertically related and imperfectly competitive markets are investigated: 1) the electricity market (output market); 2) the market for natural gas (input market). The effect of energy policy is simulated by assuming that the supporting scheme is able to improve the competitiveness of the low carbon technologies which are able, at the same time, to increase security of supply. The effect of the competition policy is accounted for by assuming that firms try to meet a profit target rather than to maximize profits, because of the regulatory pressure exerted by the competition and sector-specific authorities. By using the dominant firm model (in both markets) and the auction approach (in the output market), the paper highlights a trade-off between these policies. Without regulatory pressure, the result is ambiguous. Together, environmental and energy policies can lead to an increase in market power and its effects, but this in turn not necessarily amplifies their performances. However the worst case, the absolute increase in pollution in the short-run, is excluded. With regulatory pressure, the environmental and energy policies may imply a decrease in market power and this in turn can lessen their performance. In addition, this time the absolute increase in pollution in the short-run is not only possible but even likely. However this unfavourable effect would happen only if the pollution price is sufficiently low, that is if the environmental policy is rather modest. From the policy implications point of view, the analysis suggests what follows. If the models used to estimate performances and costs of environmental and energy policies ignore the full role of imperfect competition (the impact on prices combined with the strategic use of power capacity), this may induce incorrect estimations of the cost of the public action or may lead to incorrect policy calibrations, depending on how the policy targets are set. Finally, although the results are based on a series of simple assumptions about the operation and the structure of energy markets, they seem to be enough robust. Nevertheless the paper suggests caution in extending to other market structures the outcome of the dominant firm model.

<http://hdl.handle.net/1814/16254>

HERWARTZ, Helmut, LUETKEPOHL, Helmut

Structural Vector Autoregressions with Markov Switching: Combining conventional with statistical identification of shocks, EUI ECO, 2011/11;

In structural vector autoregressive (SVAR) analysis a Markov regime switching (MS) property can be exploited to identify shocks if the reduced form error covariance matrix varies across regimes. Unfortunately, these shocks may not have a meaningful structural economic interpretation. It is discussed how statistical and conventional identifying information can be combined. The discussion is based on a VAR model for the US containing oil prices, output, consumer prices and a short-term interest rate. The system has been used for studying the causes of the early millennium economic slowdown based on traditional identification with zero and long-run restrictions and using sign restrictions. We find that previously drawn conclusions are questionable in our framework.

<http://hdl.handle.net/1814/17175>

HOELLE, Matthew

Sunspots and Multiplicity, EUI MWP, 2011/09;

This paper proves that a multiplicity of certainty equilibria is not necessary for the existence of sunspot

effects in two-period general equilibrium models with incomplete markets. Sunspot effects are present, by definition, when real economic variables differ across realizations of extrinsic uncertainty. For the class of models delineated above and further restricted to numeraire assets whose payouts are identical across such realizations, the literature has remained silent on whether a multiplicity of certainty equilibria is necessary for sunspot effects. First, I prove that such a multiplicity is not necessary for sunspot effects in this particular class of models. Second, I prove that, over an entire set of economies commonly considered in sunspot examples, an equilibrium with sunspot effects can never be characterized as a randomization over multiple certainty equilibria.

<http://hdl.handle.net/1814/17956>

HOERNER, Johannes, MORELLI, Massimo, SQUINTANI, Francesco

Mediation and Peace, EUI ECO, 2011/19;

This paper applies mechanism design to conflict resolution. We determine when and how unmediated communication and mediation reduce the ex ante probability of conflict in a game with asymmetric information. Mediation improves upon unmediated communication when the intensity of conflict is high, or when asymmetric information is significant. The mediator improves upon unmediated communication by not precisely reporting information to conflicting parties, and precisely, by not revealing to a player with probability one that the opponent is weak. Arbitrators who can enforce settlements are no more effective than mediators who only make non-binding recommendations.

<http://hdl.handle.net/1814/17578>

HOSNE, Ana Carolina

Shaping Virtuous Friendship: the Jesuit Matteo Ricci (1552-1610) in late Ming China, EUI MWP, 2011/25;

Taking as a starting point his first treatise in Chinese, 'On Friendship' (Jiaoyou lun, 1595), this paper aims to analyze the process by which the Italian Jesuit Matteo Ricci (1583-1610) shaped the concept of virtuous friendship in late Ming China, specifically among the Confucian literati. 'On Friendship' is a treatise that reflects and is part of the Renaissance and humanist culture brought to China. It is, in part, a translation into Chinese of maxims by authors such as Aristotle, Cicero, Seneca, Plutarch, Herodotus, Augustine and Ambrose, juxtaposed with ideas derived from the Confucian tradition, especially those on virtuous friendship. In recent years, cultural historians have begun to recognize how important friendship was as a topic of great interest to late Ming intellectuals, which suggests that Ricci was attempting to participate in, and to benefit from, a discussion that was already taking place in China. This paper aims at analyzing the way Ricci shaped virtuous friendship in his Jiaoyou lun by taking both paths, the European and the Chinese, but also focusing on the more or less 'winding' nature of these paths. Indeed, Ricci's treatise was nurtured from different sources, which in turn implied selections and omissions. In a first section I address the less problematic aspect of Ricci's Jiaoyou lun: its humanistic hue; in a second section I focus on the adaptation to – but also the manipulation of – Confucian values and precepts; in a third section I address a key – and debatable – aspect, that is, the idea of Ricci's treatise as 'secular'. Last but not least, a fourth section is dedicated to concluding remarks.

<http://hdl.handle.net/1814/18639>

IOANNIDIS, Michael

Kosovo's Declaration of Independence and the Creation of a New Legal Order: Can a Revolution against International Law Be Legal?, EUI LAW, 2011/07;

This paper discusses the recent Advisory Opinion of the ICJ regarding the accordance with international law of the Unilateral Declaration of Independence in respect of Kosovo. Addressing the Declaration as an attempt to introduce in Kosovo a legal order different from the one that was established for this territory by the UNSCR 1244, this paper argues that the Declaration infringes UNSCR 1244 and thus international law. This argument is based on an understanding of UNSCR 1244, and the legal acts adopted by the Special Representative of the Secretary-General on its basis, as having a dual legal nature. On the one hand, they are international law, because they derive their validity directly from the UN Charter, and on the other hand they function as the foundations of Kosovo's interim constitutional order. Against this background, the Declaration is here addressed as an attempt to overturn this international lawbased legal order and to establish a new one in its place. Such an attempt cannot be,

however, normatively indifferent to the old constitutional regime, as the Advisory Opinion seems to imply. The ICJ, being an organ of the international law-based order, should rather regard as illegal any effort to overturn it. In short, the ICJ has here a role comparable to that of a constitutional court (here acting on behalf of Kosovo's international administration) being under the legal duty to uphold the validity of the legal order of which it is an organ against an attempt to overturn it (revolution in the legal, Kelsenian sense).

<http://hdl.handle.net/1814/17234>

JACOBY, Henry D., O'SULLIVAN, Francis M., PALTSEV, Sergey

The Influence of Shale Gas on U.S. Energy and Environmental Policy, EUI RSCAS, 2011/52, Loyola de Palacio Programme on Energy Policy;

The emergence of U.S. shale gas resources to economic viability affects the nation's energy outlook and the expected role of natural gas in climate policy. Even in the face of the current shale gas boom, however, questions are raised about both the economics of this industry and the wisdom of basing future environmental policy on projections of large shale gas supplies. Analysis of the business model appropriate to the gas shales suggests that, though the shale future is uncertain, these concerns are overstated. The policy impact of the shale gas is analyzed using two scenarios of greenhouse gas control—one mandating renewable generation and coal retirement, the other using price to achieve a 50% emissions reduction. The shale gas is shown both to benefit the national economy and to ease the task of emissions control. However, in treating the shale as a "bridge" to a low carbon future there are risks to the development of technologies, like capture and storage, needed to complete the task.

<http://hdl.handle.net/1814/18775>

JOSKOW, Paul L.

Comparing the Costs of Intermittent and Dispatchable Electricity Generating Technologies, EUI RSCAS, 2011/45, Loyola de Palacio Programme on Energy Policy;

Economic evaluations of alternative electric generating technologies typically rely on comparisons between their expected life-cycle production costs per unit of electricity supplied. The standard lifecycle cost metric utilized is the "levelized cost" per MWh supplied. This paper demonstrates that this metric is inappropriate for comparing intermittent generating technologies like wind and solar with dispatchable generating technologies like nuclear, gas combined cycle, and coal. Levelized cost comparisons are a misleading metric for comparing intermittent and dispatchable generating technologies because they fail to take into account differences in the production profiles of intermittent and dispatchable generating technologies and the associated large variations in the market value of the electricity they supply. Levelized cost comparisons overvalue intermittent generating technologies compared to dispatchable base load generating technologies. These comparisons also typically overvalue wind generating technologies compared to solar generating technologies. Integrating differences in production profiles, the associated variations in the market value of the electricity at the times it is supplied, and the expected life-cycle costs associated with different generating technologies is necessary to provide meaningful economic comparisons between them. This market-based framework also has implications for the appropriate design of procurement auctions created to implement renewable energy procurement mandates, the efficient structure of production tax credits for renewable energy, incentives for and the evaluation of electricity storage technologies and the evaluation of the additional costs of integrating intermittent generation into electric power networks.

<http://hdl.handle.net/1814/18239>

KASHIWAGI, Masanori

Self-fulfilling Beliefs and Bounded Bubbles in the U.S. Housing Market, EUI MWP, 2011/08;

This paper provides an equilibrium framework to organize the following empirical observations on the U.S. housing market from 1975 to 2007: (i) housing tenure and vacancies were approximately constant, (ii) rents were approximately constant, and (iii) in the late 1990s there was a large house price appreciation. Borrowing ideas from search and matching theory, and closing the model with selffulfilling beliefs about the housing market, the model generates a house price bubble as a consequence of multiple underlying steady state equilibria. To select a deterministic equilibrium, household confidence is assumed to take one of two sunspot-driven values: normal or exuberant. When confidence is normal,

both rents and house prices are low. When confidence is exuberant, both rents and house prices are high. Randomization over these two equilibria implies a substantial increase in house prices and constant rents as the probability of the exuberant state increases, although it is not realized. The model can explain a house price bubble as a rational expectations equilibrium driven by self-fulfilling beliefs.
<http://hdl.handle.net/1814/17955>

KILPATRICK, Claire

Internal Market Architecture and the Accommodation of Labour Rights: As Good as it Gets?, EUI LAW, 2011/04;

This paper suggests that investigating how internal market architecture affects the accommodation of labour rights helps us better to understand internal market-labour rights conflicts and how they might be resolved. It probes the legislation/primary Treaty freedom dimension of the architecture, by looking at the interplay between legislature and Court of Justice in two overlapping free movement of service fields where labour rights' accommodation is contested: posting of workers and public procurement. The aspirations and reality of the current architecture are explored. Five lessons about internal market architecture are drawn from the case-study. Alternative architectural options, drawing on new governance, are canvassed.

<http://hdl.handle.net/1814/16824>

KLINE, Reuben

Size Matters: Why not for contemporary empirical democratic theory?, EUI MWP, 2011/32;

The question of how the size of a polity and the functioning of its democracy is curiously understudied, especially in a cross-national, empirical fashion. After introducing the issue, this survey offers an overview of the various lines of research related to this topic including that on: legislatures, political participation, free-riding, and complexity and heterogeneity. After a review of the extant literature, several potential reasons for the widespread neglect of such an important topic are offered. In the final section I put forth three methodological frameworks that should prove useful for advancing our knowledge on this topic, which include an "economic" approach, logical-quantitative modeling and agent-based simulation.

<http://hdl.handle.net/1814/19115>

KLINGELHÖFER, Jan

Lexicographic Voting, EUI MWP, 2011/17;

This paper reconsiders the division of the literature on electoral competition into models with forward-looking voters and those with backward-looking voters by combining ideas from both strands of the literature. As long as there is no uncertainty about voters' policy preferences and parties can commit in advance to a policy platform but not to a maximal level of rent extraction, voters can limit rents to the same extent as in a purely backward-looking model. At the same time, the policy preferred by the median voter is implemented as in a standard forward-looking model of political competition on an ideological policy dimension. Voters achieve this outcome by following a simple lexicographic voting strategy. They cast their vote in favor of their preferred policy position, but make their vote dependent on the incumbent parties' performance in office whenever they are indifferent. When uncertainty about the bliss point of the median voter is introduced into the model, voters have to accept higher rent payments, but they still retain some control over rent extraction.

<http://hdl.handle.net/1814/18235>

KOCHENOV, Dimitry

Mevrouw de Jong Gaat Eten: EU citizenship and the culture of prejudice, EUI RSCAS, 2011/06, EUDO Citizenship Observatory;

This essay discusses the dubious premises of 'repressive liberalism' underlying the policies of cultural 'integration' that have been adopted by a number of otherwise liberal democracies around the world. The author uses his own first-hand experience of naturalisation in the Kingdom of the Netherlands, the pioneering jurisdiction with regards to the introduction of 'cultural integration', in order to expose the counterproductive nature of the 'integration' approach to the absorption of non-citizens. The essay claims that there is no such thing as a 'nation-specific' culture to be tested and that the creation and

consolidation of EU citizenship changed the whole framework of reference within which any Member State nationality operates and should be discussed. The argument is that, particularly in the EU context, culture and language testing before naturalisation is built on false assumptions and does not serve any identifiable goal that would go beyond the perpetuation of prejudice. Since testing stigmatises a large number of Europeans and potentially undermines social cohesion in the Member States, it should be abolished.

<http://hdl.handle.net/1814/15774>

KOPECKÝ, Petr, MAIR, Peter

Party Patronage in Contemporary Europe: Principles and practices, EUI RSCAS, 2011/41, EUDO - European Union Democracy Observatory;

This paper is based on the concluding chapter of a forthcoming volume reporting the results of a research project that has investigated the principles and practices of party patronage in contemporary European democracies on a systematic cross-national basis. Despite sometimes substantial theoretical interest in this topic in the past, there has been a persistent lack of comparable data with which to gauge its extent, and hence also a persistent shortfall in cross-national empirical research efforts. At the same time, much of the theoretical work in this area has also been limited by virtue of the tendency to link the concept of patronage to exchange politics, thus ignoring its potential relevance as a party organizational resource in contemporary systems of multi-level governance. This project has aimed to fill an important empirical void in the literature on contemporary European politics. It has also aimed to use this new robust empirical evidence to theorize about party patronage within the context of party organisational development and transformation, on the one hand, and political-institutional transformations of modern state, on the other.

<http://hdl.handle.net/1814/18057>

KOUSSENS, David

Religious Diversity and the Divergence of Secular Trajectories: Comparing secularization practices in Quebec and France, EUI MWP, 2011/31;

In this working paper, I propose to analyze the treatment of the wearing of religious symbols in the public sphere in Quebec and France as political and juridical events that have crystallized, in different moments, certain kinds of secularism in each society. My goal is therefore to show how a religious symbol – and in particular those belonging to Islam – may reveal the potency of certain conceptions of secularism in a society, conceptions that may or may not find themselves re-inscribed in the law and as such consolidated by juridical secularism.

<http://hdl.handle.net/1814/19114>

KUNZ, Friedrich, VON HIRSCHHAUSEN, Christian, MÖST, Dominik, WEIGT, Hannes

Security of Supply and Electricity Network Flows after a Phase-Out of Germany's Nuclear Plants: Any trouble ahead?, EUI RSCAS, 2011/32, Florence School of Regulation;

This paper, which examines the impacts of phasing out nuclear power in Germany, is the first to include an analysis of energy supply security and critical line flows in both the German and Central European electricity networks. The technical-economic model of the European electricity market, ELMOD, is used to simulate alternative power plant dispatch, imports, exports, and network use for a representative winter day. The results suggest that the shutdown of Germany's nuclear plants will result in higher net imports, especially from the Netherlands, Austria, and Poland, and that electricity generation from fossil fuels will increase slightly in Germany and in Central Europe. We find that no additional imports will come from nuclear plants since they are already fully utilized in the merit order, and that electricity prices will rise on average by a few Euros per MWh. We conclude that closing the seven nuclear power plants within the government's moratorium will cause no significant supply security issues or network constraints and an eventual full phase-out seem to be possible due to the completion of several new conventional power plants now under construction. Finally, we suggest that a nuclear phase-out in Germany within the next 3-7 years will not undermine security of supply and network stability in Germany and Central Europe.

<http://hdl.handle.net/1814/17834>

LARIK, Joris, MORARU, Madalina (ed/s)

Ever-Closer in Brussels – Ever-Closer in the World? EU External Action after the Lisbon Treaty, EUI LAW, 2011/10;

This edited Working Paper addresses three fundamental questions concerning EU External Action after the Lisbon Treaty: the institutional position and allegiance of the newly-established European External Action Service, the future of the 'left out' Directorate-General for Trade and the Common Commercial Policy, and the protection of EU citizens abroad. These enquires are prompted by both an institutional innovation – the launch of the EEAS – as well as by a number of substantive changes to the legal framework of EU External Action. An ambitious agenda has been inserted into the primary law, around which the Union institutions and Member States are to rally. It is in turn the *raison d'être* of the EEAS to foster the ensuing need for consistency, as well as to provide impetus to the EU's external action. Structurally, it is in itself a *sui generis* institution composed of officials from the Commission, the Council and the Member States. This raises a number of fundamental questions that go well beyond those concerning which person is going to be the new EU ambassador in Washington or Beijing. Above all, can these substantive and institutional innovations live up to the grand ambitions of the peculiar entity that is the EU? What old problems does it purport to solve, and what are the new problems it is likely to create? Essentially, to which extent does bundling the external objectives in the Treaties as well as pooling together the institutional resources in Brussels and the delegations actually render the EU an 'ever-closer' actor in the world?

<http://hdl.handle.net/1814/18296>

LARIK, Joris

Shaping the International Order as a Union Objective and the Dynamic Internationalisation of Constitutional Law, CLEER Working Papers, 2011/05;

Shaping the international order according to the Union's values is not just a political ambition, but is also enshrined in EU primary law in the form of the external objectives of the Union. These have been streamlined and expanded significantly with the Lisbon reform (above all Arts. 3(5) and 21 TEU). However, scholarship has not given these objectives an altogether warm welcome, often dismissing them as strange, superfluous or mere wishful thinking. The aim of this paper is to put these external objectives into the wider context of the 'dynamic internationalisation' of constitutional law around the world and approach them as part of a constitutional norm category. It is argued that in contemporary constitutional law, externally-oriented objectives are not unusual, but indeed increasingly commonplace. Moreover, at least in German and French legal scholarship, constitutional objectives have received considerable attention and are acknowledged as legally binding, in principle justiciable norms of constitutional rank, setting objectives apart from mere 'soft law'. This also applies to externally-oriented objectives, even though a wider margin of discretion pertains to the executive branch as the main actor in the area of foreign affairs. Applying these findings to the EU, it can be concluded that the Union's external objectives are indeed legal norms in the vanguard of a global trend in constitutional law.

<http://hdl.handle.net/1814/20639>

LARISE, Dunja

State and Civil Society as defined by the Muslim Brothers in Europe, EUI MWP, 2011/23;

In the last ten years political Islam, as well as its aims and strategies, has developed into one of the most discussed political issues in Europe. Nevertheless scant attention has been paid to the concrete theoretical concepts lying behind the different political strategies of Islamist groups in Europe. This article intends to offer an insight into the different concepts of state and society defined by the Muslim Brotherhood, one of the most influential organizations of political Islam in Europe. The focus of the analysis is on those concepts that have been developed in and for Europe, as well as their relationship to different European discourses concerning the ideas of accommodation of religious practices and identities within the framework of the European secular states. In short, it offers an analysis of state-theoretical concepts of the Muslim Brotherhood in Europe as developed in the last ten years and their relationship with the dominant European discourses over state, civil society and democracy.

<http://hdl.handle.net/1814/18637>

LEHMANN, Wilhelm

Electoral Representation at the European level and its Institutional Design: A reappraisal of recent reform plans, EUI RSCAS, 2011/23, EUDO - European Union Democracy Observatory;

The double role of national political parties in both national and European politics is an important explanatory factor for the dilatory development of European democracy. This paper contends that the present institutional design of electoral procedures has political costs and is one of the main reasons for this two-faced representation. The argument proceeds in four steps. In the first part, the paper recapitulates that representation is a concept closely related to issues of accountability and responsiveness. Its practical application at the European level depends very much on the definition of the 'object' of representation. The second part demonstrates that democracy has not been a legalnormative notion during the early stages of European integration. However, since the signing of the Maastricht treaty genuine attempts have been made to go beyond regulatory matters and to create a political system with democratic credentials. Thirdly, the essay analyses new approaches in the design of electoral rules and evaluates the functioning of European political parties in view of the construction of a transnational political community. The final section addresses the knotty question whether it is desirable or even necessary for the European Union to become a more politicized governance system. <http://hdl.handle.net/1814/16816>

LLOVERAS SOLER, Josep M.

The New EU Diplomacy: Learning to add value, EUI RSCAS, 2011/05, Global Governance Programme;

The European External Action Service (EEAS) which came into existence on 1st January 2011 has the potential to bring coherence and visibility to the external action of the European Union (EU). It could go beyond, giving new impetus to the Union's external action and contributing to the emergence of an EU foreign policy. But it could also end up as a mere juxtaposition of previously existing organizations and policies with uncertain added value for the Union. This paper looks at the EEAS from a functional perspective and in the context of a nascent EU diplomacy. It analyzes how training can contribute towards fulfilling the EEAS objectives and in nurturing a new EU diplomacy. It proposes a training approach built around three poles – knowledge, skills and attitudes- and three levels – preparatory, pre-posting and career-long training – and presents the main parameters and options for implementation.

<http://hdl.handle.net/1814/15639>

LUETKEPOHL, Helmut

Vector Autoregressive Models, EUI ECO, 2011/30;

Multivariate simultaneous equations models were used extensively for macroeconometric analysis when Sims (1980) advocated vector autoregressive (VAR) models as alternatives. At that time longer and more frequently observed macroeconomic time series called for models which described the dynamic structure of the variables. VAR models lend themselves for this purpose. They typically treat all variables as a priori endogenous. Thereby they account for Sims' critique that the exogeneity assumptions for some of the variables in simultaneous equations models are ad hoc and often not backed by fully developed theories. Restrictions, including exogeneity of some of the variables, may be imposed on VAR models based on statistical procedures. VAR models are natural tools for forecasting. Their setup is such that current values of a set of variables are partly explained by past values of the variables involved. They can also be used for economic analysis, however, because they describe the joint generation mechanism of the variables involved. Structural VAR analysis attempts to investigate structural economic hypotheses with the help of VAR models. Impulse response analysis, forecast error variance decompositions, historical decompositions and the analysis of forecast scenarios are the tools which have been proposed for disentangling the relations between the variables in a VAR model. Traditionally VAR models are designed for stationary variables without time trends. Trending behavior can be captured by including deterministic polynomial terms. In the 1980s the discovery of the importance of stochastic trends in economic variables and the development of the concept of cointegration by Granger (1981), Engle and Granger (1987), Johansen (1995) and others have shown that stochastic trends can also be captured by VAR models. If there are trends in some of the variables

it may be desirable to separate the long-run relations from the short-run dynamics of the generation process of a set of variables. Vector error correction models offer a convenient framework for separating longrun and short-run components of the data generation process (DGP). In the present chapter levels VAR models are considered where cointegration relations are not modelled explicitly although they may be present. Specific issues related to trending variables will be mentioned occasionally throughout the chapter. The advantage of levels VAR models over vector error correction models is that they can also be used when the cointegration structure is unknown. Cointegration analysis and error correction models are discussed specifically in the next chapter.

<http://hdl.handle.net/1814/19354>

MAIR, Peter

Bini Smaghi vs. the Parties: Representative government and institutional constraints, EUI RSCAS, 2011/22, EUDO - European Union Democracy Observatory;

Although it is generally seen as desirable that parties in government are both responsive and responsible, these two characteristics are now in increasing tension with one another. Prudence and consistency in government, as well as accountability, requires that governments conform to external constraints and past legacies, and not just answer to public opinion, and while these external constraints and legacies have grown in weight in recent years, public opinion, in its turn, has become harder and harder for governments to read and process. Meanwhile, because of changes in their organizations and in their relationship with civil society, parties in government are no longer in a position to bridge or 'manage' this gap, or even to persuade voters to accept it as a necessary element in political life. This problem is illustrated by extensive reference to the current fiscal crisis in Ireland, and is also used to question some of the assumptions that are involved in principal-agent treatments of the parliamentary chain of delegation.

<http://hdl.handle.net/1814/16354>

MANENTI, Fabio, SCIALÀ, Antonio

Access Regulation, Entry, and Investment in Telecommunications, EUI RSCAS, 2011/37, Florence School of Regulation;

This paper presents a model of competition between an incumbent and an entrant firm in telecommunications. The entrant has the option to enter the market with or without having preliminary invested in its own infrastructure; in case of facility based entry, the entrant has also the option to invest in the provision of enhanced services. In case of resale based entry the entrant needs access to the incumbent network. Unlike the rival, the incumbent has always the option to upgrade the existing network to provide advanced services. We study the impact of access regulation on the type of entry and on firms' investments. Without regulation, we find that the incumbent sets the access charge to prevent resale based entry and this overstimulates rival's investment that may turn out to be socially inefficient. Access regulation may discourage welfare enhancing investments, thus also inducing a socially inefficient outcome. We extend the model to account for negotiated interconnection in case of facilities based entry.

<http://hdl.handle.net/1814/17975>

MANN, Dennis-Jonathan, PURNHAGEN, Kai Peter

The Nature of Union Citizenship between Autonomy and Dependency on (Member) State Citizenship. A Comparative Analysis of the Rottmann Ruling, Or: How to Avoid a European Dred Scott Decision?, Amsterdam Centre for European Law and Governance Working Paper, 2011/09;

The legal nature of EU citizenship remains a hotly debated issue, in particular its relationship with Member State citizenship/nationality. In this paper, we do not explore EU citizenship as such but rather focus on the withdrawal of EU citizenship. To this end, we comparatively analyze the ECJ's Rottmann ruling and the US Supreme Court's infamous Dred Scott decision. The paper begins with a critical analysis of the relevant EU case law and literature. In Rottmann, the ECJ, for the first time, had to deal with an inherent tension between the 'autonomous' EU legal order and EU citizenship's 'dependency' on Member State nationality. We show that the ECJ took a rather cautious approach, leaving it mainly to

the Member States and their courts to determine the ‘appropriateness’ of EU citizenship withdrawal. While the ECJ’s Rottmann approach has been criticized for being too reluctant, we argue that the ECJ – wittingly or unwittingly – was well advised to take such cautious steps with regard to European citizenship. On the basis of an in-depth analysis of *Dred Scott v. Sandford* we are able to demonstrate some of the challenges of shaping the boundaries of Union Citizenship. The separate opinions delivered in that decision provide an interesting insight into the possible effects of overemphasizing either the dependency or autonomy element of citizenship in multi-level systems. Seen in that light, the ECJ may have been well advised using a cautious, ‘middle-of the-road’ approach. Based on the comparative evidence from *Dred Scott*, we, however, find that the procedural implementation of the ECJ’s ‘Rottmann test’ lacks bite. As a result, Member States that seek to neglect the autonomous feature of European law can easily use it as a *carte blanche*. We conclude our paper by proposing a refined ‘Rottmann test’ that avoids *Dred Scott*-style ‘all or nothing’ excesses and yet can help to strengthen EU citizenship. Under such a refined test, withdrawal of Member State citizenship has to be justified by arguments from European law also, which means that Member States may only withdraw European citizenship when their reasoning is soundly justified also by this standard. Given the lack of primary and secondary law in this respect *de lege lata*, these minimum legal requirements need to be defined by the ECJ. Unfortunately, in *Rottmann*, the ECJ missed the opportunity to do so in a coherent way.

<http://hdl.handle.net/1814/19400>

MARCET, Albert, MARIMON, Ramon

Recursive Contracts, EUI ECO, 2011/15;

We obtain a recursive formulation for a general class of contracting problems involving incentive constraints. These constraints make the corresponding maximization sup problems non-recursive. Our approach consists of studying a recursive Lagrangian. Under standard general conditions, there is a recursive saddle-point (infsup) functional equation (analogous to a Bellman equation) that characterizes the recursive solution to the planner’s problem and forward-looking constraints. Our approach has been applied to a large class of dynamic contractual problems, such as contracts with limited enforcement, optimal policy design with implementability constraints, and dynamic political economy models.

<http://hdl.handle.net/1814/17215>

MARCET, Albert, MARIMON, Ramon

Recursive Contracts, EUI MWP, 2011/03;

We obtain a recursive formulation for a general class of contracting problems involving incentive constraints. These constraints make the corresponding maximization sup problems non-recursive. Our approach consists of studying a recursive Lagrangian. Under standard general conditions, there is a recursive saddle-point (infsup) functional equation (analogous to a Bellman equation) that characterizes the recursive solution to the planner’s problem and forward-looking constraints. Our approach has been applied to a large class of dynamic contractual problems, such as contracts with limited enforcement, optimal policy design with implementability constraints, and dynamic political economy models.

<http://hdl.handle.net/1814/16815>

MARCHETTA, Francesca

Migration and the Survival of Entrepreneurial Activities in Egypt, EUI RSCAS, 2011/01;

The return of temporary migrants represents a key channel through which migration exerts an economic influence upon origin countries. The literature has shown that returnees tend to opt for entrepreneurial activities and that this could contribute to job creation. However, this effect crucially hinges on returnees’ ability to carry on their entrepreneurial activity over time, and no evidence of whether they are successful or not in doing so has been provided so far. We address this research question for Egypt, using a labour market survey with a longitudinal dimension which allows us to analyze the determinants of the survival of entrepreneurial activities. Non-random selection in unobservables is likely to generate endogeneity between entrepreneurs’ migration experience and the probability of survival over time. We address this concern through a recursive bivariate probit model, where the rate of population growth is used as an instrument for migration, and through a two-stages residuals inclusion estimation. We find that past migration experience of the entrepreneurs significantly improves the chances of survival of

their entrepreneurial activities.
<http://hdl.handle.net/1814/15415>

MARCUS, Nathan

Fears and Hope in Numbers: Financial data and the writing of history, EUI MWP, 2011/35;
This paper puts forward the methodological view that certain data produced by financial markets can be used without the need to look into how they were compiled. It argues that when trying to understand the causes of the Austrian Boden-Kredit Anstalt's collapse of September 1929, data from bank balance sheets are not a reliable source, whereas data such as bond yields and interest rate differentials help locate the origin of the financial crisis in the resignation of Austria's Chancellor Ignaz Seipel in April 1929.
<http://hdl.handle.net/1814/19314>

MARIMON, Ramon, NICOLINI, Juan Pablo, TELES, Pedro

Money is an Experience Good: Competition and trust in the private provision of money, EUI ECO, 2011/24;
We study the interplay between competition and trust as efficiency-enhancing mechanisms in the private provision of money. With commitment, trust is automatically achieved and competition ensures efficiency. Without commitment, competition plays no role. Trust does play a role but requires a bound on efficiency. Stationary inflation must be non-negative and, therefore, the Friedman rule cannot be achieved. The quality of money can only be observed after its purchasing capacity is realized. In that sense money is an experience good.
<http://hdl.handle.net/1814/17714>

MARIMON, Ramon, NICOLINI, Juan Pablo, TELES, Pedro

Money is an Experience Good: Competition and trust in the private provision of money, EUI MWP, 2011/06;
We study the interplay between competition and trust as efficiency-enhancing mechanisms in the private provision of money. With commitment, trust is automatically achieved and competition ensures efficiency. Without commitment, competition plays no role. Trust does play a role but requires a bound on efficiency. Stationary inflation must be non-negative and, therefore, the Friedman rule cannot be achieved. The quality of money can only be observed after its purchasing capacity is realized. In that sense money is an experience good.
<http://hdl.handle.net/1814/17737>

MARKUN, Michal

Adapting the Litterman Prior for Cointegrated VARs, EUI ECO, 2011/14;
The paper presents a novel prior for Bayesian VAR models, characterized by explicit modelling of cointegration that avoids certain unattractive restrictive properties of the priors used previously. The potential of the prior for easy elicitation from the well-established Litterman beliefs is demonstrated. An efficient procedure for sampling from posterior distribution is provided. The favourable outcome of the forecast comparison exercise gives further support for the use of the methods proposed.
<http://hdl.handle.net/1814/17214>

MARTINICO, Giuseppe

Complexity as the 'Efficient Secret' of the European Constitution: an Alternative (Explanatory) Proposal, EUI MWP, 2011/01;
In order to explain the specificity of the European Constitution this work aims to analyse the latest constitutional trends of the European integration process in light of the idea of constitutional complexity. It is divided into three parts: in the first part I introduce briefly the general debate on the notion and the nature of the European Constitution. In the second part I discuss the most important 'constitutional theories' of EU integration and, finally, in the third part I introduce my understanding of constitutional complexity by conceiving it as one of the possible constitutional theories of EU integration and describe the EU as a complex system that is characterised by some precise features; non-reducibility, unpredictability, non-determinism and non-reversibility. Obviously the perspective I adopt is that of the

constitutional lawyer who is aware of some possible alternative readings of European integration but who, at the same time, conceives constitutionalism as a plausible, at least, key concept for understanding the latest trends of the EU integration process.

<http://hdl.handle.net/1814/15461>

MARTINICO, Giuseppe

The Impact of "Regional Blindness" on the Italian Regional State, IDEIR Working paper, 2011/05;

To what extent do Italian courts adapt the national legal instruments (principles, rules and legal techniques) regarding state structure to the requirements of EU law? This paper aims to give an answer to this question by providing an overview of the most emblematic cases of "re-adaptations" operated by the Italian courts in order to ensure the respect of the structural principles of EU law. In doing so, I will distinguish two kinds of principles/rules (i.e. normative enunciations) and instruments/techniques (here understood as operative emanations of the normative enunciations) originally conceived for other goals and in a second moment used by the Italian Courts in order to comply with the EU law requirements.

The first group is composed of those principles/rules and techniques expressly conceived for governing the relationship between Regions and State, provided with a more substantive (i.e. non-procedural) nature and reshaped over the years by the Italian Constitutional Court. The second group is composed of principles/rules and techniques characterizing the proceedings before the Italian Constitutional Court (which also serves as final arbiter in the conflicts between Regions and State) that are provided with a genuine procedural nature and that have been used, over the years, by the Italian Constitutional Court in order to guarantee first of all the supremacy of the constitution and, episodically, the primacy of EU law. These principles and techniques do not concern exclusively the relationship between State and Regions but they can, of course, be used in order to guarantee the respect of EU law even in cases involving regional legislation. Keeping this mind I have structured this contribution as follows: First, I will explain the reasons why research like this is "difficult", while secondly I will move to the analysis of the two groups of legal instruments mentioned above. Some final remarks will be presented at the end of the paper.

<http://hdl.handle.net/1814/18337>

MAZZIOTTI, Giuseppe

Copyright and Educational Uses: The unbearable case of Italian law from a European and comparative perspective, EUI LAW, 2011/17;

This study focuses on the legal treatment of educational uses of copyrighted works under Italian law. Considering the very narrow room for free, unauthorized educational uses under Article 70 of the Italian Copyright Act, one would expect a large recourse to rights clearance mechanisms ensuring a wide and legitimate use of copyrighted works for educational purposes (especially when such works are communicated through digital networks and are used on e-learning platforms). Unfortunately, this is not the case in Italy, where neither stakeholders nor competent authorities have taken steps to create an effective system of licences for educational uses. A comparative analysis of exceptions and licensing mechanisms for educational uses in a few countries of continental Europe, northern Europe and of the United States reveals solutions and contractual patterns that show possible solutions for Italy to escape from the present stalemate. In nearly all jurisdictions considered in the study, collective bargaining and collective management constitute an essential element of the regulation of educational uses of copyrighted works and set up mechanisms and levels of economic compensation for authors, publishers and other categories of right-holders. In conclusion, the study suggests a reform of Italian law based on the examples of statutory licensing schemes created for educational uses by countries like Germany and France. Such reform would aim at legalizing a number of educational uses to the benefit of certain categories of beneficiaries through the recognition of remuneration rights in favour of copyright holders.

<http://hdl.handle.net/1814/19697>

MAZZIOTTI, Giuseppe

New Licensing Models for Online Music Services in the European Union, EUI LAW, 2011/14;

This paper examines the restructuring of online rights management that the E.U. Commission recently imposed upon collecting societies and copyright holders in the online music sector in order to foster the

adoption of multi-territorial collective licences covering the whole territory of the European Union. The paper examines the responses of major international music publishers and national collecting societies to the Commission's action by focusing on the emergence of distinct types of new licensing models and on the legal problems and questions that these new models have posed so far. The scenarios that have materialized in the last years show how the pan-European monorepertoire licensing models of the major multinational music groups affect the economic sustainability of national collecting societies and the online rights clearance solutions made available to commercial users. The paper also examines whether the above restructuring is of any help to rights holders and rights managers who find it convenient to combine commercial collective licences and noncommercial individual licences (e.g., Creative Commons) in the management of online rights over their works. The paper takes the conclusion that the radical modification of the structure of online music rights management recently pursued by the E.U. Commission has mainly failed its policy objectives while making online music rights clearance even more complicated, legally uncertain and discouraging. The paper also indicates what legislative amendments the Commission might consider proposing in order to rationalize and greatly simplify collective rights management in the digital environment and what the easiest and most productive model for the development of E.U.-wide music rights management could be.

<http://hdl.handle.net/1814/18755>

MEEUS, Leonardo, AZEVEDO, Isabel, MARCANTONINI, Claudio, GLACHANT, Jean-Michel, HAFNER, Manfred

EU 2050 Low-Carbon Energy Future: Visions and strategies, EUI RSCAS, 2011/11, Florence School of Regulation;

The aim of this paper is to identify the main challenges regarding the achievement of a low-carbon energy system in the EU by 2050. We analyze the visions presented by stakeholders and existing strategies of member state to achieve this transition. The five main challenges identified are the following: 1// energy efficiency - to ensure ambitious energy savings; 2// GHG emissions - to go towards a nearly zero-carbon electricity system; 3// renewable energy - to push effective technologies into the market; 4// energy infrastructure - to ensure timely investment in the electricity transmission grid capacity across borders; 5// energy markets - to guarantee timely investment in electricity generation back-up capacity. We also find that member states are already pursuing different strategies in dealing with these challenges. This creates risks for a European energy policy fragmentation. It also opens new opportunities for cooperation among member states so that the European Commission could demonstrate how to produce European added value.

<http://hdl.handle.net/1814/16175>

MEEUS, Leonardo, DELARUE, Erik

Mobilizing Cities towards a Low Carbon Future: Tambourines, carrots and sticks, EUI RSCAS, 2011/04, Florence School of Regulation;

In the transition towards a decarbonized energy system, we need city authorities to lead by example as public actors, to govern the actions of the private urban actors as local policy makers, and to conceive and manage the implementation of an integrated approach as coordinators, which we introduce in this paper as three levels of city smartness. Local governments however have institutional disincentives to act, and if they do act, they are confronted with urban actors that are reluctant to follow. This paper analyzes how city pioneers in Europe have been able to overcome these disincentives thanks to a combination of local circumstances and interventions by higher levels of government. We categorize the state of the art instruments that have been used by higher levels of government into "tambourines", "carrots", and "sticks", and reflect on how the state of the art could be improved.

<http://hdl.handle.net/1814/15638>

MICKLITZ, Hans-Wolfgang

Social Justice and Access Justice in Private Law, EUI LAW, 2011/02;

During the C20th, the Member States of the European Union developed their own models of social justice in private law. Each model is inherently linked to national culture and tradition. However, all models have a common thread, which is the use of the law by the (social welfare) state as a means to protect the weaker party against the stronger party. Since the adoption of the Single European Act in

1986, the European Union has assumed a social outlook which has gradually developed over time eventually taking shape in the Lisbon Treaty and the Charter of Fundamental Rights. Since the adoption of the SEA, more particularly the White Paper on the Completion of the Internal Market,[1] the European Union adopted a huge set of secondary law means which influence either directly (consumer, labour, anti-discrimination and business law directives) or indirectly (directives meant to liberalise markets, e.g. telecommunication, postal services, energy - electricity and gas, transport, health care) private law matters. This new regulatory private law is governed by a different philosophy, one which cannot be brought into line with the understanding of social justice as enshrined in labour or later the consumer movement and one which is challenging national models of social justice in private law. I call the EU model of justice access justice/Zugangsgerechtigkeit (justice through access, not access to justice), i.e. that it is for the European Union to grant access justice to those who are excluded from the market or to those who face difficulties in making use of the market freedoms. European private law rules have to make sure that the weaker parties have and maintain access to the market - and to the European society insofar as this exists.

<http://hdl.handle.net/1814/15706>

MICKLITZ, Hans-Wolfgang

The ECJ between the Individual Citizen and the Member States: A plea for a judge-made European law on remedies, EUI LAW, 2011/15;

Time and again the ECJ comes under fire, from the Member States who fear the loss of sovereignty, as well as from trade unions and public interest groups who fear the downgrading of 'The Social'. The overall message then may be condensed into the plea for a court which takes a more cautious stance. I am arguing the exact opposite, at least with regard to remedies in the social and the citizen rights order. Only more judicial activism can overcome the lacunae which results from a rights-remedyprocedure mechanism that is too much designed to enforce economic freedoms.

<http://hdl.handle.net/1814/19494>

MILLER, Geoffrey

Financial Private Regulation and Enforcement, EUI RSCAS, 2011/50, Private Regulation Series-07;

The project "Transnational Private Regulatory Regimes: Constitutional foundations and governance design" is co-financed by HiiL (Hague Institute for the Internationalisation of Law), www.hiil.org. This paper considers the topic of private regulation and enforcement for internationally active financial services firms. The paper documents the following types of regulation and enforcement that involve significant private input: house rules, contracts, internal compliance, management-based regulation, private standard-setting bodies, cartels, and private litigation. The paper assesses these systems or modalities along the dimensions of effectiveness, legitimacy, quality, and enforcement. The paper suggests that the following factors (among others) will contribute to determining the pattern of private/public interaction in a given regulatory context: (1) minimization of transactions costs; (2) access to information; (3) expertise; (4) political power of the regulated industry; (5) contests over regulatory turf; (6) regulatory budget constraints, and (7) history or path-dependence. The topic of financial private regulation and enforcement concerns the activities of private firms in the financial sector which are involved in cross-border activities – Citigroup, Bank of America, HSBC, UBS, JPMorgan Chase, RBS, BNP Paribas, Barclays, Morgan Stanley, Goldman Sachs, Deutsche Bank, HBOS, Société Générale, Banco Santander, American Express, Nomura, and so on. For convenience of reference, I will refer to this type of organization as an "internationally active financial services firm" (IAFSF). This paper will categorize different types of private regulation and enforcement applicable to IAFSFs and then will offer some tentative thoughts about the underlying forces that may determine the phenomena under observation, with special reference to the HiiL Concept Paper, "The Added Value of Private Regulation in an Internationalised World? Towards a Model of the Legitimacy, Effectiveness, Enforcement and Quality of Private Regulation." The principal subject of investigation will be the activities of IAFSFs under U.S. law, but attention will be given to international standards and regulations as well.

<http://hdl.handle.net/1814/19742>

MONTELEONE, Shara

Ambient Intelligence and the Right to Privacy. The challenge of detection technologies, EUI LAW, 2011/13;

(Published version of EUI LLM thesis, 2010.)

Unprecedented advances in Information Communication Technologies (ICT) and their involvement in most of private and public activities are revolutionizing our daily life and the way we relate to our environment. If, on the one hand, the new developments promise to make people's lives more comfortable or more secure, on the other hand, complex social and legal issues arise, in terms of fundamental rights and freedoms. The objective of this study is to envisage some of the main legal challenges posed by the new Ambient Intelligence technologies (Aml) and in particular by the new security enforcement technologies for privacy and data protection.

<http://hdl.handle.net/1814/18738>

MORELLI, Massimo, PARK, In-Uck

Internal Hierarchy and Stable Coalition Structures, EUI ECO, 2011/20;

When an agent decides whether to join a coalition or not, she must consider both i) the expected strength of the coalition and ii) her position in the vertical structure within the coalition. We establish that there exists a positive relationship between the degree of inequality in remuneration across ranks within coalitions and the number of coalitions to be formed. When coalition size is unrestricted, in all stable systems the endogenous coalitions must be mixed and balanced in terms of members' abilities, with no segregation. When coalitions must have a fixed finite size, stable systems display segregation by clusters while maintaining the aforesaid feature within clusters.

<http://hdl.handle.net/1814/17579>

NANOOU, Kyriaki

Focusing the Mind? How the European Union affects issue coverage in national elections, EUI MWP, 2011/16;

It is commonplace to assume that what determines the coverage of issues in parties' political agendas are domestic factors such as their own issue priorities and those of their political rivals, the attention devoted by the mass media and the importance of issues to the wider electorate. However, we know very little about what can explain how issue coverage evolves over time. Do certain issues receive constant attention over time, whereas others receive more or less coverage over time? By focusing on the effect of delegation to the EU-level institutions as an external influence, this paper aims to explain whether issue coverage is more or less impervious to change. It examines the impact of increasing delegation of policymaking to the EU institutions on the coverage of issues in parties' manifestos. It expects that, as policy competence shifts from the national to the EU level in a range of policy domains, parties place less emphasis on those issues and instead focus competition on issues where policy-making authority is largely retained by the member states. The effect is expected to vary across those groups of issues classified as either 'principled' or 'pragmatic'. These expectations are tested by using ordinary least-squares (OLS) regression to analyse references to 16 issues in manifesto data covering elections from 1968-2005. The analysis involves 18 European countries.

<http://hdl.handle.net/1814/18274>

NEUMANN, Anne, ROSELLÓN, Juan, WEIGT, Hannes

Removing Cross-Border Capacity Bottlenecks in the European Natural Gas Market: A proposed merchant-regulatory mechanism, DIW Berlin Discussion Paper, 2011/1145, [Florence School of Regulation];

We propose a merchant-regulatory framework to promote investment in the European natural gas network infrastructure based on a price cap over two-part tariffs. As suggested by Vogelsang (2001) and Hogan et al. (2010), a profit maximizing network operator facing this regulatory constraint will intertemporally rebalance the variable and fixed part of its two-part tariff so as to expand the congested pipelines, and converge to the Ramsey-Boiteaux equilibrium. We confirm this with actual data from the European natural gas market by comparing the bi-level price-cap model with a base case, a no-regulation case, and a welfare benchmark case, and by performing sensitivity analyses. In all cases,

the incentive model is the best decentralized regulatory alternative that efficiently develops the European pipeline system.

<http://hdl.handle.net/1814/20103>

NOVAK, Stéphanie

Is there a Tension between Transparency and Efficiency in Decisions? The case of the Council of the European Union, EUI MWP, 2011/33;

Decision makers sometimes refer to the tension between transparency and efficiency in decisions. Yet, this argument is not so obvious, partly because the notion of efficiency is unclear. As a first step in the analysis of this argument, this paper attempts to build an operational definition of efficiency. We focus on the Council of the EU because different transparency rules have been implemented in this institution since the beginning of the 1990s. Still, the actors seem to sidestep these rules and often argue that transparency hampers efficiency in decisions. We rely on about 60 interviews with Council members to describe how the actors sidestep the rules and to research their incentives. We list these incentives and investigate their relationship with efficiency in decisions. Such analysis leads us to distinguish 3 types of efficiency: the ability to make compromises; the productivity in decision making; the ability to implement decisions. These distinctions should help us to carry out case studies on the effects of transparency on these different types of efficiency.

<http://hdl.handle.net/1814/19116>

NYARKO, Yaw, GYIMAH-BREMPPONG, Kwabena

Social Safety Nets: The role of education, remittances and migration, EUI RSCAS, 2011/26, European Report on Development;

We study the role of education as a social protection mechanism. We compare the effectiveness of direct cash handouts in comparison to education over the long-term in reducing the vulnerability to poverty. We also look at the role of three inter-related mechanisms related to protection against shocks: Education, Remittances and Migration. We compute internal rates of return to investments education when the objective is social protection or poverty, and not just the value of incomes. We use Ghanaian Livings Survey data and show that, for benchmark interest rates, the returns to primary and secondary education are positive for social protection. This suggests that for the long-run, education may be a more important means of social protection than cash transfers.

<http://hdl.handle.net/1814/17220>

PACCAGNINI, Alessia

DSGE Model Evaluation and Hybrid Models: A comparison, EUI MWP, 2011/11;

This paper discusses the estimation of Dynamic Stochastic General Equilibrium (DSGE) models using hybrid models. These econometric tools provide the combination of an atheoretical statistical representation and the theoretical features of the DSGE model. A review of hybrid models presents the main aspects of these tools and why they are needed in the recent macroeconometric literature. Some of these models are compared to classical econometrics models (such as Vector Autoregressive (VAR), Factor Augmented VAR and Bayesian VAR) in a forecasting exercise.

<http://hdl.handle.net/1814/18136>

PAPPAS, Takis S.

Political Charisma Revisited, and Reclaimed for Political Science, EUI RSCAS, 2011/60, EUDO - European Union Democracy Observatory;

This paper, initially prompted by the puzzles raised from the atypical emergence of charismatic politics in the otherwise ordinary political system that our contemporary democracy is supposed to be, seeks to bring political charisma back into the study of comparative politics by reconstructing the concept and rendering it applicable to empirical research. Unlike previous approaches, which have suffered from either individual or structural reductionism, the present study examines charisma as a pure power term by focusing on what makes it appear in ordinary democratic politics as an extraordinary phenomenon, namely, its personal (as opposed to impersonal) character of leadership and the pursuit of a politically radical (as opposed to moderate) program. Accordingly, political charisma is defined as a distinct type of legitimate leadership that is personal and aims at the radical transformation of an established

institutional order. Such an understanding of political charisma enables us to further analyze the core features of charismatic leadership and construct an “index of charismaticness” ready to be put under comparative empirical investigation. Sampling from postwar and contemporary European politics, a number of charismatic leaders are examined and then contrasted to non-charismatic ones. It is argued that, once reclaimed for political science, charisma may prove a useful concept with surprising analytical potential. Renewed interest in political charisma is expected to offer valuable clues in such important research areas as political leadership, populism, and contentious politics.

<http://hdl.handle.net/1814/19215>

PARCU, Pier Luigi

The Surprising Convergence of Antitrust and Regulation in Europe, EUI RSCAS, 2011/35, Florence School of Regulation;

This paper examines the progressive steps of convergence of antitrust enforcement and regulation in Europe. As far as competition law enforcement is concerned, both classical essential facilities remedies and recent changes giving to the Commission and to NCAs the power to accept firms undertakings represent clear steps toward a regulatory activity. This legal development is tantamount to a new power of defining the set of positive economic behaviours a firm can adopt, a type of power previously reserved only to legislative or regulatory bodies. Furthermore, in some regulated sectors, like Electronic Communications, the European regulatory framework is more and more based on competition law and economics principles. These evolutions could possibly rise different kind of problem in the enforcement of competition law and economic regulation. Therefore, they also hint to a possible new institutional frameworks for antitrust and regulators maybe more adapt to the present configuration of powers and duties.

<http://hdl.handle.net/1814/17934>

PERRIN, Delphine

Immigration and Citizenship Law in the Maghreb: Turning aliens into citizens, EUI RSCAS, 2011/40, EUDO Citizenship Observatory;

For ten years, Maghreb countries have experienced unprecedented legislative developments, particularly in migration and citizenship law. The concomitance of reforms in both these fields – matching a parallel phenomenon in Europe – arguably reveals an awareness of being migrantreceiving countries and increasingly mixed societies. Revisions in citizenship legislation have mainly been motivated by gender-related concerns and, as such, have only affected immigrants indirectly. Despite some still rigid and discriminatory provisions, the Maghreb presents a range of regulations and national responses in addressing differences, which has the potential to turn successive generations of foreign residents into citizens. Yet, some recent changes have also demonstrated a new reluctance towards the possible integration of foreign citizens.

<http://hdl.handle.net/1814/18054>

POLLICINO, Oreste, BASSINI, Marco

Internet Law in the Era of Transnational Law, EUI RSCAS, 2011/24, Global Governance Programme;

Since its birth, the Internet has usually been considered as a threat to the traditional conception of sovereignty as power of a state to regulate the interactions taking place within its territory. The extraterritorial nature of the Internet has definitely contributed to the globalization of legal orders, by requiring them to develop a shared framework to address the problems arising from the relationships occurring on the Internet across various states. In the era of transnationalism, just some of the areas of law have been affected by the adoption of common legal standards, while others, closer to the national identity's heart, kept themselves aside from this process. Thus, almost paradoxically, the law of the Internet demonstrates that the advent of the era of transnationalism does not imply the end of the role of national law, but only implies it has to be rethought in the broader context of globalization of legal systems.

<http://hdl.handle.net/1814/16835>

PROIETTI, Tommaso, LUETKEPOHL, Helmut

Does the Box-Cox Transformation Help in Forecasting Macroeconomic Time Series?, EUI ECO, 2011/29;

The paper investigates whether transforming a time series leads to an improvement in forecasting accuracy. The class of transformations that is considered is the Box-Cox power transformation, which applies to series measured on a ratio scale. We propose a nonparametric approach for estimating the optimal transformation parameter based on the frequency domain estimation of the prediction error variance, and also conduct an extensive recursive forecast experiment on a large set of seasonal monthly macroeconomic time series related to industrial production and retail turnover. In about one fifth of the series considered the Box-Cox transformation produces forecasts significantly better than the untransformed data at one-step-ahead horizon; in most of the cases the logarithmic transformation is the relevant one. As the forecast horizon increases, the evidence in favour of a transformation becomes less strong. Typically, the naïve predictor that just reverses the transformation leads to a lower mean square error than the optimal predictor at short forecast leads. We also discuss whether the preliminary in-sample frequency domain assessment conducted provides a reliable guidance which series should be transformed for improving significantly the predictive performance.

<http://hdl.handle.net/1814/19334>

RADAELLI, Claudio M., DOSSI, Samuele

Four Funerals and a Party? The political repertoire of the Italian radicals, EUI RSCAS, 2011/57, EUDO - European Union Democracy Observatory;

The transformations brought about by changing patterns of representation, the role of the media in politics, and processes of Europeanization and globalization have challenged the political parties of the West-European Left - and Italy is no exception to this trend. At the policy level, the four transformations have constrained the classic repertoire of the left. At the level of identities, they have pushed some parties to re-invent their core beliefs and re-shuffle their electoral strongholds, whilst other less successful parties have practically withered away. By contrast, right-wing and neo-populist parties have benefited from these four historical trends. These changes are somewhat congenial to them. For Left-wing parties, however, these changing patterns have led to 'funerals' of traditional practices and repertoires. In this article we look at the political repertoire of the Radical Party - established as Partito Radicale in 1955 in Italy and known today as Non-violent, Transparty, Transnational Radical Party. The Radicals have been able to theorize and approach the four challenges quite pro-actively, possibly because most of these transformations were already in their genetic code. The party, grounded in political liberalism, has produced a repertoire embracing global Gandhian transnational action on human rights, anti-militarism, sustainability and the fight against prohibitionist policies; a libertarian approach to scientific 'disorganization' of the classic party apparatus; and a notion of federalism grounded in the critique of the state as institution detrimental to liberties and welfare. We illustrate this original political repertoire and appraise its achievements. We finally critically discuss the repertoire in the broader context of Italian and European politics. Keywords Political parties, non-violence, liberalism, Italian Radical Party, Europeanization

<http://hdl.handle.net/1814/19155>

REICHEL, David

Do Legal Regulations Hinder Naturalisation? Citizenship policies and naturalisation rates in Europe, EUI RSCAS, 2011/51, EUDO Citizenship Observatory;

This paper investigates a simple relationship: the influence of citizenship regulations on citizenship acquisitions by comparing citizenship policies and naturalisation rates in European countries. The analysis looks at the statistical relationship on the cross-national level. As a quantitative indicator for citizenship policies, the MIPEX Nationality is used, including its different sub-indexes, which measure conditions for access to citizenship, eligibility criteria, security of status as well as regulations concerning dual nationality. The analysis includes a transparent discussion of the strengths and weaknesses of the approach taken in the paper. It can be shown that restricting access to citizenship indeed is related to lower naturalisation rates, and that restricted access to dual citizenship appears to have the most significant impact in EU-25 countries, Norway and Switzerland. However, the analysis

shows that such a simple statistical comparison is prone to errors due to, amongst other things, the small number of observations for statistical analyses (i.e. countries), whereby outliers strongly influence the correlation.

<http://hdl.handle.net/1814/18734>

RITTER, Daniel P.

On the Role of Strategy in Nonviolent Revolutionary Social Change: The case of Iran, 1977-1979, EUI MWP, 2011/07;

Are revolutions made or do they come? This question is at the heart of revolution theory and has received plentiful attention from scholars. In this paper I suggest that adherence to this traditional dichotomy may not be the most useful to approach the study of revolutions. Therefore, I argue that theorists of revolutions are well advised to examine the role of the strategic decisions made by revolutionaries in their struggles against the state. Drawing empirically on the nonviolent revolution of Iran in 1977-79, I show that the strategic decisions made by the opposition movement not only allowed them to capitalize on a political opportunity, but that their strategic choices in fact helped bring that opportunity about in the first place.

<http://hdl.handle.net/1814/17874>

ROSAS, Allan

Terrorist Listings and the Rule of Law: The role of the EU Courts, EUI RSCAS, 2011/31, Global Governance Programme;

Although the terrorist attacks on New York and Washington, D.C., on 11 September 2001, were not the first acts of terrorism on a major scale, they triggered a host of counter-terrorism measures, without due regard for the principle of the rule of law. While rule of law concerns have subsequently received more attention, the UN is still continuing its practice of terrorist listings, without any right of judicial review. The response of national and regional courts has been varying. The European Court of Justice, through its Kadi case law, has assumed a leading role in the exercise of judicial control of terrorist listings made by the UN. In addition, the EU judicial system provides for remedies with respect to listings made unilaterally by the EU. The main thrust of the paper is on the role of the European Court of Justice in safeguarding respect for fundamental rights and the rule of law with regard to both UNbased and autonomous EU terrorist listings.

<http://hdl.handle.net/1814/17894>

SADOWSKA, Małgorzata

Energy Liberalization in Antitrust Straitjacket: A plant too far?, EUI RSCAS, 2011/34, Loyola de Palacio Programme on Energy Policy;

The European Commission has launched a number of antitrust investigations against the major energy incumbents in the aftermath of the energy sector inquiry. Most of them have already been settled under Article 9 of the EC Regulation 1/2003 and the undertakings offered far-reaching, sometimes structural, commitments. This article studies the 2008 investigation into price manipulation in the German electricity wholesale market. In spite of no convincing evidence and flaws in the assessment, the Commission was able to negotiate from E.ON substantial capacity divestments. The Commission is straightforward about using antitrust rules to open up energy markets. Sector inquiries, commitment procedure and structural remedies allow for a quick intervention, flexible problem-solving and bring about decisive changes in the energy market setting. However, harnessing antitrust for the purpose of energy liberalization policy has an adverse impact on competition enforcement itself. First, it leads to a number of 'weak' cases, based on far-fetched arguments. Second, it results in remedies which are not tailored to the abuse at issue, but are in line with a wider objective of energy market liberalization, and as an outcome of negotiations, further swayed by the firm's own interest in the ultimate shape of the commitment package.

<http://hdl.handle.net/1814/18358>

SAGUAN, Marcelo, MEEUS, Leonardo

Modeling the Cost of Achieving a Renewable Energy Target: Does it pay to cooperate across borders?, EUI RSCAS, 2011/46, Florence School of Regulation;

Electricity markets are increasingly integrated across borders, but transmission and renewable energy policies often remain local and uncoordinated. In this paper, we analyze how cooperative behavior in developing renewable energy technologies across borders and/or cross-border transmission capacity investment can reduce the cost of achieving a renewable energy target. We use a three step equilibrium model with: i) transmission investment, ii) generation investment and iii) electricity market that we apply to an interconnected two zone system. We find that it pays to cooperate if the zones have different renewable energy sources, but the success of a renewable energy cooperation also depends on cooperation in transmission development, which is therefore an important interaction to take into account in renewable energy policy discussions.

<http://hdl.handle.net/1814/18360>

SEN, Udit

Spinster, Prostitute or Pioneer? Images of refugee women in post-partition Calcutta, EUI MWP, 2011/34;

This paper explores the various images or stereotypes regarding Bengali middle-class refugee women that circulated in post-partition West Bengal. It identifies four main discursive images or constructions of refugee women: as bodies vulnerable to rape and dishonour; as economically and socially marginal members of society who could by definition, not be rehabilitated; as unequal participants in the refugee movement whose contributions were seen as 'inspirational' and symbolic, rather than substantive; and last, but not the least, as bread-winners who transgressed the proper role of women as home-makers. Polite society in Calcutta most frequently lamented the fate of refugee women who worked either by highlighting their deprivation of being a spinster, or their ignominy of 'sinking' to prostitution.

Juxtaposing the ubiquity of these images against census records which show no statistically significant changes in livelihood patterns of middle-class women in Calcutta, this paper argues that these images had little to do with the choices faced and lives negotiated by refugee women. Instead, they reflected the anxiety of Bengali refugees regarding their social status, ideals and traditions in the context of the displacement and social dislocation wrought by partition. This anxiety was inevitably displaced to the bodies of women, whose imagined or real transgressions of ideal social roles were actively lamented, and thus devalued. This paper critiques historical scholarship that reads these images of women earning wages as evidence of reconfiguration of gender roles. It cautions against celebrating partition and its dislocation as a harbinger of women's emancipation in West Bengal.

<http://hdl.handle.net/1814/19216>

SGARD, Jérôme, BROUSSEAU, Eric, SCHEMEIL, Yves

Sovereignty without Borders: On individual rights, the delegation to rule, and globalization, EUI RSCAS, 2011/28, Global Governance Programme;

Just as medieval municipal republics surrendered to national sovereigns in the past, incumbent states may be replaced in the future by an alternate, global public order. Citizens and merchants would obtain more equal rights, better market infrastructures, and a more efficient provision of public goods at all levels of government, from the local to the global. This proposition is supported by an agentbased, incentive-compatible model where individual rights—economic and political—are established within an ongoing bargain with rulers. Enfranchisement then shapes the autonomous dynamics of civil society and markets and, over time, allows for feedback of preferences into the core bargain on rights.

Globalization results from a capacity to trade and associate that extends far beyond home jurisdictions, yet on the basis of differentiated franchises. In this representation, the world is anarchic, pluralistic, unequal, and growing. Although it is no longer state-centered, long-term change is driven by the attempts and failures of states to establish a more coherent normative infrastructure and to respond to new social demands. From this account, we derive four scenarios of global reordering, among which maximal integration would see the classical nation-state split into two parts: a decentralized, federal structure of government; and a unified legal order that would warrant equal rights and generalized open access throughout the world.

<http://hdl.handle.net/1814/17295>

SHAW, Jo (ed/s)

Has the European Court of Justice Challenged Member State Sovereignty in Nationality Law?,

EUI RSCAS, 2011/62, EUDO Citizenship Observatory;

Research for the EUDO Citizenship Observatory working papers series has been jointly supported by the European Commission grant agreement JLS/2007/IP/CA/009 and by the British Academy Research Project CITMODES (both projects co-directed by the EUI and the University of Edinburgh). The financial support from these projects is gratefully acknowledged.

In March 2010, the Court of Justice of the European Union (CJEU or Court) handed down its judgment in the long awaited case of Rottmann. This paper explores some of the implications of this important judgment through a series of comments placed contemporaneously on the EUDO Citizenship website and a conclusion finally revised by Jo Shaw in November 2011. The judgment clarifies the relationship between EU citizenship and national citizenship, stating that a withdrawal of national citizenship which results in a person ceasing to be an EU citizen altogether 'by reason of its nature and consequences' falls within the scope of EU law and is thus subject to review by national courts and the Court of Justice in the light of the requirements of EU law. The conclusion as to whether national authorities have overstepped the mark will be made in the light of a proportionality test. While Rottmann itself represents an interesting jumping off point for further reflection on the EU/national citizenship nexus, its broader interest partly lies in the fact that it sits – with the benefit of some hindsight – at the beginning of a new period of judicial activism on the part of the Court of Justice in relation to the scope and character of EU citizenship. This broader context is surveyed by Shaw in the concluding thoughts.

<http://hdl.handle.net/1814/19654>

SIRCHENKO, Andrei

Policymakers' Votes and Predictability of Monetary Policy, EUI ECO, 2011/05;

The National Bank of Poland does not publish the Monetary Policy Council's voting records before the subsequent policy meeting. Using real-time data, this paper shows that a prompt release of the voting records could improve the predictability of policy decisions. The voting patterns reveal strong and robust predictive content even after controlling for policy bias and responses to inflation, real activity, exchange rates and financial market information. They contain information not embedded in the spreads and moves in the market interest rates, nor in the explicit forecasts of the next policy decision made by market analysts in Reuters surveys. Moreover, the direction of policymakers' dissent explains the direction of analysts' forecast bias. These findings are based on the voting patterns only, without the knowledge of policymakers' names.

<http://hdl.handle.net/1814/15646>

SRINUAN, Pratompong, SRINUAN, Chalita, BOHLIN, Erik

The Mobile Broadband and Fixed Broadband Battle in Swedish Market: Complementary or substitution?, EUI RSCAS, 2011/36, Florence School of Regulation;

This paper aims to investigate the current broadband situation in Swedish market, in particular whether the mobile broadband (MBB) is a complementary or substitute service to fixed broadband (FBB) by using multinomial logit model. The data is collected from the Post- och telestyrelsen (PTS) survey in 2009 together with a secondary data on price of broadband service for each service providers. The findings indicate that price and type of housing are the major determinant for broadband connections. In addition, the living area and service provider affect the probability of using broadband. Considering the own price elasticities, cable is more inelastic compared to DSL, LAN/Fiber and MBB while the cross price elasticities show that MBB is complementary service to FBB in Sweden at this stage. However, the cross price elasticities of FBBs and MBB report that there is high possibility that MBB could be substitution service to FBB in the near future.

<http://hdl.handle.net/1814/17976>

STAUDIGL, Mathias

Stochastic Stability in Binary Choice Coordination Games, EUI MWP, 2011/02;

Recent literature in evolutionary game theory is devoted to the question of robust equilibrium selection under noisy best-response dynamics. In this paper we present a complete picture of equilibrium selection for asymmetric binary choice coordination games in the small noise limit. We achieve this by transforming the stochastic stability analysis into an optimal control problem, which can be solved generally. This approach allows us to obtain precise and clean equilibrium selection results for all

canonical noisy best-response dynamics which have been proposed so far in the literature, among which we find the best-response with mutations dynamics, the logit dynamics and the probit dynamics. Thereby we provide a complete answer to the equilibrium selection problem in general binary choice coordination games.

<http://hdl.handle.net/1814/16074>

STEWART, Richard B.

Enforcement of Transnational Public Regulation, EUI RSCAS, 2011/49, Private Regulation Series-06;

The Research project "Transnational Private Regulatory Regimes: Constitutional foundations and governance design" is co-financed by HiiL (Hague Institute for the Internationalisation of Law) This essay provides an overview of enforcement mechanisms and issues in transnational public regulation. Regimes of transnational regulation (environment, finance, security, intellectual property, etc.) established by states and networks of domestic government officials use a variety of regulatory instruments, including economic incentives. Lack of consistent enforcement undermines the efficacy of these regimes. The paper examines legal remedies, including those provided by Global Administrative Law, that may be asserted against domestic and international administrative bodies in order to address enforcement gaps in transnational regulation. These include remedies invoked by the beneficiaries of regulatory regime to promote enforcement and regulatory protection by such bodies.

<http://hdl.handle.net/1814/19555>

SURAK, Kristin

States and Migration Industries in Taiwan, Japan and South Korea, EUI MWP, 2011/12;

Among the crescendo of calls for "systemic" approaches to the study of international migration, a small body of literature has emerged around what might be termed the migration industry, or the matrix of border-spanning businesses – labor recruitment, money-lending, transportation, remittance, documentation, and communication services that provide a vital infrastructure for going from here to there. Most work on the migration industry has viewed the state as an adjunct to the object of inquiry – while it may provide a supportive framework or inadvertently encourage the industry's growth, the state has not yet been theorized as an active partner in its development. However, the East Asian democracies illustrate a range of configurations the state may assume as a partner in the development of migration industries in low skilled labor and marriage recruitment schemes: Taiwan evincing a stronger mix of neoliberal marketization, Japan holding to developmental state guidance, and South Korea oscillating between the two. These cases illustrate how the state may harness market competition to devolve sovereign control over labor migration flows to sub-state actors who, driven by the possibility of financial gain, carry out traditional state capacities. The state thus becomes an invested player in the migration industries channeling low-skilled flows, profiting both by saving resources that might otherwise be drained by migration policy enforcement, and as a fee-collector from licenses of entry into the game.

<http://hdl.handle.net/1814/18137>

SVETIEV, Yane

The Role of Intellectual Property in Joint Innovation and Development, EUI MWP, 2011/36;

This paper focuses on the role of intellectual property (IP) in structuring and governing innovative ventures between independent firms. The issue is particularly important given the tendency towards vertical disintegration in business firms whereby once integrated firms focus on core activities, while devolving residual aspects to independent suppliers and collaborators. In a world of fast changing technology, this also means that innovation takes place across firm boundaries and raises issues about the ownership of resulting intellectual property. This paper examines the routes available to firms for allocating such intellectual property to suggest that neither the default rules of US patent law, nor the types of agreements firms have struck as between each other provide adequate protections from appropriation while at the same encouraging seamless cooperation and sharing. This would suggest some caution about the appropriateness of the IP regime for the current innovation environment even in industries such as the pharmaceutical industry where patents are thought to be appropriate to recoup

R&D investments and where the risk of standard patent hold up is thought to be low.

<http://hdl.handle.net/1814/19695>

SWIDER, Katja

Pre-Accession Changes to Residence-based Naturalisation Requirements in Ten New EU Member States, EUI RSCAS, 2011/18, EUDO Citizenship Observatory;

This study investigates how access to residence-based naturalisation has changed in ten Central and Eastern European EU member states before their accession. It focuses on the legislative amendments made during the time of EU pre-accession conditionality, specifically between the entry into force of the Europe Agreement and the date of accession, when the supervision of the EU Commission over legal and political developments in those states was strongest. The changes are analysed and evaluated as to their liberal nature, which shows that while the EU pre-accession documents promote the principle of inclusiveness, the legislative amendments in the field of naturalisation that were in fact introduced during the pre-accession time result in higher exclusion.

<http://hdl.handle.net/1814/16195>

TASKIN, Temel

Unemployment Insurance and Home Production, EUI MWP, 2011/29;

In this paper, we incorporate home production into a quantitative model of unemployment and show that realistic levels of home production have a significant impact on the optimal unemployment insurance rate. Motivated by recently documented empirical facts, we augment an incomplete markets model of unemployment with a home production technology, which allows unemployed workers to use their extra non-market time as partial insurance against the drop in income due to unemployment. In the benchmark model, we find that the optimal replacement rate in the presence of home production is roughly 40% of wages, which is 40% lower than the no home production model's optimal replacement rate of 65%. The 40% optimal rate is also close to the estimated rate in practice. The fact that home production makes a significant difference in the optimal unemployment insurance rate is robust to a variety of parameterizations and alternative model environments.

<http://hdl.handle.net/1814/18894>

TICCI, Elisa

Extractive Industries and Local Development in the Peruvian Highlands: Socio-economic impacts of the mid-1990s mining boom, EUI RSCAS, 2011/14;

Since the late Nineties, the mining sector in Peru has been experiencing a protracted period of rapid growth. This paper investigates local impacts of the mining boom on migration, on access to basic services, on labour market and on occupational distribution across sectors. By applying propensity score matching technique, mining and non-mining districts are compared. The results show that recent mining expansion has encouraged migration inflows to mining districts and affected the sectoral composition of the labor force in these areas. However, despite the great expectations and the new institutional and legislative settings, the mining growth has not produced a multiplicative effect on non-mining and non-agricultural activities and did not boost a process of economic diversification towards non-primary sector. Finally, the analysis shows a significant heterogeneity in impacts on labour opportunities and on access to basic services across rural and urban areas, and between districts with a long history of mining exploitation and new mining areas.

<http://hdl.handle.net/1814/15994>

TOCCI, Nathalie, CASSARINO, Jean-Pierre

Rethinking the EU's Mediterranean Policies Post-1/11, IAI Working Paper, 2011/06;

The revolts sweeping across North Africa and the Middle East in 2011 have shaken long-held truths about the region. Most strikingly, the sustainability of these regimes has proved a chimera. The events in the region and the many truths they uncovered call for a serious rethink in Western policies towards the region. The aim of this paper is to explore what such a rethink might entail for the European Union. Reviewing the European Neighbourhood Policy by revamping the benefits on offer, reconsidering the effective use of conditionality, establishing adequate monitoring mechanisms and engaging with a plethora of partners both within and beyond the region is imperative. Such a review is contingent on the

recognition of a reversed hierarchy of priorities, induced by the force of historical events unfolding in the region. To reverse policy priorities is no small feat, considering the entrenched logic that has sustained Euro-Med policies so far. Nonetheless, various dynamics press for a new way of thinking. The proposals contained in this study constitute concrete steps to rethink the EU's Mediterranean policies in line with the fundamental rights and principles which the Union seeks to advance in its external action. <http://www.iai.it/pdf/DocIAI/iaiw1106.pdf>, <http://hdl.handle.net/1814/17154>

VAN GESTEL, Rob, MICKLITZ, Hans-Wolfgang

Revitalizing Doctrinal Legal Research in Europe: What about methodology?, EUI LAW, 2011/05;

Both in the U.S. and in Europe there is a debate on methodology in legal research. Doctrinalists and multidisciplinary appear to be in different camps fighting over the 'true nature' of legal scholarship. We wonder where this renewed attention for methodology is coming from and what is behind it. Should European legal scholars follow certain colleagues in the U.S. who believe that doctrinal research is dead and should we all engage in law and... research now? If not, does this imply that there is nothing wrong with mainstream European doctrinal legal scholarship? We believe the latter is not the case. Our hypothesis is that an increased instrumentalisation of European law, and legal research has decreased the attention for methodology, for legal theory, and for keeping enough professional distance to ones object of research. This has, among others, resulted in a lack of scholarly criticism towards European integration. We will argue that the answer to this problem is not to try to put doctrinal legal research out with the garbage. Instead, we suggest it should be revitalized so that it is up for the challenges that European law is facing.

<http://hdl.handle.net/1814/16825>

VAN KOTEN, Silvester, ORTMANN, Andreas

Structural versus Behavioral Measures in the Deregulation of Electricity Markets: An experimental investigation guided by theory and policy concerns, EUI RSCAS, 2011/07, Loyola de Palacio Programme on Energy Policy;

We try to better understand the comparative advantages of structural and behavioral measures of deregulation in electricity markets, an eminent policy issue for which the experimental evidence is scant and problematic. In the present paper we investigate theoretically and experimentally the effects of the introduction of a forward market on competition in electricity markets. We compare this scenario with the best alternative, reducing concentration by adding one more competitor by divestiture. Our work contributes to the literature by introducing more realistic cost configurations, teasing apart number and asset effect, and studying numbers of competitors that reflect better the market concentration in the European electricity industries. Our experimental data suggest that introducing a forward market has a positive effect on the aggregate supply in markets with two or three major competitors, configurations typical for both the newly accessed and the old European Union member states. Introducing a forward market also increases efficiency. Our data furthermore suggest, in contrast to previous findings, that the effects of introducing a forward market is stronger than adding one more competitor both in markets with two, and particularly three, producers. Our data thus suggest that the behavioral measure of introducing a forward market is more effective than the structural measure of adding one more competitor by divestiture. Thus competition authorities should, in line with EU law, focus on the behavioral measure of introducing, or at least facilitating the emergence of, forward markets rather than on the structural measure of lowering market concentration by divestiture.

<http://hdl.handle.net/1814/15794>

VAN KOTEN, Silvester

Merchant interconnector projects by generators in the EU: Effects on profitability and allocation of capacity, EUI RSCAS, 2011/10, Loyola de Palacio Programme on Energy Policy;

When building a cross-border transmission line (a so-called interconnector) as a for-profit (merchant) project, where the regulator has required that capacity allocation be done non-discriminatorily by explicit auction, the identity of the investor can affect the profitability of the interconnector project and, once operational, the resulting allocation of its capacity. Specifically, when the investor is a generator

(hereafter the integrated generator) who also can use the interconnector to export its electricity to a distant location, then, once operational, the integrated generator will bid more aggressively in the allocation auctions to increase the auction revenue and thus its profits. As a result, the integrated generator is more likely to win the auction and the capacity is sold for a higher price. This lowers the allocative efficiency of the auction, but it increases the expected ex-ante profitability of the merchant interconnector project. Unaffiliated, independent generators, however, are less likely to win the auction and, in any case, pay a higher price, which dramatically lowers their revenues from exporting electricity over this interconnector.

<http://hdl.handle.net/1814/15797>

VIANI, Francesca

Measuring International Risk-Sharing: Theoretical issues and empirical evidence from OECD countries, EUI ECO, 2011/10;

Whether financial market integration raised global insurance is a crucial, still open issue. All empirical methods to measure cross-border risk-sharing are based on the implicit assumption that international prices do not fluctuate in response to business cycle shocks. This paper shows that these methods can be completely misleading in the presence of large fluctuations in international prices as those observed in the data. I then propose a new empirical method that is immune from this issue. The risk-sharing inefficiency between two countries is measured by the wedge between their Stochastic Discount Factors (SDFs). This measure is a proxy for the welfare losses created by imperfect insurance. Welfare losses can be attributed either to the strength of uninsurable shocks (the extent of risk to be pooled) or to the degree of insurance against different sources of risk. The method is applied to study the evolution of risk-sharing between the US and OECD countries, assuming either constant or time-varying risk-aversion. The degree of insurance is found to have improved over time only for some countries and only if SDFs are estimated assuming time-varying risk-aversion. The results are also informative on the implications of different macro models for international risk. When confronted with the data, standard open-macro models (featuring constant risk-aversion) imply that nominal exchange rate fluctuations do not contain wealth divergences across countries, but rather represent an important source of risk. Time-varying risk-aversion instead implies that limiting welfare losses from imperfect risk-sharing requires reducing the volatility of macro fundamentals.

<http://hdl.handle.net/1814/15956>

VIOLA DE AZEVEDO CUNHA, Mario, MARIN, Luisa, SARTOR, Giovanni

Peer-to-Peer Privacy Violations and ISP Liability: Data protection in the user-generated web, EUI LAW, 2011/11;

Since the adoption of the e-Commerce Directive, web hosting has dramatically changed.

User-generated content is usually uploaded into platforms that facilitate and support users in preparing content and making it available. Such platforms are run in most cases by commercial companies who make profit by associating advertisements with user-generated materials. This paper will address the issue of the legal framework applicable to the ISPs managing platforms for user-generated contents. Can they be considered as mere host providers, even though their activities include not only distributing user-generated content, but also indexing it and linking it to advertising? As user-generated contents often concern third parties, the paper tackles the question whether liability exemptions are applicable also to data protection violations regarding third parties' information uploaded by users. This issue is addressed through a comparative analysis of cases on liability of providers of user-generated content, in particular with regard to data protection violations. We will take into account ECJ's decisions, EU and non-EU states' case law, as well as opinions of the national data protection authorities.

<http://hdl.handle.net/1814/18254>

VULETIC, Dean

The Silent Republic: Popular music and nationalism in socialist Croatia, EUI MWP, 2011/20;

This paper explores the development of popular music and its relationship to the political situation in Croatia and Yugoslavia from 1945 to 1991, and how global musical trends were used to construct and reinvent Croatian and Yugoslav cultural and political identities. It begins with a discussion of the suppression of patriotic music in the early decades of socialist Yugoslavia, when the regime attempted

to create a supranational culture that would unify Yugoslavia's constituent nations. It then analyses the national cultural revival in Croatia in the late 1960s that prompted a political movement known as the Croatian Spring, when the pop singer Vice Vukov incorporated Croatian patriotic themes into his songs. In the years following the crushing of the Croatian Spring in 1971, Croatian nationalism was again suppressed in politics and music, and because of this stifling of political opposition Croatia was dubbed "the silent republic." For the rest of the 1970s the political function of pop and rock music was reflected in its glorification of Yugoslavia and its leader, Josip Broz Tito. However, after the death of Tito in 1980, New Wave rock bands such as Prljavo kazalište began to criticise aspects of the Yugoslav system and indicated a new turn towards nationalist politics in Croatia. This study concludes with a discussion of popular music and nationalism in Croatia from 1990 to 1991, and it highlights the dilemma that Croatia's liberal democracy has since faced in dealing with the phenomenon of extreme nationalist music, especially that performed by the singer Thompson.

<http://hdl.handle.net/1814/18635>

WANG, Heng China

Free Trade Agreements and WTO Law: A perspective on the trade in services, EUI MWP, 2011/05;

China's free trade agreements in services are developing at a fast pace. This paper examines the major differences between these agreements and the General Agreement on Trade in Services (GATS) and their relationship with the law of the World Trade Organization (WTO). Although they are modeled on the GATS, amongst other things these agreements differ in their scope and coverage, origin rules, transparency and good governance.

<http://hdl.handle.net/1814/17736>

WOLAK, Frank A.

Managing Demand-Side Economic and Political Constraints on Electricity Industry Re-structuring Processes, EUI RSCAS, 2011/61, Loyola de Palacio Programme on Energy Policy;

This paper identifies the major political and economic constraints that impact the demand-side of electricity industry re-structuring processes. It then describes how these constraints have been addressed and how this has harmed market efficiency and system reliability. Finally, the paper proposes demand-side regulatory interventions to manage these constraints in a manner that limits the harm to wholesale market efficiency.

<http://hdl.handle.net/1814/19496>

WOOD, Stepan

An Argument for Leverage-Based Business Responsibility for Human Rights, EUI RSCAS, 2011/48, Global Governance Programme-09;

Recent debates about "spheres of influence" in the context of the corporate responsibility to respect human rights raised the question of whether companies' human rights responsibilities arise, in part, from their leverage—their ability to influence the actions of others through their relationships. Special Representative John Ruggie rejected this proposition in the UN Framework for business and human rights. I argue, on the contrary, that leverage is a source of responsibility where there is a morally significant connection between the company and a rights-holder or rights-violator, the company is able to make an appreciable contribution to ameliorating the situation, it can do so at modest cost, and the threat to the rights-holder's human rights is substantial. In such circumstances companies have a responsibility to exercise leverage even though they did nothing to contribute to the situation. Such responsibility is qualified, not categorical; graduated, not binary; context-specific; practicable; consistent with the specialized social role of business; and not merely a negative responsibility to avoid harm but a positive responsibility to do good.

<http://hdl.handle.net/1814/18735>

WOUTERS, Jan, MEUWISSEN, Katrien

Global Tax Governance: Work in progress?, EUI RSCAS, 2011/12, Global Governance Programme;

The international financial crisis which broke out in 2008 has had a major impact on fiscal sustainability

of countries all over the world. Countries have responded with varying measures. Moreover, in the aftermath of the global financial crisis, international initiatives regarding tax governance have gained political momentum; various initiatives regarding fiscal policy have been taken at the global level, and several policies with implications for national tax policy and law are conducted at that level. Therefore, this paper will give an overview of the international tax initiatives at the level of the Group of Twenty (G-20), the Organization for Economic Cooperation and Development (OECD), the United Nations (UN), the International Monetary Fund (IMF) and the World Trade Organization (WTO). These international tax initiatives cannot be referred to as “international tax law”. It would be more appropriate to see them as a hesitant beginning of a form of “global tax governance”. This contribution will show that the unequivocal fiscal principle of ‘no taxation without representation’ poses an important challenge for the emergence of legitimate global tax governance, as most of the international initiatives lack an inclusive process. Whereas multiple international tax initiatives exist, we cannot yet discern the existence of globally effective tax governance.
<http://hdl.handle.net/1814/17219>

ZAHN, Rebecca

German and British Trade Unions: Problems and opportunities after enlargement, EUI MWP, 2011/04;

This paper examines and compares German and British trade union responses in a European context following the recent European enlargements in 2004 and 2007, enlargements that are unprecedented in the history of the European Union. In particular, the paper undertakes a contextualized comparison of trade union behaviour in responding to the changing regulatory and opportunity structures which present themselves following the enlargements. Account is taken of the role that trade unions adopt within their national legal systems as well as of the effects of the European Union’s policy of Europeanisation on national trade unions.
<http://hdl.handle.net/1814/16834>

ZAPRYANOVA, Galina

Party Competition, Corruption and electoral behaviour in the new EU Member States, EUI MWP, 2011/21;

What accounts for the electoral successes of Eurosceptic and populist political parties in Central and East Europe? Citizens in the region have expressed their support for these types of parties in recent elections while, at the same time, aggregate levels of support for EU membership and trust in EU institutions remain high. EU-centered explanations for the growing popularity of these parties have focused on the dissatisfaction of citizens with specific aspects of European integration such as economic reforms, perceived loss of sovereignty or the strict requirements regarding protection of minorities. This paper proposes an alternative causal explanation by establishing a relationship between perceptions of domestic political corruption, mainstream party convergence and citizens’ growing support for populist and Eurosceptic parties. By choosing to support these parties citizens in the region are, in fact, casting a protest vote against domestic political elites. A public opinion survey from Bulgaria and the Czech Republic is utilized to test these hypotheses. Results suggest that perceptions of political corruption and the similarity of mainstream political parties play a large role in determining vote choice.
<http://hdl.handle.net/1814/18234>

Research Reports - RSCAS

ABDELFATTAH, Dina

Impact of Arab Revolts on Migration, CARIM Analytic and Synthetic Notes, 2011/68, Series on the Impact of the Arab Spring on Migration, Socio-political Module;

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This paper explores how the revolts taking place in the Arab World would affect the migratory outcomes within the region and internationally. The impact of the uprisings on migration will depend on whether the country is a country of origin or of destination. The paper focuses on two cases-studies: Egypt, being the main sending country in the region, and Libya, a main country of destination for migrants from the North African region as well as from Sub-Saharan Africa. The Arab countries are still going through the transition between an old regime and a new one, with major economic and political unrest and episodes of protests and sit ins as well as military actions and, what is more, this period of unrest is likely to last for some time. The impact of the revolutions on the economic and political status of the country is still to be debated and understood. With the lack of clarity in economic and political policies, migration will continue to be unpredictable., Cet article s'intéresse aux conséquences des révolutions arabes sur les migrations régionales et internationales. L'impact des révoltes diffère dans les pays d'émigration et les pays d'immigration. Ce texte traite de deux exemples : l'Egypte, qui est le principal pays d'émigration dans la région, et la Libye, qui est un important pays de destination pour des migrants nord-africains et subsahariens. Les pays arabes traversent une période de transition, qui risque de durer, entre un ancien et un nouveau régime, avec d'importantes protestations politiques et économiques, des manifestations, et des actions militaires. L'impact des révolutions sur la situation politique et économique des pays arabes doit encore être débattu et analysé. L'évolution des mouvements migratoires est difficile à prévoir en l'absence d'une vision claire des choix politiques et économiques à venir.

<http://hdl.handle.net/1814/19874>

ABIMOURCHED, Rola

Migrant domestic workers in the Mashriq: Towards a rights-based regulatory framework,

CARIM Research Report, 2011/03;

<http://hdl.handle.net/1814/18955>

AHMED SALEM, Zekeria

Cadre sociopolitique de la Migration en Mauritanie : principales tendances et développements récents, CARIM Analytic and Synthetic Notes, 2011/57, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

La présente analyse vise à démontrer que les évolutions sociopolitiques contemporaines de la question migratoire de, vers et à travers la Mauritanie ne sont pas directement liées à des changements significatifs de la politique migratoire ou des migrations elles-mêmes. En effet, l'Etat mauritanien, pauvre et instable, ne semble pas avoir les moyens et la volonté politique de développer une politique migratoire. Toutefois, diverses politiques initiées dernièrement, en particulier celles liées au contrôle des frontières et des personnes, influent significativement les migrations de, vers et à travers la Mauritanie, sans toutefois procéder d'une politique migratoire cohérente.

This paper demonstrates that the present sociopolitical changes regarding the issue of migration from, to and through Mauritania are not directly related to significant changes of the migration policy or migrations themselves. Indeed, the Mauritanian state, poor and unstable, does not seem to have the means and the political will to implement a migration policy. However, various policies implemented lately, in particular controlling borders and individuals, influence significantly migrations from, to and through Mauritania, although they do not follow a coherent migration policy.

<http://hdl.handle.net/1814/18483>

ALUFFI, Roberta

Genre et Migration dans les pays de l'Afrique subsaharienne (AS) et au Sud et à l'Est de la Méditerranée (SEM), CARIM Research Report, 2011/07, Gender and Migration;

Research Reports

Les conclusions de ce rapport de synthèse s'inscrivent dans le module juridique de la recherche transversale menée dans le cadre du CARIM sur le thème Genre et Migration. Elles sont basées sur les informations et les considérations présentées dans les rapports nationaux concernant l'Algérie, l'Égypte, le Liban, la Jordanie, le Mali, le Maroc, la Mauritanie, le Niger, la Palestine, le Sénégal, le Soudan, la Syrie et la Tunisie. La recherche visait à évaluer l'impact des facteurs juridiques sur la migration féminine. Les rapports nationaux révèlent clairement la rareté de dispositions juridiques spécifiquement destinées aux femmes migrantes. Les dispositions juridiques concernant les femmes en général et susceptibles d'affecter les femmes migrantes sont en revanche nombreuses. De même, les dispositions juridiques apparemment neutres en termes de genre mais affectant en réalité les femmes et en particulier les femmes migrantes sont innombrables. Ni les législateurs ni les autorités en charge de l'application de la loi ne prennent le genre suffisamment en considération. Pourtant, l'adoption d'une approche sensible aux possibles effets de la loi sur la condition des femmes migrantes, ainsi qu'une attention accrue à l'application des dispositions juridiques constituent des éléments pouvant grandement contribuer à l'amélioration de la condition des femmes migrantes et des droits des migrants en général.

The findings presented in this synthesis paper concern the Legal Module of CARIM transversal research on Gender and Migration, and are based on information and considerations found in the national papers from Algeria, Egypt, Lebanon, Jordan, Mali, Morocco, Mauritania, Niger, Palestine, Senegal, Sudan, Syria and Tunisia. The research aimed to assess the impact of the legal factor in women's migration. The national papers clearly show that legal provisions specifically concerning migrant women are extremely rare ; legal provisions, concerning women in general which are likely to have some specific effect on migrant women, are numerous ; and legal provisions which are apparently gender blind but actually affect women, and more specifically migrant women, are innumerable. Neither legislators nor officials charged with the implementation of laws take gender into consideration enough. Nevertheless, the adoption of a sensible approach to the potential effects of the law on the condition of migrant women, as well as a careful consideration of the implementation of legal provisions, are powerful elements that might greatly improve the conditions of migrant women and the rights of migrants in general.

<http://hdl.handle.net/1814/18959>

AL-WREIDAT, Amin, RABABA, Adnan

Working Conditions for Migrant Workers in the Qualifying Industrial Zones of The Hashemite Kingdom of Jordan, CARIM Research Report, 2011/10;

CARIM is co-financed by the European University Institute and the European Union

The Qualifying Industrial Zones (QIZ) are areas designated by the Jordanian and Israeli authorities and approved by the U.S. Government, where products can be exported duty free to the United States, making use of the Israeli Free Trade Area Agreement with the U.S. The QIZs represent an unprecedented opportunity to gain duty and quota-free entry into the U.S market, with 100 % exemption of the export earning from income and social services taxes, and no customs duties payment on imported raw materials, fixed assets, and spare parts. QIZ products can include material content from any part of the world, but 35 % of the appraised value must be added in the QIZ. The labour standards and working conditions in those zones started being highlighted, at the national and international levels, following the release of the first relevant report of the National Labour Committee (NLC), of the United States , in May 2006, which then described the U.S.-Jordan Free Trade Agreement, due to the deterioration of working conditions of migrant workers in those zones, as *Descending into Human Trafficking & Involuntary Servitude*. The Jordanian Government's inspection and verification campaigns that followed the NLC report, showed that the labour and OSH standards in many QIZ enterprises, and even human standards in some cases, did not meet the minimum acceptable limits, as per both international and national standards. The Jordanian Government's response was prompt and proved to be very effective. The most successful reform was the one of the labour inspection system, which was the tool by which the Government closely monitored and followed-up working conditions in the zones, and through which it imposed serious sanctions against violators, such as permanently closing down some of those enterprises, the employers and/or managements of which failed to abide by the law. Almost 5 years following the release of the NLC report, this study shows that nearly none of the past

violations reported by the NLC still exist in the QIZs. Labour rights, in terms of wages, working hours and leaves are protected. Occupational safety, health standards and human rights have seen great improvement and are also fully respected. There are no more confiscated passports, no more reported cases of physical, sexual, or verbal abuse and no more cases of forced labour or discrimination of any form. The number of QIZ enterprises and the number of their workers, both local and migrant, reached their peaks in 2006. There was then a decline in numbers until 2009, as a double effect of the Government's action to rectify the labour standards in those zones as well as the Global Economic Crisis. The crisis, besides affecting Jordan, also directly affected the U.S. importers and buyers, for whom all QIZs' manufacturers produce. The numbers of workers in those zones showed some increase in 2010, which could be an indicator of a recovery from such effects. The exports of the QIZs have also reached their peak level in 2006, but since then showed progressive decline, due to the factors mentioned above. No adequate statistics could be gathered on the total exports from those zones for the whole year of 2010. However, if the monthly average of exports for the first seven months of 2010, which are included in this study, could be applied to the last five months of the same year, then 2010's exports would exceed those of 2009 by about 22%. The QIZ sector can be presently considered as one of the most successful sectors concerning working conditions and OSH in Jordan, where most of national and international labour standards are observed. The findings of this report represent the general situation existing in the QIZs in Jordan, at the time of the study. There are of course possible exceptions to be found, but these are often on a small scale and in concealed or unreported cases.

<http://hdl.handle.net/1814/19884>

AMBROSINI, Maurizio, CANEVA, Elena

The Embodiment of Tolerance in Discourses and Practices Addressing Cultural Diversity in Italian Schools, ACCEPT-PLURALISM, 2011/07, 3. National Case Studies - School Life, Final Country Reports;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19794>

ANA, Cristina M., ANDREESCU, Gabriel, DOROFTEI, Irina-Madalina, MATEI, Petre-Georgian

The Embodiment of Tolerance in Discourses and Practices Addressing Cultural Diversity in Romanian Schools, ACCEPT-PLURALISM, 2011/08, 3. National Case Studies - School Life, Final Country Reports;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19795>

ANAGNOSTOU, Dia

Citizenship Policy Making in Mediterranean EU States: Greece, EUDO Citizenship Observatory, 2011/02, Comparative Analyses, Reports on Citizenship Policy Making;

Research for the EUDO Citizenship Observatory Comparative Analyses has been jointly supported by the European Commission grant agreement JLS/2007/IP/CA/009 EUCITAC and by the British Academy Research Project CITMODES (both projects co-directed by the European University Institute and the University of Edinburgh).

<http://hdl.handle.net/1814/19599>

ASCARI, Sergio, GLACHANT, Jean-Michel, HALLACK, Michelle, VAZQUEZ, Miguel (ed/s)

A Gas Target Model for the European Union: Contrasting MECOS and EURAM Proposal, Florence School of Regulation, 2011/08, Policy Briefs;

At the 18th Madrid Forum (2010) the discussion of an EU gas target model was officially launched. It aims at defining a non-binding vision giving coherence to the coming set of European gas framework

guidelines and grid codes. There is a European-wide consensus to ensure third party access to interconnections and to promote EU gas trade across the entire EU as to reach – let's say 2014 - a target model of "achievement of the internal market". J.M Glachant (director of FSR) and S. Ascari (FSR gas adviser) agree that interconnection capacity is key to increasing trade among EU countries. However, they do not have the same view on who should decide on and who should pay for the needed investment, and how trading places should be selected.

<http://hdl.handle.net/1814/20776>

ASSAL, Munzoul

Conflict-Induced Migration in Sudan and Post-Referendum Challenges, CARIM Analytic and Synthetic Notes, 2011/75;

CARIM is co-financed by the European University Institute and the European Union

Migration in Sudan is caused primarily by protracted conflict and includes various categories of migrants: IDPs, refugees, and to some extent economic migrants. This paper deals primarily with internally displaced persons (IDPs), particularly those from southern Sudan who live in Khartoum. In 2004, it was estimated that 17 percent of Sudan's population had been internally displaced. Following the signing of the Comprehensive Peace Agreement (CPA) in January 2005, few IDPs returned to the south. Additionally, in January 2011, southern Sudanese citizens exercised the right of self-determination. The future of those southerners who are still in Khartoum and other parts of north Sudan is uncertain. In Khartoum, the government declared that southerners will be treated as foreign nationals after the independence of south Sudan on July 9th 2011. Therefore, the issues of conflict-induced migration will survive the peace agreement and the south gaining its independence. This paper is based on existing data on IDPs and on the author's research on the same subject. It analyzes the causes and the consequences of the conflict, in particular forced migration. The paper empirically analyzes living conditions and coping strategies in two IDP settlements in Khartoum: Al Salam and Al Fatih., Un très long conflit est la cause principale des migrations au Soudan qui incluent différentes catégories de migrants : déplacés internes, réfugiés, et migrants économiques dans une certaine mesure. Ce papier traite principalement des déplacés internes et notamment ceux originaires du Sud Soudan qui sont installés à Khartoum. En 2004, il a été estimé que 17 % de la population soudanaise avait été déplacée à l'intérieur du pays. Après les Accords de paix en janvier 2005, peu de déplacés sont retournés dans le Sud et, en janvier 2011, le Sud Soudan a exercé son droit à l'autodétermination. Dans ce contexte, l'avenir des Soudanais originaires du sud qui sont encore à Khartoum et dans le nord du pays est incertain. A Khartoum, le gouvernement a déclaré qu'il considérera les Soudanais du sud comme des étrangers après l'indépendance du Sud Soudan le 9 juillet 2011. Le problème des migrations provoquées par les conflits est donc amené à perdurer malgré l'Accord de paix et l'indépendance du Sud Soudan. Ce papier est basé sur les données disponibles sur les déplacés internes et sur les recherches menées par l'auteur sur ce sujet. Il analyse les causes et les conséquences du conflit, en particulier les migrations forcées. Il propose une analyse empirique des conditions de vie et des stratégies de survie dans deux camps de déplacés à Khartoum : Al-Salam et Al-Fatih.

<http://hdl.handle.net/1814/19881>

ASSAL, Munzoul

Gender and Migration in Sudan: Socio-political aspects, CARIM Analytic and Synthetic Notes, 2011/05, Gender and Migration Series;

Sudan is a sending and a receiving country for economic as well as for forced migrants (refugees). Out-migration from Sudan is caused by conflict and political instability, but also by the desire of Sudanese migrants to have better economic and educational opportunities abroad and, in some cases, family reunification. Migrants coming to Sudan are either refugees or recent voluntary migrants following oil exploration and the signing of the peace agreements in 2005. Statistics show that Asians represent the majority of economic migrants in Sudan, while Ethiopians and Eritreans represent the overwhelming majority of refugees in the country. There is no clear or coherent policy that addresses gender aspects of migration or safeguards the rights of migrant women in particular for either Sudanese or foreign migrants. Migration issues are dealt with through legal frameworks that regulate the presence

and work of foreign nationals, and the journeys of nationals. Indeed, laws are not gender sensitive and do not address the concerns of either migrants generally or migrant women in particular. There is a need for legal reform and there is also a need for the introduction of policies or programmes that are gender sensitive when dealing with migration issues. Sudan needs to enter into bilateral agreements with receiving countries, to ensure the protection of migrant Sudanese women abroad and foreign migrant women in Sudan. / Le Soudan est à la fois un pays d'accueil et d'origine pour les migrations de travail et pour les migrations forcées. Les causes de l'émigration sont les conflits et l'instabilité politique, la recherche de meilleures opportunités économiques et d'éducation et, parfois, la réunification familiale. L'immigration, quant à elle, est formée des flux de réfugiés et de migrations de travail récentes à la suite du développement de l'exploitation pétrolière et de la signature des accords de paix. Les statistiques montrent que la majorité des migrants économiques sont originaires d'Asie, tandis que l'écrasante majorité des réfugiés sont Ethiopiens et Erythréens. Tant pour les migrants Soudanais qu'étrangers, il n'existe pas de politique claire ou cohérente relative aux aspects sexués ou « genrés » de la migration ou, plus particulièrement, à la protection des droits des femmes migrantes. Les questions migratoires sont considérées à travers les cadres législatifs relatifs à la présence et au travail des étrangers, et aux déplacements des nationaux. En effet, les lois ne tiennent pas compte du genre et ne répondent pas aux préoccupations des migrants en général et des femmes migrantes en particulier. Il existe donc un besoin de réforme de la législation, ainsi qu'un besoin de créer des politiques et des programmes qui, lorsqu'elles traitent des questions migratoires, tiennent compte du genre. Le Soudan a besoin de développer des accords bilatéraux avec les pays d'accueil afin de garantir la protection des femmes soudanaises émigrées ainsi que des femmes étrangères immigrées au Soudan.

<http://hdl.handle.net/1814/15590>

ATHAMNEH, Abdel Baset

Gender and Migration in and from Jordan, CARIM Analytic and Synthetic Notes, 2011/22, Gender and Migration Series;

This study attempts to shed light on the main characteristics of gender and migration from and to Jordan. As to immigration patterns, females account for an increasing proportion of foreign workers in Jordan. They come to cover labor shortages in low-skilled occupations where Jordanians do not wish to work, in the 'personal and social services' sector as well as in the Qualified Industrial Zones, where their importance is currently on the rise and where working conditions are unsatisfactory. The main sources of foreign female labor in Jordan are non-Arab Asian States, especially Indonesia, the Philippines and Sri Lanka. With respect to Jordanians abroad, in 2009 they were estimated at 350,000 individuals, of whom only 16.6% were females. Emigration from Jordan towards other Arab countries (i.e. the most important from a quantitative point of view) is supposed to take place under a temporary project, while emigrants directed towards North American countries, which represent, however, an important proportion of recent migrants, are more long-term oriented. In these latter countries, women, as well as men, tend to be highly-educated and are mainly employed in highly-skilled occupations. Moreover, an important part of this analysis is dedicated to the link between migration and education, which demands an analysis of foreign students in Jordan as well as of Jordanians studying abroad and raises important issues. Finally, the last section of the paper proposes some policy recommendations and in particular argues for new institutions dedicated to migration movements in order to give robust and reliable evidence on Jordanian migration patterns. / Cette étude se propose d'apporter un éclairage aux principales caractéristiques du lien existant entre genre et migration depuis et vers la Jordanie. Les femmes immigrées en Jordanie constituent une part croissante parmi les travailleurs étrangers dans le pays. Elles couvrent généralement des pénuries d'emplois peu qualifiés que les Jordaniens ne veulent eux-mêmes pas occupés, notamment dans le secteur 'services sociaux et à la personne' et dans les Zones Qualifiées Industriels, au sein desquels leur nombre croît aujourd'hui, et leurs conditions de travail restent insatisfaisantes. Les principaux flux de femmes travailleuses immigrées sont en provenance de pays non-arabes et asiatiques, en particulier de l'Indonésie, des Philippines et du Sri Lanka. La part des Jordaniens résidant à l'étranger est estimée, au titre de l'année 2009, à hauteur de 350 000 individus, incluant une proportion de 16,6% de femmes. Les principaux flux d'émigration à destination d'autres Etats arabes s'inscrivent, en principe, dans une stratégie à court terme, alors que les émigrants à destination de l'Amérique du Nord - lesquels représentent une importante proportion parmi l'émigration

récente -, s'inscrivent dans un projet migratoire à plus long terme. S'agissant de ces dernières destinations et à l'instar des hommes, les femmes sont davantage issues de l'enseignement supérieur, et sont principalement employées dans des postes hautement qualifiés. En outre, un important segment de cette analyse sera consacré à l'analyse du lien existant entre migration et éducation - lequel part d'une enquête menée sur un échantillon d'étudiants étrangers résidents en Jordanie, et d'étudiants jordaniens résidant à l'étranger -, dont il conviendra de tirer un certain nombre de conclusions. Enfin, la dernière section de cette note énonce une série de recommandations et préconise, en particulier, le développement de nouvelles institutions consacrées à l'analyse des mouvements migratoires en vue de dresser un tableau plus compréhensif des caractéristiques de la migration jordanienne.

<http://hdl.handle.net/1814/15619>

BABA, Naïma

Le Maroc face à la traite transnationale : Interroger les éléments de réponses, CARIM Analytic and Synthetic Notes, 2011/43, Series on the Fight against Trafficking in Persons and the Smuggling of Migrants in Legislation;

Au Maroc, la traite des êtres humains n'est pas nominément érigée en une infraction dans la législation pénale. Et pourtant, ce phénomène, d'après les données actuelles, n'est pas étranger au contexte socioéconomique marocain. Législateurs, institutions gouvernementales et organismes internationaux, société civile, masses médias, sont tous concernés par l'évolution autant juridique que sociale de toute question liée à la traite transnationale. Partant de la complication, au niveau de l'identification des victimes de la traite, en passant par leur protection avec l'attribution d'un statut spécifique, jusqu'au problème d'établissement de la preuve et de la poursuite des trafiquants, ce phénomène reste assez timidement couvert et reçoit un traitement peu effectif et efficient. L'existence des quelques éléments de réponses face à ce phénomène en dehors de toute pénalisation spécifiquement officielle, permet de limiter la marge de la non-incrimination de cette infraction autant que tel. Cependant, elle suggère l'insuffisance des moyens de riposte adéquatement adaptables à l'étendue de la gravité du phénomène.

In Morocco, human trafficking is not specifically considered a crime in penal law. Yet, according to current data, trafficking is a reality in the Moroccan socio-economic context. Legislators, governmental institutions, international organizations, civil society and the mass media should all be concerned by the legal and social issue raised by human trafficking. The phenomenon though is hardly addressed and receives no efficient response in terms of the identification of victims, protection with a specific status, not to mention the determination of evidence and the need to combat traffickers. There are some legal elements allowing the crime to be punished, notwithstanding the absence of an official, specific penalization. Nevertheless, these are not sufficient to address the scope and the seriousness of the phenomenon.

<http://hdl.handle.net/1814/17796>

BABIC, Bojana

Migration and Development Nexus: The case of Bosnia-Herzegovina, CARIM Analytic and Synthetic Notes, 2011/60, Best Summer School Essays;

An intensive ongoing discussion marks the last decades the relationship between migration and development characterized by an alternation between pessimistic and optimistic responses to the effects of the potential link migration and development. Today, in a time that arguably the positive approach to the subject prevails, many countries portray their emigrants as "heroes" reinforcing the way towards development. In contribution to the discussion interrogating a link migration and development this paper presents a general overview of migration and development issues in the case of Bosnia and Herzegovina. Through the guidance of the empirical information regarding the migration and demographic background of this area, the history of the flow of remittances to this area and the Government policies regarding migration and Diaspora engagement, the paper attempts to offer an account of the current situation in Bosnia and Herzegovina as the sending country and contribute to the emergence of further discussion and research in this area. The importance of Bosnia and Herzegovina as a significant case examining the impact of a link between migration and development is established

in this paper in relation to the post-communist and post-war past and present transition periods influencing this area and the documented steady flow of emigration characterizing this area. Ces dernières décennies ont été traversées par un sujet fort de polémique se rapportant au lien entre migration et développement, à travers un balancement non arrêté entre pessimisme et optimisme quant au choix des réponses à apporter aux effets d'un lien incertain entre migration et développement. Aux termes de cette approche dite 'heureuse' de la migration, un ensemble d'Etats dressent le portrait de l'émigré acteur « héros » du défrichage de cette voie vers le développement. Cette analyse se propose, essentiellement, d'apporter une contribution substantielle aux discussions en cours portant sur le lien entre migration et développement sur la base d'une approche générale des questions se rapportant à la migration et au développement, et d'une étude de cas précis de la Bosnie-Herzégovine. Partant des données empiriques migratoires et démographiques se rapportant à cette région, de l'histoire de la trajectoire des flux financiers vers cette zone, et des politiques conduites par le Gouvernement en matière de migration et d'engagement de la Diaspora, cet article se propose de dresser un tableau exhaustif de la situation très actuelle en Bosnie-Herzégovine identifiée comme pays d'origine, et de contribuer à l'émergence d'un véritable débat de fond et d'un travail de recherche substantiel. Le choix porté sur la Bosnie-Herzégovine - en vue de dresser cette analyse des conséquences ressortant du lien entre migration et développement - se justifie au regard des importants développements enregistrés entre la période postcommuniste et post-conflit, et l'actuelle transition pouvant précisément impacter cette zone géographique et les importants mouvements d'émigration régulière caractérisant aujourd'hui l'ensemble de cette zone.

<http://hdl.handle.net/1814/18486>

BABIKER, Mohamed Abdelsalam

Gender and Migration in Sudan, CARIM Analytic and Synthetic Notes, 2011/27, Gender and Migration Series;

This paper focuses on legal issues related to gender and migration in Sudan and highlights rules which specifically focus on women, and also rules and practices whose implementation mainly concerns women. In this context, the paper examines migration rules in Sudan as a host, origin and transit country of female migrants by looking at key issues such as family reunification, personal laws or personal status, asylum rights and refugee protection, protection of vulnerable persons or groups, and discriminatory rules affecting both Sudanese and foreign nationals. The paper argues that in Sudan there are no rules, institutions or mechanisms to support women before or during the migration procedure irrespective of whether they are Sudanese women, refugees or foreign nationals. Cet article traite des questions juridiques relatives au rapport entre genre et migration au Soudan et met en lumière les règles concernant spécifiquement les femmes, ainsi que les règles et pratiques dont l'application concerne surtout les femmes. Dans ce contexte, l'article examine les règles de la migration au Soudan en tant que pays de réception, de départ et de transit de femmes migrantes, en s'attardant sur des questions clé que sont le regroupement familial, le statut personnel, le droit d'asile et la protection des réfugiés, la protection des personnes ou groupes vulnérables, et les règles discriminatoires affectant aussi bien les Soudanaises que les étrangères. L'article montre que le Soudan ne dispose pas de règles, d'institutions ou de mécanismes susceptibles de soutenir les femmes avant ou pendant le processus migratoire, qu'elles soient soudanaises, réfugiées ou étrangères.

<http://hdl.handle.net/1814/16200>

BABIKER, Mohamed Abdelsalam

Irregular Migration in Sudan: A legal perspective, CARIM Analytic and Synthetic Notes, 2011/64, Irregular Migration;

This paper looks at irregular migration in Sudan from a legal perspective by examining the national legal framework related to irregular migration into and through Sudan. It provides analysis of immigration and labour laws, which stipulate certain sanctions against irregular migrants and also sanctions for the facilitation of irregular migration into Sudan. In this context, the paper analyzes national laws from the perspective of international human-rights law and asks whether such laws provide enough guarantees for irregular migrants. It also examines regulation for the migration of Sudanese citizens. The paper

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further addresses the legal status of three types or categories of migrants in Sudan: (a) irregular labour migrants; (b) transit migrants; and (c) refugees. The paper identifies laws and cases decided by the African Commission on Human and Peoples' Rights related to the protection of asylum seekers and refugees and their rights and duties under national and international humanrights law. It concludes that Sudanese laws dealing with irregular migration are not adequate despite the fact that Sudan receives huge numbers of irregular migrants as well as deports thousands of them each year. Sudan has not taken a proactive role or entered into bilateral agreements with its neighbours to combat irregular migration.

Cet article traite de la migration irrégulière au Soudan d'une perspective juridique, en examinant le cadre juridique national relatif à la migration irrégulière à travers et au Soudan. Il fournit une analyse des lois sur l'immigration et le travail, qui prescrivent des sanctions à l'encontre des migrants irréguliers et des personnes qui facilitent leur migration. Dans ce contexte, l'article analyse le cadre juridique soudanais au regard du droit international des droits de l'homme. Il traite également de la réglementation régissant la migration des citoyens soudanais. L'article porte ensuite sur trois catégories de migrants au Soudan : a) les migrants économiques en situation irrégulière ; b) les migrants en transit ; c) les réfugiés. L'article identifie le droit dégagé par la Commission africaine des droits de l'homme et des peuples, relatif à la protection des demandeurs d'asile et des réfugiés. Il conclut que le droit soudanais s'appliquant à la migration irrégulière n'est pas adapté, en dépit de la présence d'un grand nombre de migrants irréguliers et de l'expulsion de milliers d'entre eux chaque année. Enfin, le Soudan n'a pas adopté de rôle proactif ni conclu d'accords bilatéraux avec ses voisins en la matière.

<http://hdl.handle.net/1814/18976>

BADAWY, Tarek

Preliminary thoughts on Egypt's Law Concerning Trafficking in Human Beings, CARIM Analytic and Synthetic Notes, 2011/45, Series on the Fight against Trafficking in Persons and the Smuggling of Migrants in Legislation;

This article analyses the most important provisions of Egypt's Law Concerning the Trafficking in Human Beings ('Law'). Human trafficking in Egypt takes several forms and targets Egyptians and foreign nationals alike. While the Law is progressive and is largely pro victim, the author expresses concerns respecting the interpretation of some sections of the Law. For example, the Law evokes the existing tensions between shariah, which constitutes the main sources of legislation in Egypt, and criminal law. Furthermore, the Law will be devoid of any power in absence of a sincere political will to try the perpetrators of human trafficking; lack of will can be caused by the existence of misconceptions about female victims of trafficking on the part of some members of the police and the prosecution.

Accordingly, in order for this Law to be effective, extensive training in human trafficking issues and their social implications is needed. Having said that, the author believes that the benefits of this Law outweigh its pitfalls; and he is optimistic that any gaps will be filled by judicial activism.

Cet article analyse les dispositions les plus importantes de la loi égyptienne contre la traite des personnes. La traite des personnes prend diverses formes en Egypte et concerne aussi bien les Egyptiens que les étrangers. Bien que la loi soit progressiste et pro-victime, l'auteur exprime son inquiétude quant à l'interprétation de certaines sections de la loi. A titre d'exemple, la loi évoque l'existence de tensions entre la Charia, qui constitue la source principale de droit en Egypte, et le droit pénal. En outre, la loi sera dénuée de tout pouvoir en l'absence de volonté politique sincère de juger les auteurs de traite des personnes, du fait de l'existence de conceptions tronquées des femmes victimes de la traite chez une partie du personnel de police et de justice. En conséquence et afin de rendre cette loi effective, des formations sur les problèmes de traite et leurs implications sociales sont nécessaires. L'auteur pense néanmoins que les bénéfices de la loi dépassent ses lacunes et pense que ces dernières pourront être comblées par l'activisme judiciaire.

<http://hdl.handle.net/1814/17798>

BEL HAJ ZEKRI, Abderrazak

La dimension sociopolitique actuelle de la migration en Tunisie, CARIM Analytic and Synthetic Notes, 2011/48, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

Avant la révolution tunisienne de janvier 2011, les deux principaux axes de la politique migratoire, dans le cadre le Plan économique et social 2010-2014, étaient les suivants : la promotion de la migration légale à travers la signature d'accords avec des pays européens et non européens (Canada, Australie, etc.) ; et le renforcement des liens avec les émigrés tunisiens afin d'encourager leur participation au développement local. Après la chute de l'ancien régime, le gouvernement de transition a fait face à deux événements importants, en relation avec les migrations : la recrudescence de l'émigration clandestine vers l'Italie et les retours massifs des Tunisiens de Libye. Par ailleurs, les associations d'émigrés tunisiens demandent à participer à la redéfinition de la politique migratoire.

Until the Tunisian revolution of January 2011, the two main axes of the Tunisian migration policy, in the frame the Economic and Social Plan 2010-2014, were the followings : promoting legal migration through agreements with European and non European countries (Canada, Australia, etc.) ; and strengthen links with the Tunisian migrants abroad in order to support their participation in local development. After the fall of the ancient regime, the transition government faced two important events, in relation with migration : the upsurge of irregular migration to Italy and the massive return of Tunisian migrants from Libya. Moreover, the associations of Tunisians migrants demand to participate in the redefinition of migration policy.

<http://hdl.handle.net/1814/18474>

BEL HAJ ZEKRI, Abderrazak

La gestion concertée de l'émigration entre la Tunisie et l'Union européenne : limites des expériences en cours et perspectives, CARIM Analytic and Synthetic Notes, 2011/49;

Cette note de synthèse a pour objectif d'analyser l'expérience tunisienne d'une gestion concertée de la migration. Le premier axe traite de la politique européenne et ses incidences sur la définition de la politique migratoire tunisienne. Le second analyse l'expérience tunisienne en matière de migration légale et, en particulier, les limites de la gestion concertée de la migration entre la Tunisie, l'Italie et la France. Enfin, le troisième axe propose de nouvelles perspectives pour le développement de la migration légale en tenant compte du contexte économique et social tunisien dans cette période de transition marquée par un fort ralentissement de l'activité économique et l'aggravation des problèmes sociaux, en particulier le chômage des jeunes.

This paper aims at analyzing the Tunisian experience in relation with the concerted management of migration. The first axis deals with the European migration policy and its consequences on the definition of the Tunisian policy. The second axis focuses on the Tunisian experience of legal migration and, more particularly, the limits of the concerted management of migration between Tunisia, France and Italy. Ultimately, the third axis suggests new perspectives for the development of legal migration, taking into account the economic and social context of the transition period in Tunisia that is characterized by a significant economic decline and the aggravation of social problems, in particular youth unemployment.

<http://hdl.handle.net/1814/18475>

BEN ACHOUR, Souhayma, BEN JEMIA, Monia

Guerre en Libye : la situation des migrants et des réfugiés en Tunisie, CARIM Analytic and Synthetic Notes, 2011/70, Series on the Impact of the Arab Spring on Migration, Legal Module; CARIM is co-financed by the European University Institute and the European Union

Le 17 février 2011 le peuple libyen se révolte contre une dictature de 40 ans. Les rebelles, soutenus par les forces de l'OTAN, et les fidèles du Colonel Kadhafi se livrent une guerre sans merci, laissant des milliers de morts et de blessés et des dégâts matériels implorants. Près de 900.000 personnes quittent le pays pour fuir les combats sanglants qui s'y déroulent et, durant plusieurs semaines, des milliers de personnes traversent les postes frontières de Ras Jdir et de Dhéhiba. Afin de faire face à cette arrivée massive de personnes, des camps sont montés dans l'urgence par l'armée tunisienne pendant que l'aide internationale s'organise. Une opération humanitaire d'urgence est décrétée par l'ONU et confiée au HCR, chargé de protéger les réfugiés et de leur apporter une aide humanitaire, et à l'OIM chargée d'aider à leur rapatriement vers leur pays d'origine. Une part de ceux qui sont entrés sur le territoire tunisien est de nationalité libyenne. Peu d'entre eux restent dans les camps. Ils logent chez des familles tunisiennes, dans des logements qu'ils louent ou dans des hôtels. Ils vont et viennent entre les deux pays au gré de l'évolution de la guerre dans leur pays. Avec la prise de Tripoli par les rebelles et la fuite

de Kadhafi, le 1er septembre, le flot de Libyens entrant en Tunisie ne tarit pas pour autant. Les autres personnes sont ce qu'il est convenu d'appeler des "Nationaux de pays tiers", selon une terminologie utilisée par le HCR. Ils résidaient en Libye avant le déclenchement de la crise. La plupart d'entre eux ont été rapatriés vers leur pays d'origine avec l'aide de leurs gouvernements respectifs et/ou de l'OIM. Cependant, plusieurs réfugiés n'ont pas pu être rapatriés, et ne pourront probablement pas l'être, en raison des graves crises qui secouent leurs pays : guerre en Irak, en Somalie, au Soudan, entre l'Erythrée et l'Ethiopie... Le présent rapport, après quelques brèves précisions sur les notions de migrants et de réfugiés, tentera de décrire leur situation et les grandes difficultés qu'ils vivent et de faire le point sur le droit qui leur est applicable., On 17 February 2011, the Libyan people rose up against a forty-year-long dictatorship. The rebels supported by NATO, on the one side, and Colonel Gaddafi's partisans, on the other, fought each other which meant thousands of deaths, injuries not to mention extensive material destruction. Around 900,000 people fled the country and, for several weeks, many poured across the border posts of Ras Ajdir and Dhebiba. To deal with this situation, emergency camps were set up by the Tunisian army awaiting for international aid. A humanitarian operation was decided upon by the United Nations with UNHCR in charge of protecting refugees and providing humanitarian aid, and the IOM was put in charge of repatriation. Many of those who fled to Tunisia have Libyan nationality. Very few are in the camps, most are hosted by Tunisian families, some rent out flats or hotel rooms. They come and go between the two countries as the war fluctuates. Once Tripoli was taken by the rebels and Qaddafi fled on 1 September, the flow did not decrease. The others are "third-country nationals" according to UNHCR terminology. They used to reside in Libya before the war. Most of them have been repatriated to their home country with the support of their respective governments and/or the IOM. Yet, some refugees were not repatriated and will not be repatriated in the foreseeable future because of serious crises in their country: war in Iraq, in Somalia, in Sudan, between Eritrea and Ethiopia... After some points of definition on migrants and refugees, this report describes their situation and the great difficulties that they face, and suggests the legal framework that could be applied here. <http://hdl.handle.net/1814/19876>

BEN ACHOUR, Souhayma, BEN JEMIA, Monia

Révolution tunisienne et migration clandestine vers Europe : Réactions européennes et tunisiennes, CARIM Analytic and Synthetic Notes, 2011/65;

Le 14 janvier 2011, après plusieurs semaines marquées par une insurrection sociale sans précédent, le Président Ben Ali qui avait régné sans partage sur la Tunisie durant 23 ans, fuit le pays, le laissant au bord du chaos. La Tunisie connut ensuite une période d'instabilité et d'insécurité graves. Profitant du désordre, plusieurs milliers de Tunisiens quittèrent irrégulièrement le pays à destination des côtes italiennes. Au total, 25 800 migrants tunisiens seraient arrivés en Italie entre le mois de janvier et le mois de juin 2011. Plusieurs d'entre eux quittèrent l'Italie vers la France. La présence des migrants tunisiens fut mal acceptée par les autorités italiennes et françaises. Elle provoqua une crise sérieuse dans les rapports franco-italiens et au niveau de l'Union européenne. Le présent rapport tente de décrire la politique sécuritaire et de fermeture qui a été mise en place en Italie, en France, puis dans l'Union européenne et de montrer qu'elle porte atteinte aux droits fondamentaux de la personne humaine, et risque de mettre en péril la transition démocratique en Tunisie.

On January 14, 2011, following several weeks of unprecedented social insurrection, President Ben Ali fled Tunisia, after 23 years in charge there, leaving the country in chaos. Tunisia experienced profound instability and insecurity. Several thousand Tunisians seized the opportunity to leave the country irregularly, heading towards the Italian coasts. Indeed, 25,800 are reported to have arrived in Italy between January and June 2011 and some of these left Italy for France. The presence of Tunisian migrants was ill-received by the French and Italian authorities and set off a serious crisis in French-Italian relations as well as in the European Union more generally. This report attempts to describe the securitarian and closed policies which have been adopted in Italy, in France, then in the EU and attempts too to show how these threaten fundamental human rights and endangers the democratic transition in Tunisia.

<http://hdl.handle.net/1814/18977>

BEN ACHOUR, Souhayma

Le droit tunisien face à la traite de personnes et au trafic de migrants, CARIM Analytic and Synthetic Notes, 2011/47, Series on the Fight against Trafficking in Persons and the Smuggling of Migrants in Legislation;

Le présent rapport a pour objet de décrire les solutions du droit tunisien en matière de traite de personnes et de trafic de migrants. Il tente de montrer qu'une différence importante existe entre les règles qui régissent le trafic de migrants et celles qui s'appliquent à la traite de personnes est à noter. En effet, un ensemble de facteurs permet d'expliquer l'importance et l'extrême sévérité de l'arsenal juridique que le droit tunisien comporte en matière de lutte contre le trafic de migrants : recrudescence incessante du phénomène des migrations clandestines à partir des côtes tunisiennes, pressions européennes et surtout italiennes importantes, engagements internationaux de la Tunisie... En revanche, la traite internationale de personnes ne fait pas l'objet d'une réglementation spécifique. Les autorités tunisiennes n'ont pas jugé nécessaire l'adoption de mesures supplémentaires à celles qui existent déjà au sein du droit tunisien. Plusieurs raisons pourraient expliquer le fait que la traite ne soit pas un phénomène très répandu en Tunisie : extrême sévérité dans le traitement des migrations clandestines, importance du quadrillage policier de la société, insuffisance de la protection juridique des étrangers,... Le droit tunisien comporte néanmoins un ensemble de règles qui condamnent la traite de personnes en soi, mais aussi les deux principaux phénomènes auxquels aboutit la traite des personnes : l'exploitation sexuelle et l'exploitation économique. La protection apportée par ces normes paraît cependant souvent insuffisante. La plupart des règles applicables relèvent du droit pénal. Mais d'autres branches du droit, comme le droit du travail, le droit administratif, les droits de l'homme ou encore la condition des étrangers régissent également les deux questions. Le présent rapport se divise en deux parties principales : une première partie expose les règles juridiques applicables aux auteurs de la traite des personnes et du trafic des migrants, et la seconde partie est relative à celles qui régissent ses victimes.

This report sets out the solutions in Tunisian law against trafficking and smuggling. It attempts to show the important differences between rules applying to the smuggling of migrants and the rules applying to trafficking in persons. A series of factors explains the scope and the severity of the legal framework combating the smuggling of migrants: a continuous increase in clandestine migration from the Tunisian coasts, strong European and above all Italian pressure, international commitments... Strangely, there is no specific regulation against trafficking in persons. The Tunisian authorities have not found it necessary to adopt new rules here. Some reasons might explain why trafficking is not a widespread phenomenon in Tunisia: the severity of sanctions against clandestine migration, strict police control, insufficient protection of foreign nationals... Tunisian law does, however, contain rules which combat trafficking, including two phenomena connected to trafficking: economic exploitation and sexual exploitation. Nevertheless, the protection offered by these instruments does not seem sufficient. Most of the relevant rules are part of criminal law, but other domains of law, like labour law, administrative law, human-rights law and the status of foreign nationals also govern the two issues. The report is divided into two parts: the first part sets out the rules applying to persons charged with the felony of trafficking and smuggling, the second part presents the rules protecting victims.

<http://hdl.handle.net/1814/17800>

BEN JÉMIA, Monia

Le droit tunisien de l'immigration, CARIM Analytic and Synthetic Notes, 2011/46, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

Les conditions d'entrée, de séjour et de travail des étrangers sont, dans la réglementation tunisienne actuelle, particulièrement restrictives et procèdent d'une politique législative de fermeture à l'immigration. Le passé colonial explique sans aucun doute cette politique législative, matérialisée par une réglementation (1968) prise au lendemain de l'indépendance (1956). Les contraintes du développement, un taux de chômage élevé expliquent le maintien de cette politique législative qui n'a été assouplie que dans deux domaines clés pour l'économie tunisienne, l'investissement étranger et le tourisme. L'amélioration de la condition des étrangers devrait d'autant plus figurer parmi les priorités de la transition démocratique qu'elle souffre dans la réglementation actuelle de sa non-conformité au droit international des droits de l'homme et plus particulièrement à la Convention internationale sur les droits

de tous les travailleurs migrants et des membres de leur famille de 1990, non ratifiée par la Tunisie. The current rules governing foreign nationals' entry, stay and work in Tunisia are extremely restrictive and are part of a closed legislative policy towards immigration. The colonial past surely explains this legislative policy, translated into regulation (1968) adopted after independence (1956). The constraints of development and a high level of unemployment explain the continuing use of this legislative policy, which has been softened only in two key sectors of the Tunisian economy : namely foreign investment and tourism. The improvement of foreign nationals' status should be a priority in the democratic transition, all the more so since the current status does not conform to international human-rights law or, more specifically to the 1990 international convention on the rights of all migrant workers and members of their family, which has not been ratified by Tunisia.
<http://hdl.handle.net/1814/17799>

BENNETT, Samuel, TER WAL, Jessika, LIPINSKI, Artur, FABISZAK, Malgorzata, KRZYZANOWSKI, Michal

Media Content, MEDIVA, 2011/02, Thematic Reports;

The MEDIVA project (2011-2013) is co-funded by the European Commission, DG HOME, European Integration Fund for Third Country Nationals, Community Actions 2009.(Grant Agreement no: HOME/2009/EIFX/CA/1814). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

Content and discourse analysis of media coverage about migration and migrants in European societies reveals that the representation of third country nationals (TCNs), i.e. 'new', first generation migrants without nationality of the EU Member States, in the 2000s is still problematic. This finding, based on a review of over 150 publications in five languages, and on 68 interviews with media professionals in six EU Member States, is shown through the predominance of negative and stereotypical portrayal, the negative themes often associated with migrants, and the lack of participation by TCNs in the definition of news and news agendas. These general findings can be differentiated for specific national contexts, media types, types of coverage, and migrant groups. The questions raised relate to selection of news themes and frames, the preferred genres for reporting or programming, the definition of news and main news actors, the sources used and quoted, the labels, the group categorisations, evaluations, news frames and discourse elements such as topoi used in media contents. These elements together are the building blocks for media portrayal of migrant groups that ultimately contribute to the perception of migrants and migrant issues in the public sphere. Besides providing a detailed analysis of relevant research findings and fieldwork, explanations, remedies and positive examples provided therein are also discussed in this report.

<http://hdl.handle.net/1814/19730>

BOUBAKRI, Hassen

Femmes et migrations en Tunisie, CARIM Analytic and Synthetic Notes, 2011/17, Gender and Migration Series;

Ce texte propose une analyse de la place et du rôle des femmes dans les différents flux migratoires de, vers et à travers la Tunisie. Dans cette perspective, l'accent est mis sur deux sujets particuliers : tout d'abord, l'évolution démographique et socioprofessionnelle des Tunisiens de l'étranger, notamment les migrations familiales ; puis, les conditions de vie des migrants subsahariens en Tunisie, en particulier les migrations irrégulières et la traite. En conclusion, nous insistons sur la nécessité de disposer et de diffuser des données et des informations sur le genre et la migration afin de favoriser la gouvernance des migrations. / This text analyzes the place and the role of women within the various migration movements from, to and through Tunisia. In such a perspective, it insists on two particular issues : first, the demographic and socio-professional evolution of the Tunisian abroad, mainly through the study of family migration ; second, the living conditions of the sub-Saharan migrants in Tunisia, especially irregular migration and human trafficking. To conclude, we insist on the necessary access to and diffusion of data's and information's dealing with Gender and Migration in order to support the governance of migration.

<http://hdl.handle.net/1814/15614>

BOUBAKRI, Hassen

Migrations et développement : Réflexion et analyse à partir du cas de la Tunisie, CARIM Analytic and Synthetic Notes, 2011/55;

Cette note traite de la relation entre migration et développement en Tunisie, à travers l'analyse d'indicateurs clefs qui permettent de mesurer l'impact de l'épargne des émigrés sur le développement du pays et sur leurs régions d'origine. Les remises comptabilisées par la Banque Centrale de Tunisie contribuent pour 5 % au PIB tunisien, et peut-être le double de ce taux si l'on prend en compte les transferts qui transitent par les circuits parallèles. Le poids croissant de ces transferts dans le développement social et local et dans les dynamiques territoriales ont conduit les autorités gouvernementales, les organismes nationaux, régionaux et internationaux à réfléchir aux moyens de mieux mobiliser les migrants pour orienter les transferts financiers vers des secteurs d'activités et des investissements créateurs d'emploi et de revenus dans les régions d'origine. Outre les initiatives visant les hommes d'affaires et les opérateurs migrants, les banques dans les pays d'origine et destination, ainsi que les sociétés de transfert, développent de nouveaux dispositifs financiers visant à diminuer le coût des transferts et à les sécuriser, avec comme objectif final d'amener les migrants à consacrer une part croissante de leurs revenus au développement de leurs pays et régions d'origine.

This paper deals with the relationship between migration and development in Tunisia. It analyzes various key indicators in order to measure the impact of remittances on the development of the country and on the regions of origin of the migrants. According to the Tunisian Central Bank, remittances contribute to 5 % of the Tunisian GDP, possibly the double if remittances through non official canals are taken into account. The growing weight of the remittances in the social and local development and in the territorial dynamics have led governmental authorities and various organisms (national, regional, international) to search new ways to encourage the migrants to invest the remittances in productive sectors, in order to develop employment and foster revenues in the regions of origin. Beside initiatives focusing on business men and active migrants, banks in both countries of origin and destination, and international money transfer companies, are developing new financial frameworks aiming at lowering the financial costs and guaranteeing the security of international money transfers, with the final objective of encouraging the migrants to dedicate a larger part of their revenues to the development of their countries of origin.

<http://hdl.handle.net/1814/18481>

BOUKLIA-HASSANE, Rafik

La féminisation de l'immigration d'origine algérienne : Un état de lieux, CARIM Analytic and Synthetic Notes, 2011/20, Gender and Migration Series;

A l'instar d'une évolution observée au niveau mondial, la part des femmes dans la population immigrée d'origine algérienne a crû de façon significative au cours des vingt cinq dernières années. Ce travail étudie les causes qui en sont à l'origine. Nous identifions dans ce cadre les facteurs liés aux politiques migratoires poursuivies par les pays d'installation. Si l'arrêt de l'immigration de travail au milieu des années 70s a indubitablement contribué à une plus grande féminisation de la migration algérienne, par contre, l'effet de l'institutionnalisation du regroupement familial qui s'en est suivie s'avère paradoxalement ambigu. Les conditions d'intégration économique des femmes immigrées dans les pays d'accueil conduisent également à une recomposition par genre de la population immigrée. Le gender gap lié au chômage ou à la participation au marché du travail est plus important en Algérie que dans les pays d'installation et constitue de ce fait un facteur important contribuant à la féminisation de l'immigration algérienne. En revanche, le déclassement professionnel des immigrés algériens dans les emplois qu'ils occupent au regard de leur diplôme (brain waste) est plus discriminant vis-à-vis des femmes immigrées que des hommes. Etant female biased, cette perte de compétence est susceptible de réduire la migration des femmes algériennes relativement à celle des hommes. / As in international migration generally, the proportion of women in the emigrant population with Algerian origins has grown significantly in the last 5 years. This note analyzes the determinants of this pattern. First, the factors linked to the migratory policies are identified. While, the stop to outward Algerian emigration certainly contributed to the feminization of these flows, on the other hand, the institutionalization of family-reunification schemes led to ambiguous and paradoxical consequences. The economic integration of Algerian females residing abroad has also led to a reconfiguration by sex of the migrant

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population. The gender gap faced by women with respect to unemployment and to participation in the labor market is even wider in Algeria than in host societies, representing as it does an important determinant in the feminization of Algerian outflows. Likewise, the occupational mismatch faced by Algerians with respect to their educational profile (brain waste) tends to affect more women than men. Given the gender-bias, this huge waste of skills is more likely to reduce female than male emigration. <http://hdl.handle.net/1814/15617>

BRAND, Laurie

Migrants and Sending States: Reflections on the relationship, CARIM Analytic and Synthetic Notes, 2011/32; <http://hdl.handle.net/1814/16205>

BREDELOUP, Sylvie, PLIEZ, Olivier

The Libyan Migration Corridor, EU-US Immigration Systems, 2011/03;

Since the mid 1990s, the media have directed our attention to the thousands of Southern Sahara Africans who take life threatening risks crossing the Mediterranean Sea and Atlantic ocean. Their numbers on migratory routes leading to Europe are increasing, joining up, especially in the “Libyan crossroad” with North Africans, Egyptians and even Asian migrants on the same quest. This image reflects reality, but only partially so, for it leads one to believe that these migrants cross the Sahara in the hope of reaching Europe. It should be pointed out that one of the main misunderstandings when evoking these migrations flows is to reduce them to the act of crossing the straits of the Mediterranean Sea. Since the 1990s, the Libyan case exemplifies the way the multilateral (EU-Maghreb) or bilateral (Libya-Italy) political negotiations between the two shores of the Mediterranean sea rapidly focus on the figure of the “illegal sub-Saharan migrant in transit”. This simplistic view is dangerous because it erases the historical dimension of the movement of people and its consequences. The Sahara is not merely a desert to be crossed; it is an area that has been shaped for more than half a century by the various migrant, trader or pastoral communities who have contributed to its massive urbanisation and economic development. At the same time, the reorganization of African migration is affected by the inflation of tensions, border and police controls, the diversification of routes between Niger, Chad Sudan and Libya consequently contributes to the perpetuation of transit spaces. There are tens of thousands of these migrants who settle down more or less durably in these new transit areas dependants on opportunity, status controls, and expulsions. But these transit areas have also become places where migrants seek employment, create new economic activities, or develop new skills while working, studying or practicing other tongues. As migration patterns across the Sahara are reconfigured, the impact is more visible in some places. But their durability should not be taken for granted. Villages specialised in the transit economy may easily decline as new diplomatic relations are formed between countries of immigration and third countries.

<http://hdl.handle.net/1814/16213>

BRÜCKER, Herbert

The Labor Market Challenge. Does international migration challenge labor markets in host countries? A critical review of the recent and traditional literature, EU-US Immigration Systems, 2011/21;

This report was produced for Pilot Projects on Trans-atlantic Methods for Handling Global Challenges in the European Union and the United States, a project funded by the European Commission. The project is conducted jointly by the European University Institute (EUI) and the Migration Policy Institute (MPI). The contents of this publication are the sole responsibility of the authors and can in no way be taken to reflect the views of the European Union.

This paper addresses a classical question: Does immigration reduce wages and increases unemployment in receiving countries? Fears that immigrants take jobs away from natives have been fuelled by the current financial and economic crisis in host countries on both sides of the Atlantic and resulted in tighter immigration policies. From a theoretical perspective, an increasing labor supply through immigration does not necessarily reduce wages, or, if labor markets are not perfect, increase unemployment. In contrast, economic theory predicts that capital stocks adjust to labor supply changes such that aggregate wage levels and the real interest rate remain constant. Similarly, trade and the

adjustment of production can absorb changes in labor supply such that immigration leaves wages and employment opportunities unaffected. It remains thus an empirical question, whether and to which extent immigration does actually affect labor markets in host countries. There exists a comprehensive empirical literature addressing these issues. The overwhelming share of this traditional literature uses the variance of the foreigner share across local labor markets for the identification of the immigration effects. Meta-studies of this literature indicate that an immigration of 1 percent of the labor force reduces wages by no more than 1 percent and increased the unemployment rate by less than 1 percentage point. Even these small effects need not to be significant. This literature has been challenged by an increasing criticism which states that the area approach systematically underestimates the wage and employment effects if other factors such as native migration, regional trade and capital mobility equilibrate the effects of immigration across local labor markets. A recent literature uses therefore the variance of the foreigner share across education and work experience groups at the national level for identification. Although some of these studies find effects which are substantially larger than those of the traditional literature, there exist meanwhile a number of studies which find similar aggregate effects as the traditional area approach. These studies consider that capital stocks adjust to labor supply shocks and that natives and immigrants are imperfect substitutes in the labor market, i.e. do not perfectly compete even if they possess the same education and work experience level. A shortcoming of most of the recent literature is that it does not address the impact of immigration systematically in a setting with imperfect labor markets and persistent unemployment. Novel approaches which consider wage-bargaining and other imperfections, find that immigration can do both, reduce wages and increase unemployment. Although the effects disappear in the long-term when capital stocks adjust, they may affect labor markets significantly in the short term. The most important challenge for immigration and integration policies is however the finding that different groups in the labor markets are affected by immigration in very different ways: While natives tend to benefit across all education groups from immigration, immigrants lose substantially from further immigration in terms of lower wages and higher unemployment. Addressing these inequalities forms the main challenge for immigration, integration and related labor market policies.

<http://hdl.handle.net/1814/19820>

BUCHOWSKI, Michał, CHLEWIŃSKA, Katarzyna

Tolerance of Diversity in Polish Schools: The Case of Roma children and ethics classes, ACCEPT-PLURALISM, 2011/14, 3. National Case Studies - School Life, Final Country Reports; The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19801>

CAGLAR, Ayse, SILLO, Tibor, JÓZWIAK, Ignacy, HIREŠ-LÁSZLÓ, Kornélia

Circular Migration Patterns Migration between Ukraine and Hungary, METOIKOS, Case Studies; METOIKOS (2009-2011) is funded by the European Commission, European Integration Fund for Third Country Nationals, Community Actions 2008 (Grant Agreement no: JLS/2008/EIFX/CA/1007). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19722>

CAGLAR, Ayse, SILLO, Tibor, JÓZWIAK, Ignacy

Circular Migration between Ukraine and Hungary: Background Report, METOIKOS, Background Reports;

METOIKOS (2009-2011) is funded by the European Commission, European Integration Fund for Third Country Nationals, Community Actions 2008 (Grant Agreement no: JLS/2008/EIFX/CA/1007).

Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19728>

CHABANET, Didier, TRECHSEL, Alexander H.

EU Member States' Consultation with Civil Society on European Policy Matters, EUDO Report, 2011/04, EUDO Public Opinion Observatory;

This study was funded by the European Economic and Social Committee

The objective of this study is to describe the EU national governments' consultation with civil society at national level, Member State by Member State. To achieve objective 1, each country expert has carried out internet investigations. Additional research has been realized (such as analysis of policy-making documents, legal texts, etc.), as well as phone inquiries with governments and CSOs in order to better understand their system of consultation with civil society. As a general rule, the country experts have interviewed two members (or representatives) of two different CSOs operating in two different sectors. These interviews do not constitute a representative sample but have nonetheless enabled us to add more information to that already available through official documents, and to read it from a different, often relatively critical, angle. On the basis of the information gathered by the country experts, the two project coordinators - Didier Chabanet and Alexander H. Trechsel - have carried out the most accurate possible synthesis. The description of each national government consultation with civil society is provided in four different sections, following the same pattern for each case examined. 1. Introduction 2. Formal Framework for Civil Society Consultation 3. European Issues Consultation 4. Conclusion
<http://hdl.handle.net/1814/19357>

CHABANET, Didier, TRECHSEL, Alexander H.

EU National Economic and Social Councils and Similar Institutions: A study prepared in the framework of the European Union Democracy Observatory for the European Economic and Social Committee (EESC), EUDO Report, 2011/03, EUDO Public Opinion Observatory;

This study was funded by the European Economic and Social Committee

Inspired by a European spirit, the EU's national economic and social councils and the EESC worked together tirelessly to create a European network of economic and social councils. Thanks to the commitment of the presidents and members of all the councils, the network has helped forge systematic and structured cooperation on topics of practical relevance in EU policy. Today, the EU's network of economic and social councils and similar institutions is a recognised institutional set-up which is consulted and listened to by the main EU institutions.
<http://hdl.handle.net/1814/19356>

CHETAIL, Vincent, BAULOZ, Céline

The European Union and the Challenges of Forced Migration: From economic crisis to protection crisis?, EU-US Immigration Systems, 2011/07;

The current economic crisis occurs at a turning point of the EU asylum policy. After a frenetic phase leading up to the adoption of numerous EU directives and regulations, the Common European Asylum System (CEAS) has now entered a second phase of consolidation of the asylum acquis. This new impulse paves the way for a re-assessment of the whole CEAS with a view to ensuring a genuine common asylum policy. Against such a background, it is timely to consider whether the EU has developed the appropriate means to achieving harmonization. Indeed, all stakeholders are aware that the CEAS is losing edge, revealing its limits, not only in terms of refugee protection, but also as regards its capacity for properly fulfilling its main objective: the establishment of a truly common asylum system. However, the recurrent temptation to tighten migration controls in times of recession inevitably begs the question of its impact on the current consolidating phase of the EU asylum policy. In the midst of this reflective period, the present Report aims at reassessing the CEAS through a critical overview of its four main strategic pillars: preventing access to EU territory; combating 'asylum-shopping'; criminalizing failed asylum-seekers and enforcing their return; promoting the integration of refugees duly recognized as such. This four-pronged strategy has proved instrumental in alleviating asylum pressure in the last decade and will probably be even more in the wake of the current recession. The most pressing challenge is that of preventing the economic crisis from transforming into a protection crisis at the expense of refugee rights.
<http://hdl.handle.net/1814/17837>

COLLYER, Michael

The Development Challenges and the European Union, Improving EU and US Immigration Systems' Capacity for Responding to Global Challenges: Learning from experiences, 2011/08; High-level policy interest in the European Union dates to the late 1990s and has entered a new stage since 2005. This more recent approach moves away from purely instrumentalist concern with development as a way of pursuing goals of migration control, evident in earlier policies. The continued poor quality of data inhibits effective evaluation of this new approach, though it is clear that budgets allocated by EU Member States and the Commission are still relatively small compared to ODA, private remittance flows and especially migration control. Policy retains a focus on remittance flows; this is understandable since data is best, tangible outcomes are clearest and measurable targets have been set. Yet broader concerns are reflected in some recent approaches and the paper highlights a range of best practice examples. These examples illustrate the change in content of policy, particularly responses to developing technologies and the inclusion of a variety of non-state actors. As data improves, more accurate evaluations of all of these initiatives will be possible, but a continual focus on the accuracy and availability of that data is required to support this.

<http://hdl.handle.net/1814/17838>

DALLA-ZUANNA, Gianpiero

Migration in the European Union: The narrow street of convergence, EU-US Immigration Systems, 2011/18;

<http://hdl.handle.net/1814/17848>

DE BEL-AIR, Françoise

Gender Politics and Migration Policies in Jordan, CARIM Analytic and Synthetic Notes, 2011/03, Gender and Migration Series;

This paper tackles the socio-political aspects of gender and migration in Jordan. Our concern is to figure out whether and, if so, how public debate, institutional setup and specific governmental or government-approved policies targeting migrant women are gendered, i.e., how gender policies articulate with migratory policies, how gender determines migrants' experience, in terms of, for instance, life cycle and employment. We also inquire about the purposes of such policies. Our main conclusion is that, though public debate is indeed gendered, migration policies are not. On immigration, gender does not have priority over other characteristics of the migrant in the overall policy-making process on migration. However, there exists an economic sector-selective gendering of policies targeting female migrants in Jordan. This process is rooted in the political necessity of engineering female and migrant issues to respond to Jordanian nationals' concerns. As for females' emigration and, especially, a new trend involving mainly unmarried skilled young women directed at the Arab Gulf States, it has been so far ignored in the public debate, caught between the 'open door' policy and the institutional setup of Jordan's 'blocked society'. In the Jordanian context, migration, indeed, hardly allows female empowerment let alone female immigrants in Jordan. Therefore the paper advocates a stronger involvement on the part of sending countries' in the defence of their nationals employed abroad, especially given the situation of female English domestic workers. / Cet article traite des aspects sociopolitiques de la relation entre genre et migration en Jordanie. Nous cherchons à comprendre si et comment le débat public, le contexte institutionnel et les politiques gouvernementales (ou soutenues par le gouvernement) visant les femmes migrantes sont genrées. Comment les politiques dans le domaine du genre s'articulent-elles aux politiques migratoires ? En quoi le genre détermine-t-il l'expérience des migrants, en termes de cycle de vie, de travail et d'emploi, par exemple ? Nous nous intéressons également aux objectifs de ces politiques. La conclusion principale de ce rapport est la suivante : le débat public prend en compte la question du genre mais les politiques migratoires l'ignorent le plus souvent. Concernant l'immigration, nous montrons que le genre ne pèse pas plus que d'autres facteurs dans le processus global de conception et de mise en œuvre des politiques migratoires. Cependant, on peut repérer une sélection par le genre dans certains secteurs économiques ouverts aux travailleurs immigrés, dont l'exemple le plus emblématique est l'emploi domestique. Ce processus a pour origine la nécessité politique d'instrumentaliser les questions de la femme et de la migration en réponse aux préoccupations des citoyens jordaniens. La question de

l'émigration des femmes, en particulier le récent mouvement de femmes jeunes et célibataires vers les pays du Golfe, est pour sa part absente du débat public. Celui-ci reste en effet prisonnier de la politique de la « porte ouverte » mais surtout du contexte institutionnel d'une société jordanienne « bloquée ». Le contexte jordanien n'est donc pas toujours propice à l'autonomisation (empowerment) des femmes jordaniennes mais encore moins à celle des migrantes étrangères. Notre étude appelle donc les autorités des pays d'origine des migrantes à s'investir plus fortement dans la défense des intérêts de leurs ressortissantes expatriées, et de manière urgente dans celle des domestiques asiatiques.
<http://hdl.handle.net/1814/15588>

DE BEL-AIR, Françoise

Migration Report Update. Jordan: The socio-political dimension of migration 2009-2010, CARIM Analytic and Synthetic Notes, 2011/40, Mediterranean and Sub-Saharan Migration: Recent Developments, Socio-Political Module;
<http://hdl.handle.net/1814/19655>

DE BEL-AIR, Françoise

Politics and the Migration-Development Nexus: The EU and the Arab SEM countries, CARIM Research Report, 2011/05;

In the hope of regulating migratory flows, the European Council endorsed a “global approach” to migration in December 2005, an approach which is based on the correction of the “deep causes of migration”: poverty, unemployment and development gaps between North and South. Besides liberalising economies and trade systems, a set of measures are advocated in order to enhance home countries' development by using “migration [as a] medicine against migration”: stimulating the remittance of funds back to the country of origin; expanding the role of diasporas settled in member states; reinforcing circular migration schemes and facilitating return movements; and improving the management of the emigration of the highly-skilled in order to curb “brain drain”. The paper focuses on the Arab South and East Mediterranean (SEM) countries. It challenges the views, implicit in EU migration policies, that migration is entirely rooted in economics and that migrants' agency alone is able to spur development in the origin country. Using the theoretical background of political economy with a neo-institutional approach to migration, it explores the stakes, the outreaches and the outcomes of the migration and development nexus. By so doing, it re-politicizes migration and development and emphasises the structural and contextual dimension of factors pushing on migration and hampering development: unemployment and high professional turn over; economic liberalisation and deregulation policies, and socio-political “blockages” (gender inequalities, patronage, clientelism and corruption, lack of public expression). Moreover, the analysis of SEM country practices in the field of migration management and engineering migration for development shows how the design of policies and the channelling of flows respond to political and demographic stakes in the various national contexts. Migration patterns act as a political shield for regimes in the region that: allows these regimes to monitor political opposition; renews socio-cultural elites; and decreases the economic opportunities in national economies, due to corruption and patronage. Current policies also reconstruct state-society/expatriates relations, through (controlled) economic participation and socio-cultural solidarity. They do not, however, lead to political participation. The paper thus concludes that amendments to macro-political contexts in the SEM countries are more likely than liberalisation policies to curb emigration flows, by engineering global social and political development. As a matter of fact, the onset and patterns of the Arab revolutions since December 2010 aptly confirm the need for political reform in the region. Adoptée par le Conseil européen en décembre 2005, l'Approche globale des migrations est axée sur la correction des « causes profondes de la migration » (la pauvreté, le chômage, les écarts de développement entre nord et sud) afin d'en réguler les flux. Parmi les mesures préconisées figurent la facilitation de l'envoi de fonds vers les pays d'origine (transparence des coûts, développement de l'accès aux services financiers), l'encouragement du rôle des diasporas implantées dans les États membres (aider les pays en développement à identifier leur diaspora et à établir des liens), le renforcement de la migration circulaire et la facilitation du retour, une meilleure gestion des migrations de personnes hautement qualifiées afin de limiter la « fuite des cerveaux ». Cette étude traite des pays arabes du sud et de l'est de la Méditerranée (SEM). Elle met en question les représentations,

contenues dans les politiques migratoires de l'UE, de la migration comme facteur purement économique, mais aussi des migrants comme agents d'un développement à grande échelle dans leurs pays d'origine. Le cadre théorique de l'économie politique et les approches néo-institutionnelles des migrations, utilisés ici, permettent de dégager les enjeux et la portée du lien entre migration et développement sur le terrain arabe. L'étude 're-politise' ces deux processus. Elle met en relief la dimension structurelle des facteurs déclenchant l'émigration et entravant les processus de développement : les caractéristiques du marché du travail, les politiques de libéralisation des économies et les « blocages » sociopolitiques (inégalités hommes-femmes, clientélisme et corruption, obstacles à l'expression publique). En outre, l'analyse des politiques migratoires menées dans les pays du SEM montre que ces mesures répondent aux enjeux politiques et démographiques particuliers aux divers contextes nationaux de la région. Elles permettent aux régimes en place de contrôler l'opposition politique, le renouvellement des élites socioculturelles et les conséquences de la contraction des opportunités économiques, due à la corruption et au clientélisme. Les politiques migratoires participent également d'une restructuration des relations États-sociétés-expatriés autour d'une participation économique (étroitement contrôlée) et d'une solidarité socioculturelle, mais excluant toute participation politique. L'étude conclut donc que des réformes des contextes sociaux et politiques dans les pays du SEM seraient plus à même d'agir sur les flux migratoires que les réformes néolibérales. Le déclenchement des révoltes arabes en décembre 2010 confirme d'ailleurs l'urgence de ces réformes politiques.

<http://hdl.handle.net/1814/18957>

DE BEL-AIR, Françoise

US and EU Policies in the Field of Migration Cooperation with Third Countries: A need for a change of outlook and implementation method, EU-US Immigration Systems, 2011/17;

Current world liberal economies are globalised and hence founded, theoretically at least, on the free movement of goods, capital, services and labour. Yet, market forces (the opening of borders) tend to work in the opposite direction to that of socio-political planning and control-related forces (selective closure of borders), while diverging interests also mark bilateral relations between sending and receiving states. The present paper argues for taking migration as part of the global social development process and for situating migration-related cooperation between countries at a structural, bilateral or even multilateral relations' level.

<http://hdl.handle.net/1814/17847>

DEVITT, Camilla

Circular Migration Between Italy and Morocco: A case study, METOIKOS, Case Studies; METOIKOS (2009-2011) is funded by the European Commission, European Integration Fund for Third Country Nationals, Community Actions 2008 (Grant Agreement no: JLS/2008/EIFX/CA/1007). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

Circular economic migration refers to circular movements, which are partly motivated by either making or saving money. Moroccan migration to Italy has been sedentary rather than circular over the past two decades due to four main factors: visa requirements; employee status and employment based work permits; low earnings; and the absence of a livelihood in Morocco. I present a typology of forms of circular migration between Morocco and Italy based on existing theoretical and empirical research on (circular) migration and interviews with 30 Moroccan circular economic migrants and 21 Italian and Moroccan policymakers, stakeholders, key informants and researchers, conducted during the period June-November 2010. Italian and Moroccan policies, which incentivise and obstruct circularity are also discussed.

<http://hdl.handle.net/1814/19719>

DI BARTOLOMEO, Anna, SALINARI, Giambattista

Migration from the United States to the European Union: Trends and characteristics, EU-US Immigration Systems, 2011/22;

This report was produced for Pilot Projects on Trans-atlantic Methods for Handling Global Challenges in the European Union and the United States, a project funded by the European Commission. The project

is conducted jointly by the European University Institute (EUI) and the Migration Policy Institute (MPI). The contents of this publication are the sole responsibility of the authors and can in no way be taken to reflect the views of the European Union.

This paper analyzes emigration from the United States to the European Union. Few empirical studies have been conducted on this topic and theorization on this type of migration is essentially inexistent. In this paper, we tried to fill this gap and to show how migration between advanced economies is crucial in understanding different and under-researched aspects of international migration. Specifically, the magnitude of migration from the US appears “too large” to be explained through classic migration theories but “too small” when compared to the overall movements originating in other developed countries. As to the main results, the lower migration propensity showed by the US born population compared with that of the population born in other advanced economies seems to be related to its historical evolution: the US has never had mass emigration and US colonialism was historically less relevant, at least compared to Europe. Geographical and cultural proximity assume instead a major relevance in explaining US emigration patterns and magnitude. Focusing on the characteristics of US emigration, we found, that the interplay of various specific forces have created over time a composite profile of this population, which – being characterized by specific and various motivations – looks, generally speaking, heterogeneous. More specifically, the profile of US emigrants in the European Union Member States is, we have found, essentially linked to family formation and to economic integration between EU and US society. We conclude that migration between advanced economies is relevant internationally, but largely ignored at a scientific level. The more interactions between economies are destined to augment, the more an understanding of their consequences for origin and destination countries becomes a priority.

<http://hdl.handle.net/1814/19821>

DOBBERNACK, Jan, MODOOD, Tariq

Tolerance and Cultural Diversity in Europe: Theoretical perspectives and contemporary developments, ACCEPT-PLURALISM, 2011/03, 2. Concepts and Theories, State of the Art Report; The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19790>

DOBBERNACK, Jan, MODOOD, Tariq

United Kingdom: Challenging diversity in education and school life, ACCEPT-PLURALISM, 2011/15, 3. National Case Studies - School Life, Final Country Reports; The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19802>

DURAI, Mohammed

Migration from and to Palestine from a gender perspective: results from the Migration Survey – 2010, CARIM Analytic and Synthetic Notes, 2011/51, Gender and Migration Series;

Migration has gained in importance in recent years due to significantly increased migration rates, in addition to the effect of migration on various population structures such as age, gender and marital status in both sending and receiving countries. This paper aims to look at the recent patterns of migration from and to the occupied Palestinian territory (oPt) in terms of size, characteristics, remittances, migration determinants, return migration, etc. To this objective, data have been taken from the Migration Survey 2010, which represents a unique source for studying migration issues in the oPt being the first specialized national survey on migration conducted there. With this survey, the Palestinian Central Bureau of Statistics aimed to broaden its knowledge of migration patterns in the light of the severe shortage in migration statistics both at the national and at the international level. This

paper includes four main sections. After a brief introduction describing the overall structure of the Migration Survey 2010, section 1 analyzes recent migration flows from and to the oPt; in the second part, emigration patterns from the oPt as well as migrants' characteristics are described; section 3 focuses, instead, on perceptions and attitudes towards migration among Palestinians; finally, section 4 deals with return migration trends.

Le phénomène migratoire a récemment pris une importance inédite au regard de l'augmentation des flux migratoires, ainsi que de l'impact des migrations sur la structure de la population en termes d'âge, de sexe et d'état matrimonial dans les pays à la fois d'origine et d'accueil. Cet article se propose d'analyser les tendances migratoires récemment enregistrées à partir de et vers les territoires Palestiniens occupés (tPo) en termes d'échelle, de caractéristiques des migrants, d'envois de fonds, de déterminants de la migration, de migration de retour, etc. Les données réunies et traitées ont été recueillies dans le cadre de l'Enquête Migration 2010, laquelle représente une ressource inédite en vue de conduire des études sur les questions de migration dans les tPo - étant la première enquête nationale spécialisée sur les migrations. Sur la base de cette enquête, le Bureau Central Palestinien des Statistiques (BCPS) se donne comme objectif d'élargir sa connaissance des migrations au regard toujours de la rareté des statistiques se rapportant aux migrations aux niveaux national et international. Ce document comprend quatre sections. Après une brève introduction décrivant la structure globale de l'Enquête sur les migrations - 2010, la première section se propose d'analyser les récents flux migratoires en provenance de et vers les tPo ; dans la deuxième partie sont décrites les tendances migratoires ainsi que les caractéristiques des émigrants ; la troisième section se concentre autour des perceptions et attitudes envers la migration enregistrées parmi les Palestiniens ; enfin, la dernière partie porte sur l'analyse des tendances à la migration de retour.

<http://hdl.handle.net/1814/18477>

DÜVELL, Franck, VOLLMER, Bastian

European Security Challenges, EU-US Immigration Systems, 2011/01;

Irregular migration was first noted during the 1970s, peaked around 2000 and is decreasing, the stock dropped to 3.8 million in 2008 and the flow of clandestine entry dropped to 103,000 apprehensions in 2009. Migration and border controls have been stepped up considerably by the EU and its member states over the past 15 years and were also extended to almost all neighbouring and transit countries along the main routes. Although clandestine entry, notably the arrival of boat people triggers most attention and is high on the policy agenda the overwhelming majority of irregular immigrants enter legally and then overstay, work in breach of their visa limits or otherwise lose their status; others claim asylum, are refused but stay on irregularly.

<http://hdl.handle.net/1814/16212>

EL HOUSSEIN, Ahmed-Mahmoud

Genre et Migration : encadrement normatif et configuration(s) effective(s) en Mauritanie, CARIM Analytic and Synthetic Notes, 2011/02, Gender and Migration Series;

Cette étude aborde le thème, inexploré auparavant, des articulations, en droit mauritanien, entre Genre et Migration. Concluant, d'abord, à la précarité du statut formel des femmes migrantes, elle s'efforce, à l'appui, de passer au crible les contraintes normatives en cause. Dépasant, ensuite, cette approche partielle, elle tente de restituer, dans leur variété, les déterminants qui structurent, in situ, la réalité vécue des droits des migrantes. A partir de cette confrontation des textes au(x) contexte(s), elle dégage, enfin, des perspectives, en esquissant les évolutions prévisibles dans ce domaine. / This paper studies the topic, unexplored so far, of links between Gender and Migration in Mauritanian law. It tries to identify the normative constraints which determine the precarious formal status of female migrants there. It then goes beyond this partial approach to show the diversity of female migrants' real rights. From this examination of texts and context, the paper then looks at some possible evolutions and perspectives in this domain.

<http://hdl.handle.net/1814/15587>

ELMADMAD, Khadija

Femmes, migrations et droits au Maroc, CARIM Analytic and Synthetic Notes, 2011/01, Gender and Migration Series;

La migration féminine a connu un développement important au Maroc, surtout depuis la fin des années 1970 et plus particulièrement depuis les années 1990. Mais, malgré ce développement, l'intérêt académique porté à ce type de migration, et surtout aux aspects juridiques de cette migration, ne s'est manifesté que très récemment. Les femmes migrantes ne forment pas un groupe homogène. Elles sont de plusieurs types et ont des statuts juridiques divers : les émigrées et les immigrées, les nationales et les binationales, les régulières et les irrégulières, les migrantes volontaires et involontaires, les temporaires et les permanentes, les mineures et les adultes etc. Les droits de chacune d'elles dépendent de son statut juridique et aussi social : la condition socio juridique des Marocaines résidant à l'étranger n'est pas similaire à celles des femmes immigrées au Maroc. Mais, la protection juridique de toutes ces femmes connaît des limites et des lacunes. La plupart des migrantes rencontrent des situations complexes où s'imbriquent oppression subie en tant que femmes et celle subie en tant qu'étrangères. La migration a un impact sur les femmes qui font le déplacement et sur leurs droits mais aussi sur la condition socio juridique de certaines autres femmes qui ne migrent pas. C'est le cas des femmes qui restent dans le pays après le départ des hommes, les left behind, d'après la terminologie anglaise. La présente étude est une étude socio juridique qui essaie de confronter les textes à la pratique. Elle analyse tout d'abord la condition socio juridique des Marocaines résidant à l'étranger, puis ensuite celle des femmes immigrées au Maroc et enfin l'impact de la migration sur les femmes et sur leurs droits. L'étude concerne toutes les femmes migrantes et tous les droits. Toutes les femmes migrantes, qu'elles soient émigrées ou immigrées, migrantes volontaires ou involontaires, en situation régulières ou irrégulières, etc. Tous les droits : les droits dans le pays d'origine et dans le pays d'accueil ; les droits civils et politiques ; les droits économiques, sociaux et culturels ; le droit de la migration en général et le droit des réfugiés en particulier. / Female Migration has grown in Morocco since the late 1970s and especially since the 1990s. However, despite this evolution, it is only recently that scholars have started researching here and particularly the legal aspects of female migration. Migrant women are not a homogeneous group. There are different kinds with different legal statuses : emigrants and immigrants, citizens of one country and citizens of two or more countries, regular and irregular, forced and voluntary, temporary and permanent, minors and adults etc. The rights of each kind of migrant woman depend on her legal and social status. The socio-legal condition of Moroccan women residing abroad is not the same as that of immigrant women living in Morocco. But, not all these migrant women enjoy their complete rights. Most migrant women face oppression as women and as foreign nationals. Migration has an impact on women who move and on their rights, but also on the socio-legal condition of some women who do not move. This is the case, for instance, of some Moroccan women who stay behind after their men have left. This paper deals with the rights of migrant women and the practice of these rights. It analyses, first, the socio-legal condition of Moroccan women residing abroad, then, second, that of the immigrant women living in Morocco and, finally the impact of migration on women and on their rights.

<http://hdl.handle.net/1814/15586>

ELMADMAD, Khadija

Rapport sur le cadre juridique et institutionnel de la migration au Maroc années 2009 et 2010, CARIM Analytic and Synthetic Notes, 2011/31, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

Le Maroc possède une législation nationale en matière de migration et il a adhéré aux principales conventions internationales relatives aux déplacements de population et aux droits humains. Diverses institutions spécialisées s'activent dans le domaine du droit de la migration et travaillent avec les migrants marocains et étrangers. En 2009 et 2010, il n'y a pas eu de grands développements dans le domaine du droit de la migration au Maroc. Ce droit est caractérisé par une certaine faille entre la théorie et la pratique. Les droits des migrants comportent certaines limites aussi bien en ce qui concerne les Marocains résidant à l'étranger que les étrangers immigrés dans le pays.

Morocco has domestic legislation relating to migration and has also signed the most important international treaties concerning population movements and human rights. Various specialized institutions deal with migration law and work with migrants (emigrants and immigrants). In 2009 and 2010, there was no important development in the field of migration law. During this period, we can note though a discrepancy between theory and practice and some limits on migrants' rights, for both

Research Reports

Moroccans residing abroad and for immigrants living in Morocco.

<http://hdl.handle.net/1814/16204>

EUDO

2011 EUDO Annual Report, EUDO, Annual Report, 2011;

<http://hdl.handle.net/1814/19904>

EUDO

Proceedings of the 2010 EUDO Dissemination Conference, EUDO, Proceeding;

<http://hdl.handle.net/1814/19903>

European Union Democracy Observatory (EUDO) (ed/s)

EU National Economic and Social Councils and Similar Institutions, European Economic and Social Committee, 2011

This document brings together information on the national organisations in the 27 countries of the European Union referred to collectively as “Economic and social councils or similar institutions”.

<http://hdl.handle.net/1814/17793>

FARGUES, Philippe, PAPADEMETRIOU, Demetrios G., SALINARI, Giambattista, SUMPTION, Madeleine

Shared Challenges and Opportunities for EU and US Immigration Policymakers, Florence, European University Institute/Washington, Migration Policy Institute, 2011 EU-US Immigration Systems, 2011/20, Final Report;

In the final report of the project “Improving EU and US Immigration Systems’ Capacity for Responding to Global Challenges: Learning from experiences”, *Shared Challenges and Opportunities for EU and US Immigration Policymakers*, authors Philippe Fargues, Demetrios G. Papademetriou, Giambattista Salinari, and Madeleine Sumption summarize and reflect upon the key findings of the project’s research papers and policy briefs. The report highlights the lessons to be learned from both similar and divergent experiences on either side of the Atlantic, sketching opportunities for future reform, as well as ways in which the European Union and the United States could improve their cooperative relationship. This review took place within the context of substantial uncertainties arising from the economic, jobs, and fiscal crises and, in the case of Europe, from political upheaval in the Arab world. It must also be seen in the context of ongoing institutional, economic, and demographic changes, as well as governments’ growing recognition that deeper cooperation with both sending and receiving countries are crucial to the effective management of migration.

<http://hdl.handle.net/1814/19074>

FARGUES, Philippe

International Migration and Europe’s Demographic Challenge, EU-US Immigration Systems, 2011/09;

Demography challenges Europe in three ways: 1) Europe’s size: while the population of Europe will decrease or stabilise, depending upon migration scenarios, most other regions will continue to increase so that the relative weight of Europe in world population terms will dwindle, thereby endangering Europe’s weight in world affairs and the institutions of global governance; 2) Europe’s wealth: the European workforce is about to enter a period of fast decline that might hamper Europe’s ambitious economic goals; 3) Europe’s social contract: the unprecedented rise of an elderly population combined with shrinking numbers of working-age natives alters the generational contract and will put Europe’s welfare systems at risk. In order to curb negative population trends, Europe can have recourse to various strategies, each of them having though only a partial potential impact on the above challenges: 1) Geographic enlargement: including new countries in the European Union (EU) brings at once additional populations to the Union; 2) Pro-natalist policies: if successful, they would foster a higher birth rate which translates 20 years later into a corresponding increase in the working-age population; 3) Immigration policies: calling in immigrants would affect both the size and the structure of the population; 4) Retirement policies: changing the age limit between economic activity and retirement is a way to address problems brought about by demographic numbers without changing the numbers themselves;

5) Other policies, notably those on education and labour, can also contribute to addressing, albeit indirectly, some of the problems generated by a decreasing workforce.
<http://hdl.handle.net/1814/17839>

FETZER, Joel S.

The Evolution of Public Attitudes toward Immigration in Europe and the United States, 2000-2010, EU-US Immigration Systems, 2011/10;

This paper documents and analyzes trends in immigration-related public opinion over the past decade in the major North Atlantic countries of the EU-15 and US. Opening with a summary of the international social-scientific literature on the roots of immigration attitudes, the essay next documents changes in the average European's and American's views on migration since 2000 using such polls as the Eurobarometer, European Social Survey, World Values Survey, International Social Science Programme, and American National Election Study. A third major section employs over-time statistical models to examine the (minimal) impact of the current economic crisis on such attitudes. Finally, the paper describes the scholarly literature on the relationship between public opinion and immigration policy in Europe and the United States and speculates on how likely the current global recession is to alter immigration laws and their enforcement.

<http://hdl.handle.net/1814/17840>

FLAHAUX, Marie-Laurence, MEZGER, Cora, SAKHO, Papa

La migration circulaire des Sénégalais, CARIM Analytic and Synthetic Notes, 2011/62, Circular Migration Series;

La migration circulaire est devenue un thème de discussion important au Sénégal depuis la signature d'accords de partenariat avec les pays de l'Union européenne pour une gestion concertée des migrations. Cependant, elle fait l'objet de peu de recherches au Sénégal. L'analyse suivante repose sur les données de l'enquête ménage du projet MAFE (Migration entre l'AFrique Europe) réalisée en 2008, qui a pour but d'étudier les mouvements migratoires dans toute leur complexité. Les résultats révèlent qu'un migrant sur quatre est rentré au Sénégal après cinq années passées à l'étranger. Les retours d'Afrique ont lieu plus rapidement que ceux des pays du Nord, et les jeunes ont tendance à moins rentrer lorsqu'ils ont migré vers le Nord. Parmi les migrants qui sont revenus au Sénégal, certains ont fait le choix de repartir vers l'étranger : 17 % des migrants qui ont effectué un premier retour résident à l'étranger au moment de l'enquête. Les nouveaux départs varient notamment selon la durée de la première migration et l'âge au moment du retour. Les migrants de retours présents au Sénégal en 2008 sont généralement plus instruits que ceux qui n'ont pas eu d'expérience migratoire et ils sont surreprésentés parmi les indépendants. En outre, la gestion de la migration circulaire et temporaire de travail au Sénégal, encore assez récente, est l'objet de nombreux dysfonctionnements. La discussion des résultats ouvre des pistes de réflexion sur le rôle des institutions compétentes dans ce domaine pour appréhender de façon plus adéquate le phénomène de circulation. With the signing of partnership agreements with EU countries for a concerted management of migration flows, circular migration has become a major topic of discussion in Senegal. Despite this interest, little research exists on this topic in the Senegalese context. The following analysis uses data from the household survey conducted in the framework of the MAFE-Senegal project (Migration between Africa and Europe) in 2008. The main objective of this project is to study complex migratory movements, going beyond the first departure. The results indicate that one out of four migrants has returned to Senegal after five years abroad. Returns from African countries are more common and happen at a faster pace than those from developed countries ; moreover, young people are less likely to return if they had migrated to a country outside Africa. Among those who returned to Senegal, some decide to migrate again : 17 per cent of migrants who made a first return live abroad at the time of the survey. The occurrence of new departures varies, depending in particular on the duration of the first migration and age at the time of the first return. Return migrants living in Senegal in 2008 are generally better educated and are overrepresented among the self-employed. Furthermore, the management of circular migration and temporary work in Senegal, institutionalized only recently, is prone to many problems. The survey results should help lay the groundwork for a deeper reflection on the role of institutions in charge, with the aim to respond more

adequately to the phenomenon of circular migration.

<http://hdl.handle.net/1814/18236>

FOURATI, Habib

Genre et migration en Tunisie, CARIM Analytic and Synthetic Notes, 2011/16, Gender and Migration Series;

Au début des années soixante-dix, la Tunisie connaissait sa première vague migratoire de main d'œuvre masculine, de jeunes et de moins jeunes, de célibataires et de non-célibataires vers les pays d'Europe occidentale, notamment vers la France et la République Fédérale d'Allemagne, ainsi que vers certains pays arabes dont la Libye. Cette vague a été suivie quelques années plus tard par des départs beaucoup moins massifs de jeunes femmes vers les pays d'accueil de leur époux, dans le cadre de ce qui fut appelé le « regroupement familial des immigrés dans les pays d'accueil ». Au cours des trois dernières décennies, la Tunisie n'a cessé d'observer ces mouvements migratoires de et vers ces mêmes pays d'accueil, mais avec une intensité plus ou moins importante d'une période à l'autre. Il s'agit d'une émigration d'hommes, dans les trois quarts de cet ensemble de cas, qui s'expatrient pour le travail et les études, et d'une émigration de femmes, dans un quart des cas, notamment pour le mariage et le regroupement familial dans le pays d'accueil, mais aussi pour les études et le travail. La présente note a pour premier objet la description des caractéristiques démographiques et socio-économiques des migrants, des pays de destination et des pays de provenance des flux migratoires des femmes et des hommes tunisiens de et vers la Tunisie au cours de la période 2001-2008. Elle donne, ensuite, un aperçu du stock des migrants tunisiens résidant à l'étranger par sexe et selon les pays d'accueil. Une tentative de caractérisation des femmes mariées restées en Tunisie, et dont les époux résident à l'étranger, est enfin traitée dans un troisième paragraphe. / In the early seventies of the last century, Tunisia experienced its first wave of emigration among male workers, mainly young and directed towards Western European countries, especially France and Germany, as well as towards some Arab countries including Libya. Later, this wave was followed by a corresponding if less strong wave of departure on the part of young women in the framework of so-called 'family reunification schemes'. Over the past three decades, Tunisia has continued to have migration flows that fluctuate with circumstances. For the most part male migrants leave the country for work and study reasons : three out of four cases. But there are also women who have emigrated for marriage, family reunification as well as to study and work abroad. This note aims at describing the demographic and socio-economic characteristics of migrants and the destination and origin countries of migration flows from 2001 to 2008. Then, the stock of Tunisians abroad today will be more carefully examined from the perspective of gender. Finally, the characteristics and conditions of those women left behind in Tunisia will be scrutinized.

<http://hdl.handle.net/1814/15601>

FOX, Jon, VIDRA, Zsuzsa

The Embodiment of (In)Tolerance in Discourses and Practices Addressing Cultural Diversity in Schools In Hungary: The case of Roma, ACCEPT-PLURALISM, 2011/10, 3. National Case Studies - School Life, Final Country Reports;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19797>

GEMI, Eda, ULASIUK, Iryna, TRIANDAFYLLIDOU, Anna

Migrants and Media Newsmaking, MEDIVA, 2011/01, Thematic Reports;

The MEDIVA project (2011-2013) is co-funded by the European Commission, DG HOME, European Integration Fund for Third Country Nationals, Community Actions 2009.(Grant Agreement no: HOME/2009/EIFX/CA/1814). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

This thematic report provides a comprehensive critical discussion about the ways in which the production of migration related news takes place and the special factors that affect it. Drawing on the

Research Reports

literature on the subject as well as on the analysis of the sixty-eight interviews conducted with journalists and media professionals from six European countries: Italy, Poland, Ireland, Great Britain, Greece and the Netherlands, we argue in favour of a fair and balanced portrayal of migrants in the media and also highlight the current tendencies in news-making and programme production practices adopted in the outlets in the six European countries under examination pointing to positive features as well as shortcomings.

<http://hdl.handle.net/1814/19732>

GLACHANT, Jean-Michel, KHALFALLAH, Haikel - KHALFALLAH, Haikel (ed/s)

Identifying Benefits and Allocating Costs for European Cross-Border Infrastructure Projects, Florence School of Regulation, 2011/06, Policy Briefs;

Cross-border investment projects having a European interest are currently undertaken country by country with insufficient cooperation between all actors impacted by such a project. The asymmetry of cost allocation and benefit distribution of cross-border infrastructure plus the presence of economic externalities have led to a suboptimal situation at the EU level. A cost-benefit analysis would be an interesting tool to enhance the scope of studies of cross-border investments. A cost-benefit analysis is more suitable for undertaking a country to country cross-border analysis. An extra complexity arises when one wants to consider a full EU infrastructure package. TSOs should invest the congestion rents generated in cross-border trade or lose them ("invest it or lose it"). TSOs not interested into cross-border efficient investment projects should transfer the congestion rents to a "European Interconnection Fund" to finance other EU relevant interconnection projects. The existing "Inter-TSO Compensation" mechanism should be either replaced or supplemented by an ex ante instrument based on a cost-benefit analysis. This welcome upgrade should explicitly take into account the economic externalities of the new investment projects. ACER could play a more powerful role in approving investment plans. EU legislation could be revisited to permit this. An interesting alternative to the today's European system operation frame would be to create an EU "Independent System Operator" (EU-ISO) which would have access to the relevant network and operation information that ACER does not get. That EU ISO could play an active role in the studies contributing to European cross-border infrastructure planning.

<http://hdl.handle.net/1814/20778>

GLACHANT, Jean-Michel - HALLACK, Michelle, VAZQUEZ, Miguel (ed/s)

A Gas Target Model for the EU: Florence School proposes MECO-S, Florence School of Regulation, 2011/07, Policy Briefs;

The discussion about the need for and the pros and cons of a gas target model started around the beginning of 2010 and found its first point of culmination in the conclusions of the 18th Madrid Forum in September 2010 which invited stakeholders to start a process to develop a EU Gas Target Model. Florence School of Regulation proposes a European gas target model with a special focus on market architectures and investment: The MECO-S Model. The MECO-S is a "Market Enabling, Connecting and Securing" Model describing an end-state of the gas market to be achieved over time. The common foundation of the MECO-S Model is the economic investment. Investment aims at supporting the other pillars in realizing their respective goals e.g. in contributing to the creation of functioning markets or in contributing to improved price alignment.

<http://hdl.handle.net/1814/20777>

GONZÁLEZ ENRÍQUEZ, Carmen, REYNÉS RAMÓN, Miquel

Circular Migration between Spain and Morocco: Something more than agricultural work?, METOIKOS, Case Studies;

METOIKOS (2009-2011) is funded by the European Commission, European Integration Fund for Third Country Nationals, Community Actions 2008 (Grant Agreement no: JLS/2008/EIFX/CA/1007).

Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

Circular migration between Morocco and Spain is currently restricted to a very narrow labour niche, the temporary agricultural work. Despite the geographical proximity between the two countries and the large number of Moroccan immigrants on Spanish soil, circular migration characterises only a minimal

part of the migratory phenomenon. Other forms of circularity found in close and similar countries also related with Morocco, as Italy, are not present in Spain due to a variety of geographical and institutional reasons. The short periods Moroccan circular migrants spend in Spain and the low qualification of their jobs result in a small effect on development on origin. The report presents proposals to enlarge the scope of circular migration and open it to more qualified jobs.

<http://hdl.handle.net/1814/19721>

GUILD, Elspeth

Improving Policies in the Field of Asylum and Human Rights Protection in the US and EU, EU-US Immigration Systems, 2011/13;

Providing international protection to people fleeing persecution, torture and other inhuman and degrading treatment or punishment is recognised both in the US and EU as an important international obligation. Both the US and the EU have ratified international instruments which require states to provide international protection for an ever wider group of persons. At the same time, non-governmental organisations, academics and even international organisations have decried the reluctance of both the US and EU Member States to afford protection to specific individuals. This policy paper will provide some proposals how to bridge the divide between the US and EU commitments to provide protection and an apparent reluctance actually to accord that protection to individuals.

<http://hdl.handle.net/1814/17843>

HAJDINJAK, Marco, KOSSEVA, Maya

Religious Diversity in Bulgarian Schools: Between intolerance and acceptance,

ACCEPT-PLURALISM, 2011/05, 3. National Case Studies - School Life, Policy Briefs;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19808>

HAJDINJAK, Marco, KOSSEVA, Maya

Roma in Bulgarian Schools: Desegregation supported, segregation maintained,

ACCEPT-PLURALISM, 2011/06, 3. National Case Studies - School Life, Policy Briefs;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19809>

HERTZBERG, Fredrik

(In)tolerance and Recognition of Difference in Swedish schools. The case of Islamic denominational schools and practices of veiling, ACCEPT-PLURALISM, 2011/16, 3. National Case Studies - School Life, Final Country Reports;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19803>

HONOHAN, Iseult, ROUGIER, Nathalie

Challenges of Immigrant Religious Diversity in Irish Schools, ACCEPT-PLURALISM, 2011/04, 3. National Case Studies - School Life, Policy Briefs;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for

Advanced Studies, European University Institute.
<http://hdl.handle.net/1814/19807>

HONOHAN, Iseult, ROUGIER, Nathalie

The Embodiment of Tolerance in Discourses and Practices Addressing Cultural Diversity in Irish schools, ACCEPT-PLURALISM, 2011/13, 3. National Case Studies - School Life, Final Country Reports;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.
<http://hdl.handle.net/1814/19800>

İÇDUYGU, Ahmet

The Irregular Migration Corridor between the EU and Turkey: Is it possible to block it with a readmission agreement?, EU-US Immigration Systems, 2011/14;

Over the last decade while a shift from migration control to migration management has become an integral part of the EU-based political discourses and policy practices relating to irregular migration, the issues of transit migration and readmission agreements seem to be high on the agenda. Within this context, the debate over irregular transit migration from Turkey to the EU is a perfect case study for analyzing how the phenomenon of irregular migration is affecting the European migration and border regimes. It is also an interesting case for analyzing the interplay between the migration-related issues and the EU-Turkey membership negotiations in which the whole notion of “migration management” turns into a type of conditionality measure for the progress and completion of the membership talks. This essay aims at elaborating the recent status of irregular migratory flows from Turkey to Europe referring to their changing volumes, trends and patterns. It also aims at relating the irregular migration through Turkey to the recently negotiated Readmission Agreement between the EU and Turkey which targets the return of apprehended irregular transit migrants in the EU member states to Turkey. In doing so, this essay intends to elaborate the ways in which the irregular transit migration in Turkey has impact on the European migration and border regimes.

<http://hdl.handle.net/1814/17844>

IGLICKA, Krystyna, GMAJ, Katarzyna

Circular Migration Patterns Migration between Ukraine and Poland, METOIKOS, Case Studies; METOIKOS (2009-2011) is funded by the European Commission, European Integration Fund for Third Country Nationals, Community Actions 2008 (Grant Agreement no: JLS/2008/EIFX/CA/1007).

Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19720>

ISSAKA MAGA, Hamidou

Dynamique des migrations de retour au Niger de 1988 à 2001, CARIM Analytic and Synthetic Notes, 2011/63;

La présente étude vise essentiellement, sur la seule base des données des recensements de la population et de l'habitat (RGPH) recueillis en 1988 et en 2001, à approfondir les connaissances sur les caractéristiques des migrants internationaux nigériens de retour. Aux termes des multiples analyses produites, l'étude relève que la proportion de migrants retournés au Niger n'a pratiquement pas changé entre les deux dates et qu'elle compte toujours parmi ses rangs une majorité d'hommes. De même, la plupart des migrants reviennent toujours de l'Afrique de l'Ouest vers laquelle les départs sont également les plus nombreux. Cependant, l'étude a noté des changements importants. En premier lieu, le schéma géographique de la migration de retour a quelque peu changé. En effet, les retours d'Afrique du Nord (notamment de la Libye) et de l'Asie (en l'occurrence de l'Arabie Saoudite) ont pris un peu plus d'importance entre 1988 et 2001. En second lieu, les migrants se sont davantage urbanisés (ou encore on retrouve un peu plus d'urbains), même s'ils retournent vivre en majorité en milieu rural. En troisième lieu, leur niveau d'instruction a sensiblement augmenté entre les deux dates de recensement - même si

la majorité d'entre eux ne dispose d'aucune instruction moderne et travaille dans le secteur primaire traditionnel (agriculture et élevage).

This paper analyzes international return migration patterns in Niger as well as the profiles of return migrants. To this end, the two national censuses of 1988 and 2001 are employed and results are compared so as to examine the evolution of the phenomenon. Some characteristics are found to have remained unchanged between the two dates, e.g. the proportion of return migrants in the population as a whole, migrant profile by sex and last country of residence abroad – for the vast majority are men who resided in other Western African countries. However, some features have varied. So some countries of last residence acquired importance among return migrants in this period including Libya and Saudi Arabia. Then even if the majority of return migrants lived in a rural milieu in 2001 the proportion of those who returned to an urban setting increased slightly. Finally, recent return migrants show a higher level of education despite the fact that most are still illiterate.

<http://hdl.handle.net/1814/18975>

JONKERS, Koen

Immigration and European Innovation Systems, Challenges for Economic Growth and Prosperity, EU-US Immigration Systems, 2011/06;

Immigration plays an important role in helping developed economies to maintain and improve their standards of living while their societies are aging. Developed economies are increasingly dependent upon highly skilled immigrants to provide scarce skills and boost innovation. They also rely on a broad range of low and middle skilled immigrants to perform work for which few native workers are available. These demands remain even in times of economic downturns, in particular the need to attract and retain the most talented immigrants. The aim of this paper is to outline how the EU and its member states approach the immigration-growth question. It examines the short and long term trends in how the immigration system supports economic growth and prosperity. The paper is organised into five parts and each provides a partial contribution to the question of how immigration contributes to the economic growth of the European Union. The first part outlines the theoretical framework for this study, which combines the national innovation systems approach with studies of the migration system, in order to get a better understanding of the relationship between immigration and economic development. The second aims to provide a general background to the question of how different migrant workers contribute to economic development. It explores, in particular, the differences between the contribution of immigrants at different skill levels¹ and the way in which policy makers have responded to this in general. The third part focuses in on developments in the European Union and its member states. It studies the nature of the economic contribution expected of different types of migrant workers and which impacts are short term as opposed to long term. It also discusses the types of immigration which the EU member states have experienced in recent decades and how these trends have changed. The paper devotes special attention to (super) highly skilled immigrants because of their expected contribution to economic development and the performance of European innovation systems. It also highlights the difference between immigration from third countries and intra European migration as there are important differences in the nature of these flows and the extent to which national governments can influence them. The fourth part consists of the evaluation of policies and institutions, focusing on the features of the migration system which affect economic growth and competitiveness. More specifically, it discusses the extent to which the European innovation and migration systems succeed in selecting, attracting, absorbing, and retaining talented immigrants who contribute to economic development. The final part assesses the impact of the economic crisis on migration flows, policy responses and the role of immigrants in the economy in both the short and medium term. It argues that changed economic conditions and the policy measures taken in response have an impact on immigration flows in the short term. The economic restructuring which accompanies the downturn may lead to a jobless recovery and a changed demand for different types of migrants. In the medium and long term the need for, in particular, highly skilled migrant workers remain.

<http://hdl.handle.net/1814/17836>

JOPPKE, Christian

The Role of the Sending State and Society in Immigrant Integration, CARIM Analytic and

Synthetic Notes, 2011/33;
<http://hdl.handle.net/1814/16206>

JOUNI, Hassan

Genre et migration au Liban, CARIM Analytic and Synthetic Notes, 2011/26, Gender and Migration Series;

La femme possède un statut bien avancé au sein de la société libanaise : la Constitution libanaise proclame l'égalité entre les citoyens. Quelques lois et pratiques restent, toutefois, discriminatoires à l'égard de la femme, notamment la loi sur la nationalité et la loi sur le statut personnel. Une discrimination sociale très grave existe en ce qui concerne les femmes travaillant à domicile; elles subissent plusieurs formes de racisme et d'exploitation, et leur protection juridique est très faible - une situation qui encourage la traite et a poussé plusieurs Etats à interdire à leurs citoyens de travailler au Liban en tant que domestiques. La réglementation distingue quatre catégories d'étrangers travaillant au Liban ; seulement deux catégories peuvent y faire venir leurs familles. Pour améliorer le statut de la femme, beaucoup d'efforts sont encore à fournir, notamment au niveau de la justice et de la ratification de nombre de conventions internationales. Le statut de la femme au Liban est acceptable pour les femmes immigrées, à l'exception des femmes qui travaillent en tant que domestiques : une situation qui nous permet de dire qu'elles ne constituent pas un groupe social opprimé au sens de la Convention de 1951.

Women have good status in Lebanese society: the Lebanese constitution insists on equality between citizens. Some laws and practices, however, remain discriminatory, especially the law on nationality and the law on personal status. Women working as domestic workers are grossly discriminated against; they suffer from racism and exploitation and they have little legal protection. This situation fosters trafficking and has led several states to forbid their nationals from working as domestic workers in Lebanon. Regulation distinguishes four categories of foreign workers in Lebanon; only two categories can have their family join them. Much still needs to be done to improve the status of women, in particular in the justice sector and several international conventions have not yet been ratified. The status of women in Lebanon is acceptable for immigrant women with the exception of domestic workers. Women are not an oppressed social group in the sense of the 1951 Convention.

<http://hdl.handle.net/1814/16199>

JOUNI, Hassan

Traite des personnes au Liban, CARIM Analytic and Synthetic Notes, 2011/58, Series on Trafficking;

Le Liban a ratifié la Convention des Nations-Unies contre la criminalité transnationale organisée ainsi que le Protocole qui interdit la traite des personnes. Reste, toutefois, que la loi libanaise n'incrimine pas d'une façon directe le crime de la traite des personnes. Un projet de loi présenté en 2009 par le gouvernement prévoit l'amendement du Code pénal libanais dans le but d'introduire le crime de la traite. Ce projet, qui n'a pas encore été adopté, comporte une série de lacunes, et n'est pas satisfaisant dans ce domaine - c'est pourquoi, il fait l'objet de vives critiques. L'absence de ce crime dans le Code pénal libanais ne signifie pas que les actes considérés comme crime de la traite des personnes ne sont pas incriminés au regard de la loi. En effet, le Code pénal libanais proscrie plusieurs actes constitutifs de la traite, notamment l'enlèvement, l'attentat à la pudeur, la privation de la liberté et le viol ; et institue une protection renforcée à l'endroit de catégories de personnes considérées comme vulnérables, telles que les enfants. Ajoutons que la jurisprudence libanaise s'est saisie de ce crime et que le Liban a adhéré à plusieurs conventions internationales portant d'une façon directe ou indirecte sur la traite, de même qu'il a conclu des accords bilatéraux se rapportant à la lutte contre la traite de la personne.

Lebanon has ratified the United Nations Convention against transnational organized criminality as well as the Protocol which prohibits trafficking in persons. Yet, Lebanese law does not directly proscribe the crime of trafficking. A bill, presented by the government in 2009, may lead to an amendment of the Lebanese penal Code in order to include this crime. This bill, which has not yet been adopted, has several gaps and is not satisfactory. In fact, it has been the object of harsh criticisms. The absence of the crime of human trafficking in the penal Code does not mean that acts constitutive of the crime of trafficking in persons are not penalized legally. Indeed, the Lebanese penal Code proscribes several acts that relate to trafficking, including kidnapping, molestation, freedom deprivation and rape ; and

offers strengthened protection for some categories of vulnerable persons, like children. Besides, Lebanese case-law has addressed this crime, and Lebanon is party to several international conventions directly or indirectly related to trafficking and has concluded some bilateral agreements aimed at combating trafficking in persons.

<http://hdl.handle.net/1814/18484>

KAMEL, Maddouri

Protection sociale des travailleurs Tunisiens migrants : examen critique des dispositifs nationaux et internationaux, CARIM Research Report, 2011/09;

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No abstract available.

<http://hdl.handle.net/1814/19883>

KANDIEL, Abdeen

Gender and Migration: The case of Egypt, CARIM Analytic and Synthetic Notes, 2011/14, Gender and Migration Series;

Egypt is a hosting and sending state for migrant women. This paper will examine the laws governing the personal status of women in Egypt, and explore the problems that Egyptian migrant women face as a result of these laws. It will also examine Egyptian nationality law and how it creates difficulties in the integration of immigrant women into Egyptian society. / L’Egypte est un pays d’accueil et un pays d’envoi de femmes migrantes. Ce papier examine les lois régissant le statut personnel des femmes en Egypte et étudie les problèmes auxquels sont confrontées les femmes migrantes égyptiennes du fait de ces lois. Il examine également la loi sur la nationalité égyptienne et les difficultés qu’elle crée pour l’intégration des femmes immigrées dans la société égyptienne.

<http://hdl.handle.net/1814/15599>

KANE, June

People on the Move: Human trafficking and migration in Jordan, Lebanon and Syria, CARIM Research Report, 2011/04;

<http://hdl.handle.net/1814/18956>

KASPARIAN, Choghig

Liban : La dimension démo-économique de la migration, CARIM Analytic and Synthetic Notes, 2011/66, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

L’émigration libanaise, essentiellement caractérisée par son ancienneté, s’inscrit de nos jours dans un mouvement de mobilité à l’échelle mondiale. La crise financière internationale a impulsé un mouvement de retour des émigrés, surtout actifs, ayant subi plus directement l’impact de la crise. Cette migration de retour s’est soldée pour certains par un retour définitif, pour d’autres par un retour provisoire. Cette mobilité - très difficile à cerner en soi - n’a pas été recensée par des sources officielles et fiables. De nouvelles formes et caractéristiques liées à l’émigration se sont parallèlement développés ; plusieurs entreprises étrangères ou nationales ont engagé des Libanais pour travailler à partir du sol libanais pour l’étranger, soit par télétravail soit par de multiples missions en-dehors du Liban. Cette pratique a conduit à une augmentation importante de la mobilité des personnes et surtout des personnes qualifiées et instruites. Quant à l’immigration, il ressort de la période récente qu’elle s’accroît de la même manière avec une tendance vers une croissance significative de l’immigration de la main d’oeuvre asiatique.

Lebanese emigration characterized, above all, by its long history, is today woven into global mobility patterns. The global financial crisis has triggered a movement of return migration, especially among active migrants, who have suffered under the impact of the crisis more directly. In some cases, people have returned for good, while in other cases their return is temporary. This kind of mobility – very difficult to define in itself – has not been recorded by official and reliable sources. In parallel, new forms and patterns of emigration have developed and several foreign and domestic firms have started to employ Lebanese people abroad, both through telecommuting or with repetitive missions outside Lebanon. This practice has led to a significant increase in the mobility of people especially among highly-skilled and educated individuals. As to immigration patterns, as before, there has been, in the last years, a rise

in labor flows from Asia.
<http://hdl.handle.net/1814/18978>

KASTORYANO, Riva, ESCAFRÉ-DUBLET, Angéline

Tolerance in Discourses and Practices in French Public Schools, ACCEPT-PLURALISM, 2011/01, 3. National Case Studies - School Life, Policy Briefs;
The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.
<http://hdl.handle.net/1814/19804>

KASTORYANO, Riva, ESCAFRÉ-DUBLET, Angéline

Tolerance in Discourses and Practices Addressing Cultural and Religious Diversity in French Schools, ACCEPT-PLURALISM, 2011/05, 3. National Case Studies - School Life, Final Country Reports;
The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.
<http://hdl.handle.net/1814/19792>

KAYA, Ayhan, HARMANYERI, Ece

Embodiment of Tolerance in Discourses and Practices Addressing Cultural Diversity in Schools: Alevi Claims on the Compulsory Courses on Religious Culture and Morality, and Headscarf Issue in Higher Education, ACCEPT-PLURALISM, 2011/12, 3. National Case Studies - School Life, Final Country Reports;
The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.
<http://hdl.handle.net/1814/19799>

KAYA, Ayhan

Challenges of Diversity in Turkish Education, ACCEPT-PLURALISM, 2011/03, 3. National Case Studies - School Life, Policy Briefs;
The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.
<http://hdl.handle.net/1814/19806>

KEITA, Modibo

La migration féminine au Mali, CARIM Analytic and Synthetic Notes, 2011/15, Gender and Migration Series;
Les données et les recherches au sujet de la migration féminine au Mali sont rares. Cet article, qui privilégie une approche qualitative, suggère d'approfondir la question de la relation entre migration féminine et promotion de la femme, autrement dit la connaissance des conséquences de la migration féminine aux plans individuel, social, économique et culturel. Cette question renvoie, plus largement, à la question de la promotion de la femme et à la relation entre genre et développement (GeD). À travers différents exemples, cet article suggère des pistes de réflexion, afin de soutenir et de renforcer le rôle des femmes migrantes dans le développement. / Little data and research are available on gender migration in Mali. This paper, which adopts a qualitative approach, proposes, therefore, to deepen the understanding of the relationship between gender migration and the empowerment of women: in other words, the consequences of gender migration on the individual, social, economic and cultural levels.

This question is related to the broader issues of women's advancement and the relationship between gender and development (GeD). Different examples are presented in order to stimulate reflection, with the aim of supporting and strengthening women migrant's contributions to development.
<http://hdl.handle.net/1814/15600>

KEITA, Modibo

La migration irrégulière au Mali, CARIM Analytic and Synthetic Notes, 2011/53, Irregular Migration Series;

Le présent article aborde la problématique de la migration irrégulière au Mali en la plaçant dans son contexte historique, sous-régional et national. Il montre comment le concept de migration irrégulière, informelle, illégale ou clandestine est récemment apparu du fait des modifications apportées aux cadres législatifs nationaux à partir des années 1970 et 1980 afin de restreindre la mobilité internationale des personnes. Les causes qui poussent à la migration irrégulière sont esquissées et les principaux acteurs responsables de sa gestion sont passés en revue ainsi que leurs stratégies d'intervention. L'article se termine par des recommandations pertinentes pouvant contribuer à maîtriser durablement les flux migratoires provenant du Mali et de la sous-région ouest-africaine en général. This paper deals with the issue of irregular migration in Mali with an historical perspective and in the regional and national context. It shows how the concepts of irregular, informal, illegal or clandestine migration appeared because of the modification of the legal frameworks ruling migration in the 1970s and 1980s, with the aim of limiting the mobility of the persons at an international level. The push factors of irregular migration are briefly presented, as well as the main actors responsible for the management of migration and their strategies. This paper concludes with policy recommendations contributing to a sustain management of migration flows from Mali and the West African sub region.
<http://hdl.handle.net/1814/18479>

KHACHANI, Mohamed

Genre et migration au Maroc, CARIM Analytic and Synthetic Notes, 2011/19, Gender and Migration Series;

Une des principales caractéristiques récentes de la migration marocaine est sa tendance à une féminisation soutenue. Le projet migratoire - qui était un projet d'hommes - intéresse de plus en plus les femmes marocaines au point de constituer actuellement près de la moitié de l'effectif migratoire marocain. Cette reconnaissance de l'importance des femmes dans la construction de l'espace migratoire a placé la question du genre au centre du débat sur l'émigration féminine. En dépit de l'intérêt porté à cette thématique, le rôle du genre dans la configuration des processus migratoires demeure le parent pauvre de la production scientifique. Les recherches ont eu l'habitude de ne traiter que des oppressions subies par ces femmes, occultant assez souvent leurs compétences, leur courage et leur résistance. C'est ainsi que se développe une fausse image des femmes migrantes : catégorie faible, vulnérable, soumise et victime de toutes sortes de discriminations ; alors que la migration peut constituer une expérience positive et enrichissante pour elles en leur offrant des possibilités d'épanouissement, en facilitant leur accès à l'indépendance économique, en fournissant une source de revenu pour leur famille, et en leur permettant une plus grande autonomie. La migration peut ainsi remettre en cause les rôles traditionnels des hommes et des femmes, en modifiant les rapports et les rôles sexo-spécifiques. Ceci peut avoir un impact au sein de la communauté à la fois dans le pays de résidence et dans le pays d'origine en cas de retour. L'objectif de ce rapport est de mettre en exergue, à partir du cas marocain, une approche des migrations à partir d'une analyse articulant les rapports sociaux de sexe. / The feminisation of migration patterns is a key feature of recent outward migration from Morocco. Migration – historically male-oriented – is becoming more feminised and today Moroccan women make up about half of all Moroccans abroad. The growing importance of women in the migratory process has led to a gender-based approach in migration studies and debates. However, until now, no factual knowledge has been produced and little scientific research has been carried out. Those studies there are have generally been biased, relying on stereotypes rather than on real knowledge. Indeed, migrant women have been drawn as a weak and vulnerable category, exposed to all kinds of discrimination and abuse ; their positive engagement in the migration process together with any positive outcomes from this experience – e.g. access to economic and personal independence – has,

meanwhile, been neglected. But migration can, instead, be a vehicle to challenge the stigmatization of women, one that modifies traditional relations between men and women. This can have an impact within the community both in the country of residence and, in the case of return, in the country of origin. The purpose of this report is to support just such a gender-based approach to migration issues by outlining the Moroccan experience..

<http://hdl.handle.net/1814/15616>

KHACHANI, Mohamed

La question migratoire au Maroc : données récentes, CARIM Analytic and Synthetic Notes, 2011/71, Mediterranean and Sub-Saharan Migration: Recent Developments Series, Socio-political Module;

CARIM is co-financed by the European University Institute and the European Union

Le Maroc constitue un bassin migratoire important. Si le territoire a constitué, au cours de toute cette première moitié du XXème siècle, un pays d'immigration accueillant des flux migratoires relativement importants en provenance d'un certain nombre de pays européens, il est également et progressivement devenu depuis un pays d'émigration à destination des pays de l'Union européenne dans sa grande majorité. L'émigration marocaine vers cet espace est en effet devenue, depuis les années 1960, un phénomène sociétal majeur. Reste, toutefois, que le Maroc ne constitue pas seulement un foyer d'émigration dans la double mesure essentielle où il est aussi devenu un espace de transit pour de nombreux jeunes migrants originaires principalement de l'Afrique subsaharienne, et s'inscrit dans une tendance croissante à devenir un pays de résidence pour ces derniers., Morocco has always been an important migration hub. While it was an immigration country during the first half of the twentieth century, receiving relatively important migratory flows from a range of European countries, it has also become, in recent times, an emigration country, mainly towards European Union countries. Moroccan emigration towards the EU has become a major social issue. However, Morocco is not only defined as an emigration hub. It has also become a space for transit for young migrants from Sub-Saharan African countries, and it has become a country of residence for many of them.

<http://hdl.handle.net/1814/19877>

KHALIL, Asem

The Legal Dimension of Migration: The Palestinian case, CARIM Analytic and Synthetic Notes, 2011/28, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

In this report I consider Israeli policies aimed at reducing the number of Palestinians in the areas under its control. I then deal with the rights and freedoms of Palestinian refugees in host countries. I show how Palestinian refugees are dealt with in host countries as a security issue, with consequently limited rights and freedoms, an extra burden on their already fragile situation. I urge for a more stable legal status for Palestinian refugees. I then deal with the special challenge that the Gaza Strip poses for the international community. I argue that UNRWA is being pushed into a risky though perhaps necessary field, namely the protection of refugees and other fragile categories of civilians. Finally, I present an update of Palestinian Authority legislative enactments notwithstanding the stagnation in the Palestinian constitutional system that followed the 2007 Hamas coup in Gaza.

Cet article aborde plusieurs points. Il se penche sur les politiques israéliennes visant à créer des faits accomplis en réduisant le nombre de Palestiniens dans les zones sous contrôle israélien. Il évalue l'état des droits et des libertés dont bénéficient les réfugiés palestiniens dans leurs pays d'accueil. Il montre que les réfugiés palestiniens sont abordés dans les pays hôtes comme un problème sécuritaire, entraînant une réduction des droits et des libertés et aggravant leur situation déjà fragile. L'article recommande un statut juridique plus stable pour les réfugiés palestiniens. La bande de Gaza représente un défi particulier pour la communauté internationale. L'UNRWA est entraînée sur un terrain risqué, et pour cette raison utile, celui de la protection des réfugiés et d'autres catégories de civils vulnérables. Enfin, l'article présente une actualisation de l'activité législative de l'Autorité palestinienne en dépit de la stagnation du système constitutionnel palestinien qui a suivi la prise de contrôle du Hamas à Gaza en 2007.

<http://hdl.handle.net/1814/16201>

KHAWAJA, Mustafa

Emigration from Palestine: A gender perspective, CARIM Analytic and Synthetic Notes, 2011/37, Gender and Migration Series;

Several factors make Palestine a case apart for the analysis and study of migration: a dependent state still under Israeli occupation; a dependent economy; no control over borders; the lack of sovereignty over land and natural resources; and the absence of detailed data on migration. Given these limitations, this note approaches several aspects of the gender dimension of migration from Palestine, by using a variety of sources, both national and international, in order to define the most comprehensive profile of Palestinian women on migration. As a whole, the propensity for Palestinians to emigrate has decreased in the last decades regardless of their level of education. However, the same analysis conducted according to sex, found evidence that highly-skilled women were more likely to emigrate than their male counterparts. As women are more likely to undertake tertiary education, and as, at the same time, socio-economic conditions do not improve, emigration is found to be a good (or necessary solution) in improving life conditions and trying to develop skills abroad. Indeed, the characteristics of women abroad are continually changing. Younger generations of Palestinian female emigrants tend to be better educated and tend too to participate more in the labor market of host countries. However, studying the link between gender and migration leads to a more comprehensive reflection on the cultural constraints faced by women in Palestinian society. Despite the disadvantaged position of women with respect to men in all labor-market indicators, the vast majority do not wish to migrate in order to stay with family or spouses. They often stop their education because 'they want to remain at home in housekeeping' or simply because 'their family does not allow them to continue studying'. These patterns suggest that the cultural environment is an 'obstacle' for women, both in leaving the country, their family and their spouses and in entering the Palestinian labor market. To conclude, while the gender gap is declining in Palestinian life and while Palestinian women abroad are better and better educated and ever more present in the labor market, greater efforts must be made in order to attain gender equality in all aspects of life at home.

L'absence d'un Etat indépendant - en reste de l'occupation israélienne, une économie tributaire, l'absence de contrôle aux frontières, de souveraineté sur ses territoire et ressources naturelles, de données détaillées et actualisées se rapportant au phénomène de la migration, pour ne citer que ces facteurs, demeurent des points de crispation dans le débat. Au regard de ces limites, cette note adopte une approche pragmatique des aspects relevant de la migration palestinienne fondée sur la dimension genre, sur la base d'un recueil de sources nationale et internationale, en vue ensemble d'établir une définition compréhensive du profil de la femme émigrante palestinienne. En général, la propension des Palestiniens à émigrer a significativement diminué au cours de ces dernières décennies aussi bien parmi les hommes que parmi les femmes, et peu important encore le niveau d'éducation. Toutefois, la même analyse menée en termes de sexe révèle une propension à émigrer plus élevée et croissante de femmes hautement qualifiées par comparaison avec la gente masculine. Alors que les femmes disposent davantage d'un niveau d'éducation supérieur, sans que les conditions socioéconomiques ne s'améliorent, l'émigration est accueillie comme une bonne voire nécessaire solution en vue à la fois d'améliorer leurs conditions de vie et de développer leurs compétences à l'étranger. En effet, les caractéristiques de l'émigrante palestinienne résidant à l'étranger tendent à se modifier sur une base continue. Les jeunes générations d'émigrées palestiniennes sont de plus en plus éduquées, et tendent à participer davantage au marché du travail au sein du pays de destination. Toutefois, l'analyse du lien existant entre femmes et migration impose une réflexion plus compréhensive intégrant les contraintes culturelles pesant sur les femmes appartenant à la société palestinienne. En dépit de leur position désavantagée marquée au regard de tous les indicateurs du marché de travail - par comparaison avec leurs homologues masculins, la majorité d'entre elles se refusent à émigrer en vue de rester avec la famille et l'époux. Elles arrêtent très souvent leurs études dans la mesure où "elles veulent rester à la maison et s'occuper du foyer" ou simplement parce que "leur famille refuse qu'elles poursuivent leurs études". Ces caractéristiques sont le point de départ d'une réflexion à mener sur l'environnement culturel érigé comme "obstacle" aux femmes dans leur volonté à la fois d'émigrer, de quitter leur famille et leur époux, et d'intégrer le marché du travail au sein du pays d'origine. En conclusion, il convient de relever que, bien que le gender gap tend à s'atténuer dans une série de secteurs, et que les femmes résidant à l'étranger sont de plus en plus éduquées et investies dans le marché du travail au sein du

pays d'accueil, reste que des efforts supplémentaires doivent être fournis en vue d'obtenir une équation équilibrée entre égalité des opportunités et égalité des genres dans tous les aspects de la vie dans le pays d'origine.

<http://hdl.handle.net/1814/16210>

KILLIAS, Martin

Immigration and Crime: The European experience, EU-US Immigration Systems, 2011/19;

Crime and migration has been a subject of debate over many decades. The present review of the literature attempts to synthesize the available evidence from statistics, crime victimization surveys, self-report surveys and other sources regarding offending and victimization rates among migrants and native populations, discriminatory decision-making by victims, police and criminal justice officials, attitudes to the police and explanations. The paper concludes that crime among migrants is a problem that policy-makers should not ignore. A number of policy changes are proposed.

<http://hdl.handle.net/1814/18960>

KIWAN, Fadia, ITANI, Hala S.

La migration au Liban sous l'angle du genre, CARIM Analytic and Synthetic Notes, 2011/21, Gender and Migration Series;

Cet article examine les flux migratoires de et vers le Liban à travers la question du genre. Il aborde, plus particulièrement, les questions suivantes : les effets de l'émigration des hommes sur la vie des femmes au Liban, l'émigration des femmes, et l'immigration féminine au Liban. Cet article montre : d'une part, que le rôle des femmes évolue positivement, mais de façon limitée, en cas d'émigration du chef de famille ; d'autre part, que l'identité du groupe se cristallise autour des femmes dans les familles émigrées. Par ailleurs, ce texte évoque les conditions de travail difficiles et la situation extrêmement précaire des femmes immigrées au Liban, plus particulièrement les domestiques et celles dites artistes. À travers ces trois questions, ce texte tente d'apporter un éclairage nouveau sur les migrations de et vers le Liban. / This paper examines migration flows from and to Lebanon in a gender perspective. It deals with the following questions : the effects of Lebanese male migration on women's life in Lebanon, the migration of Lebanese women, and the migration of foreign women to Lebanon. This paper shows that: on the one hand, women's role changes positively, but restrictedly, when the family chief migrates ; on the other hand that the group identity crystallizes on women among migrant's families. Moreover, this paper looks at the hard working conditions and at the precarious situation of foreign women in Lebanon, in particular domestics and the so-called artists. By examining these three issues, this paper hopes to shed a new light on migration from and to Lebanon.

<http://hdl.handle.net/1814/15618>

KIWAN, Fadia, ITANI, Hala

Le cadre général de la migration au Liban (2009-2011), CARIM Analytic and Synthetic Notes, 2011/69, Mediterranean and Sub-Saharan Migration: Recent Developments Series, Socio-political Module;

CARIM is co-financed by the European University Institute and the European Union

Ce texte traite des enjeux au Liban dans le domaine de la migration et de l'attention portée par les autorités libanaises à ces enjeux. Tout d'abord, l'important mouvement d'émigration dans un contexte de crise politique soulève différents problèmes, en particulier le poids des remises dans le PNB, l'impact de l'émigration des compétences, et la restitution de la nationalité libanaise aux descendants d'émigrés. Par ailleurs, l'immigration de main-d'oeuvre non qualifiée ne suscite qu'une attention limitée de la part des autorités libanaises, malgré son importance, notamment du point de vue des conditions de travail des étrangers. This paper deals with issues related to migration from and to Lebanon and the attitudes of the Lebanese officials toward such issues. First, major flows of out-migration in a context of great political instability raise various issues as the weight of the remittances in the GDP, the impact of highly skilled migration, and the restitution of citizenship to Lebanese descents. On the other hand, the Lebanese officials largely overlook in-migration of low skill workers, although this phenomenon is quite important, in particular when considering the working conditions of the foreigners.

<http://hdl.handle.net/1814/19875>

KOSSEVA, Maya, HAJDINJAK, Marko

(In)tolerance of Difference in Bulgarian Schools: Discourses and practices, ACCEPT-PLURALISM, 2011/04, 3. National Case Studies - School Life, Final Country Reports; The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.
<http://hdl.handle.net/1814/19791>

KYLE, David J., GOLDSTEIN, Rachel

Migration Industries: A comparison of the Ecuador-US and Ecuador-Spain cases, EU-US Immigration Systems, 2011/15;

There has been growing attention recently in what has been labeled alternatively the “migration industry,” the business of migration, or migration merchants. This paper describes two of the most significant cases of migration industries facilitating large-scale labor migrations from Ecuador to first, New York City and, then, Spain. We compare the organization and impact of these two separate migration industries and their ability to impact key features of Ecuadorians’ labor mobility and settlement at these two destinations. We discuss the historical context of the sending regions and the policies of the destination states to better understand the conditions under which such migration industries can flourish. We argue for a robust conception of migration industries, comprised of a diverse set of formal and informal economic activities, increasingly able to shape migration patterns and outcomes.
<http://hdl.handle.net/1814/17845>

LABDELAOUI, Hocine

Genre et migration en Algérie, CARIM Analytic and Synthetic Notes, 2011/12, Gender and Migration Series;

L’analyse des phénomènes migratoires en Algérie à travers le genre est à la fois problématique et indispensable. Elle est problématique en raison du déficit de connaissances au sujet de l’émigration des femmes, que les rares travaux sur l’émigration familiale ne sauraient combler. En effet, ni les statistiques algériennes sur l’émigration, ni les politiques et les dispositifs institutionnels en matière d’émigration et d’installation dans les pays d’accueil ne tiennent compte des femmes en tant que telles. De même, le statut légal des femmes immigrées en Algérie est le même que celui des hommes : ces dernières sont considérées comme des « résidents étrangers » ou des « migrants irréguliers ». L’analyse « genrée » des phénomènes migratoires en Algérie est donc indispensable, en raison, particulièrement, des évolutions structurelles actuelles de l’émigration algérienne et de la pérennisation de la présence immigrée en Algérie. / A gender-based analysis of migration in Algeria is both complex and indispensable. It is complex because, notwithstanding a few studies dealing with family migration, we know so little about the migration of Algerian women. Indeed, neither the data, nor the policies and the institutional frameworks touching on migration from Algeria, nor, for that matter, integration in the host countries consider women as such. Furthermore, the legal status of women migrants in Algeria is the same as that of any other foreign nationals : in other words, they are viewed as “foreign residents” or “irregular migrants”. Therefore, a gender-based approach for migrations is indispensable, at a time of structural change in the patterns of migration from and to Algeria.
<http://hdl.handle.net/1814/15597>

LABDELAOUI, Hocine

La question de la migration en Algérie : Evolution vers une diplomatie de l’émigration et une politique de contrôle de l’immigration, CARIM Analytic and Synthetic Notes, 2011/67,

Mediterranean and Sub-Saharan Migration: Recent Developments Series;

Cette contribution analyse, d’une part, le discours gouvernemental algérien sur l’émigration, d’autre part, les dispositions légales encadrant l’immigration. Tout d’abord, la création en mai 2010 du secrétariat d’Etat chargé de la Communauté nationale à l’étranger, auprès du ministère des Affaires étrangères, marque une évolution de la politique algérienne visant à concilier l’action diplomatique dans les pays d’accueil et la gestion interministérielle des actions en direction de la communauté algérienne

à l'étranger. Par ailleurs, de sévères restrictions sont prévues par la loi de 2008 sur l'entrée, le séjour et la circulation des étrangers, qui sont caractéristiques d'une approche sécuritaire de la politique migratoire.

The paper analyses the Algerian official discourse dealing with out-migration, on the one hand, and the legal framework regulating in-migration, on the other hand. First, the creation in May 2010 of the State Secretary in charge of the National Community Abroad, within the Ministry of Foreign Affairs, represents an evolution of the Algerian policy aiming at conciliating diplomatic action in hosting countries, and joint ministerial management of the actions towards the Algerian community abroad. Moreover, the 2008 law provides severe restrictions regarding the entry, the stay and the circulation of foreigners, which are typical of a security-oriented migration policy.

<http://hdl.handle.net/1814/18979>

LAURENCE, Jonathan

Social Cohesion and Diaspora Politics, EU-US Immigration Systems, 2011/11;

Faced with difficulties with the operation of their newly established Islam Councils, European governments are increasingly open to the involvement of erstwhile sending states in the social and religious lives of immigrant diasporas in Europe. This is especially visible in the provision of externally-funded religion services (imams and mosques) in the absence of viable domestic alternatives. This paper considers the British debate on social cohesion and offers some context and offers background on recent diaspora outreach from Morocco and Turkey. The sending states are natural partners of Europeans during the current phase of institution-building, and European governments have tried to channel these foreign influences to encourage the institutional integration of their Muslim minorities without ceding sovereignty over European citizens.

<http://hdl.handle.net/1814/17841>

MAGA, Hamidou Issaka

Migrations hors et vers le Niger : une analyse selon le genre, CARIM Analytic and Synthetic Notes, 2011/18, Gender and Migration Series;

L'étude des migrations selon le genre s'impose en ce sens qu'elle permet de mettre en évidence certaines inégalités et iniquités entre hommes et femmes, ainsi que les progrès accomplis ou non vers leur réduction. Ainsi, la présente étude portant sur les migrations internationales hors et vers le Niger a permis de faire ressortir certains faits intéressants montrant notamment que, concernant l'immigration, les femmes sont également concernées et peuvent poursuivre leurs propres objectifs dans le domaine de la mobilité internationale. Concernant la population nigérienne résidente dans les pays de l'OCDE, la proportion des femmes se rapproche de celle des hommes en France (49%), principale destination de la zone, pour 66% des émigrants nigériens ; une forte présence féminine (43%) est également observée pour l'ensemble des pays membres. Cependant, au niveau du marché de travail de cet espace développé, les femmes ne représentent que 35% de l'effectif des actifs employés. Par rapport à la situation dans l'emploi, les émigrées nigériennes montrent une situation très défavorisée : le taux d'activité selon le sexe diffère largement en passant de 74% parmi les hommes à 59% chez les femmes ; le taux de chômage est même plus défavorisant en atteignant 25% pour les femmes (vs 15% chez les hommes). Enfin, elles occupent principalement des emplois peu qualifiés : 58% travaillent dans les secteurs de la santé, du travail social, de l'éducation et d'autres services. S'agissant de la population étrangère résidente au Niger, les résultats suivants méritent d'être soulignés : l'effectif des femmes est très proche de celui des hommes. De même, certaines provenances géographiques principales sont dominées par les femmes (Togo, Ghana et Bénin) lesquelles sont devenues progressivement plus nombreuses en ville que les hommes. Par ailleurs, elles s'intéressent de plus en plus au marché de travail même si la majorité d'entre elles sont encore sans emploi. Quant à leur profil socioéconomique, elles ont un faible niveau d'éducation et sont employées principalement dans des occupations peu qualifiées. / A gender approach in migration studies shows the inequalities between the sexes and the evolution of these inequalities. This study focuses on the gender dimension in international migration in and from Niger and aspects of Nigerien migration pertaining to this. As far as emigration patterns are concerned, women seem to have, today, the same propensity to emigrate and independent emigration has been rising among them. In OECD countries, Niger women represent 43% of all emigrants, 49% in

France, the OECD country which hosts the majority of Nigerian emigrants (66%). However, their socio-economic profile shows that women represent only 35% of the total active Nigerian population. In the labour market, meanwhile, Nigerian women are in a very disadvantaged position with respect to their male counterparts : the activity rate equals 74% for men and drops to 59% among women ; the rate of unemployment is 25% for women and 15% for men. Finally, Nigerian women residing in OECD countries are mainly employed in low-skilled occupations : 58%, indeed, are concentrated in the health, social work, education and other service sectors. As to foreign nationals residing in Niger, there is gender parity, and some foreign communities (e.g. Togo, Ghana and Benin) are made up predominantly of women. Women have gradually acquired increasing importance in urban centers, where their participation in the labor market is rapidly increasing. As to their profile, female foreign nationals in Niger tend to be poorly-educated and are employed in low-skilled occupations.
<http://hdl.handle.net/1814/15615>

MAI, Nick

Reluctant Circularities: The interplay between integration, return and circular migration within the Albanian migration to Italy, METOIKOS, Case Studies;

METOIKOS (2009-2011) is funded by the European Commission, European Integration Fund for Third Country Nationals, Community Actions 2008 (Grant Agreement no: JLS/2008/EIFX/CA/1007).

Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

The findings of the METOIKOS research project do not corroborate a politicised celebration of the circularisation of migration as a win-win situation for both countries of origin and destination. The majority of migrants interviewed in this research were reluctantly and ambivalently oscillating between Albania and Italy. For most, circulating is a way to achieve the migratory flexibility they need to negotiate their livelihoods between societies and labour markets characterised by the different opportunities, predicaments and degrees of socioeconomic and political instability. Most Albanian migrants do not choose to circulate, but accept to do so in order to secure the sustainability of projects of settlement abroad and/or return home which are still not completed or which became unsustainable in the context of the global financial crisis of the late 2000s. For younger people and women, particularly if they are studying, oscillating between Albania and Italy is both a way to reconcile the contradictory moral worlds brought together by their diasporic trajectories and a way to gain the socio-cultural capital to bypass widespread dynamics of corruption and preferential access to the labour market in Albania.

<http://hdl.handle.net/1814/19718>

MAIGA, Djibo

Genre et Migration au Niger, CARIM Analytic and Synthetic Notes, 2011/08, Gender and Migration Series;

Le statut juridique de la femme a des conséquences sur l'émigration des Nigériennes. En fait, très peu de femmes au Niger émigrent à l'étranger pour y travailler car c'est une question d'hommes, l'émigration a toujours été masculine. En revanche, beaucoup de femmes d'origine étrangère viennent au Niger pour y travailler. La grande majorité de ces immigrantes travaillent dans le domaine de la domesticité où le travail est très peu rémunérateur et n'exige pas de qualification. A côté de ces immigrantes nous assistons depuis quelques années à l'apparition d'une migration féminine interne de travail constituée de jeunes nigériennes qui désertent les campagnes au profit des centres urbains. Il faut dire que la famine consécutive à des longues périodes de sécheresse et la pauvreté ambiante ont favorisé ces types de déplacement qui répondent en définitive à des stratégies de survie. Sur le plan juridique, il n'existe pratiquement pas de textes spécifiques à la migration féminine de travail, mais plutôt à la réglementation du travail des femmes en général et du travail domestique en particulier. Ce sont des textes fragmentaires et très discriminatoires qui ont besoin d'un toilettage conséquent et approprié, mais pour cela il faut une mobilisation des femmes et une réelle volonté politique. / The legal status of women has had an impact on the emigration of Niger women. Very few women from Niger actually emigrate abroad to work. Emigration has always been seen as a male activity. Nevertheless, many foreign women come to work in Niger. Most of them work as domestics, a low paid sector that needs no qualifications. Beside these immigrants, internal female migration has started up in the last

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years, with young Niger women leaving the countryside to live in urban centres. The starvation following long periods of dryness and general poverty have fostered these kinds of mobility which are essentially survival strategies. On the legal level, there is no specific text relating to female labour migration, but there are laws regulating female labour in general and domestic work in particular. These are partial and very discriminatory texts, which need important reforms and therefore demand women's mobilisation and a real political will.

<http://hdl.handle.net/1814/15593>

MARKOVA, Eugenia, MCKAY, Sonia

Media Recruitment and Employment Practices, MEDIVA, 2011/03, Thematic Reports;

The MEDIVA project (2011-2013) is co-funded by the European Commission, DG HOME, European Integration Fund for Third Country Nationals, Community Actions 2009. (Grant Agreement no: HOME/2009/EIFX/CA/1814). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

A number of researchers in recent years have focused on the changes in employment patterns within the media industry that have resulted in the decline of what was seen as relatively secure full-time employment substituted by an increase in informal, temporary and freelance work, raising concerns about the increased precariousness of media work, with strengthened polarisation between core and peripheral jobs. Yet there has been very little research into the impact of these changes on the recruitment of migrant workers and on the cultural diversity of the workforce. -The main objectives of the study were (a) to examine the issue of workforce diversity in the European media, with specific reference to migrants; (b) to highlight the many aspects of the recruitment process which can pose barriers to those outside the mainstream of society; (c) to explore whether policies in relation to anti-discrimination measures in recruitment were evident within the media sector and the extent to which they have improved employment opportunities for migrants; (d) to establish whether media companies adopted outreach schemes with the aim of recruiting migrant workers and whether they had monitored their implementation; and, (e) to ascertain the issues of discrimination in the industry. -There is no agreement in Europe on what constitutes the 'economy of culture', with the media being part of it. Economy of culture is defined for the purpose of this study in terms of David Throsby's understanding of 'cultural activities', which are those characterised by creativity in their production and their output potentially embodies at least some form of intellectual property. When the creative sector enters into the production process of other economic sectors and provides the inputs for the production of non-cultural goods, the resulting activities are referred to as the 'creative sector'.

<http://hdl.handle.net/1814/19731>

MAROUKIS, Thanos GEMI, Eda

Circular Migration between Albania and Greece: A case study, METOIKOS, Case Studies;

METOIKOS (2009-2011) is funded by the European Commission, European Integration Fund for Third Country Nationals, Community Actions 2008 (Grant Agreement no: JLS/2008/EIFX/CA/1007).

Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

Although diverse back-and-forth migration patterns of Albanians have been taking place throughout the 1990s and 2000s, the phenomenon of circular migration is the most under-researched of all. This case study intends to bring up the diversity of the circular patterns of mobility of the Albanian migrants, try to understand the prospects of this circularity for the parties involved (the migrant, the employer, the host economy and the economy of origin), and critically assess policies at both sides of the border that promote or put obstacles to different types of circularity.

<http://hdl.handle.net/1814/19717>

MARTINIELLO, Marco

Developing Cohesive and Integrated Societies in the EU and in the US: The added value of a Transatlantic Local Integration and Cohesion Forum, EU-US Immigration Systems, 2011/16;

<http://hdl.handle.net/1814/17846>

MAYORAL, Juan

Democratic Improvements in the European Union under the Lisbon Treaty, EUDO Institutions, 2011;

<http://hdl.handle.net/1814/19902>

MEBROUKINE, Ali

Migrations, genre et relations internationales : le cas de l'Algérie, CARIM Analytic and Synthetic Notes, 2011/07, Gender and Migration Series;

S'agissant de l'Algérie, la question posée par le thème « Genre et migration » doit être appréhendée en premier lieu par rapport aux périodes historiques qui se sont succédées depuis l'indépendance à 2010 ; ensuite au regard des mutations intervenues dans l'ordre juridique interne algérien venues affranchir la condition féminine des servitudes, vécues de façon très inégale par les femmes. En réalité, la ligne de partage entre hommes et femmes, au regard des migrations internationales algériennes, est d'une pertinence toute relative. Elle a indéniablement un intérêt historique, puisque seuls, à l'origine, les hommes pouvaient émigrer. Mais d'une façon générale, le clivage hommes/femmes, aussi pertinent soit-il, ne peut à lui seul rendre compte de la nature très composite des migrations algériennes, surtout dans un pays où l'élite intellectuelle est majoritairement féminine et où les différenciations socioculturelles à partir des classes sociales transcendent largement celles inhérentes au genre. Par ailleurs, il est très important, pour cerner au plus près les réalités des migrations algériennes, de raisonner, à partir du couple, ce qui permet d'évaluer, a priori, la vocation des couples migrants (avec ou sans enfants) à s'intégrer dans la société occidentale. Les couples de culture occidentale et issus de milieux aisés s'adapteront facilement à l'environnement du pays d'arrivée, ce qui permettra à la femme algérienne de poursuivre ses activités et d'avoir des relations sociales aussi bien avec les populations algériennes comparables que les populations de souche. En revanche, les couples de culture arabophone et issus des milieux les plus conservateurs éprouveront des difficultés considérables à s'intégrer. Ceci dit, les pays d'arrivée ont d'autant moins de raisons de céder aux extrémismes religieux que les législations internes des pays de départ consacrent dans leur majorité, l'égalité entre l'homme et la femme, ont réaménagé profondément leur code de la famille, en y supprimant les dispositions les plus discriminatoires à l'endroit des femmes, faisant même obligation aux formations politiques d'appliquer la parité aux élections locales et générales. / For Algeria the question raised by «Gender and Migration» has to be addressed according to successive historical periods from independence to 2010 ; then through modifications in the Algerian legal order which released women from a series of servitudes. The separation between men and women in Algerian international migration is actually not fully relevant. It is of mainly historical interest since only men used to be able to travel. But the difference between men and women cannot explain, in itself, the diversity of Algerian migrations, especially in a country where the intellectual elite is mainly female and where socio-cultural differences based on social classes are more relevant than differences based on gender. Besides, it is important to address migration regarding couples, which enables an evaluation a priori of the probability that migrant couples (with or without children) will be integrated into Western society. Couples with Western culture from a high social class will easily adapt and Algerian woman will be able to share activities and social relations with Algerian or local populations. Couples of Arab-speaking culture and from a conservative social class will have huge difficulties in being integrated. Receiving countries have no reason to accept religious extremism, all the more since the national regulations of countries of origin mostly guarantee equality between men and women, have reformed their family code and have suppressed the most discriminatory provisions.

<http://hdl.handle.net/1814/15592>

MEEUS, Leonardo, AZEVEDO, Isabel, MARCANTONINI, Claudio, GLACHANT, Jean-Michel, HAFNER, Manfred ZORN, Annika (ed/s)

Recommendations for the DG Energy 2050 Roadmap, Florence School of Regulation, 2011/04, [THINK] Policy Briefs;

The THINK project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Strategic Energy Technology Plan. (Call FP7-ENERGY-2009-2, Grant Agreement no: 249736). Coordinator: Prof. Jean-Michel Glachant and Dr. Leonardo Meeus, Florence School of

Research Reports

Regulation, Robert Schuman Centre for Advanced Studies, European University Institute
The European Commission recently released a first roadmap that already indicates what could be the relative contributions of the different sectors to reduce greenhouse gas emissions 80 to 95% below 1990 levels by 2050, which is setting the scene for new EU level policy actions. A second roadmap should be released by the DG Energy 2050 later this year, 2011. Different stakeholders have already presented their vision of the path towards 2050 and different strategies to make it happen are emerging at member state level, which bring new risks for policy fragmentation, but also opens new opportunities for cooperation among member states and for European added value. We provide a rationale for ten priority EU-interventions to add European value to member states' first steps on the road towards 2050. We distinguish three different types of EU involvement to 2050, i.e. "effort sharing", "harmonization", and "level playing field".
<http://hdl.handle.net/1814/20780>

MEEUS, Leonardo, DE OLIVEIRA FERNANDES, Eduardo, LEAL, Vitor, AZEVEDO, Isabel, DELARUE, Erik, GLACHANT, Jean-Michel

Smart Cities Initiative: How to foster a quick transition towards local sustainable energy systems, Florence School of Regulation, THINK Reports;

The THINK project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Strategic Energy Technology Plan. (Call FP7-ENERGY-2009-2, Grant Agreement no: 249736). Coordinator: Prof. Jean-Michel Glachant and Dr. Leonardo Meeus, Florence School of Regulation, Robert Schuman Centre for Advanced Studies, European University Institute
<http://hdl.handle.net/1814/20755>

MEEUS, Leonardo, DELARUE, Erik, GLACHANT, Jean-Michel, ZORN, Annika (ed/s)

Smart Cities Initiative: How to Foster a Quick Transition Towards Local Sustainable Energy Systems, Florence School of Regulation, 2011/02, [THINK] Policy Briefs;

The THINK project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Strategic Energy Technology Plan. (Call FP7-ENERGY-2009-2, Grant Agreement no: 249736). Coordinator: Prof. Jean-Michel Glachant and Dr. Leonardo Meeus, Florence School of Regulation, Robert Schuman Centre for Advanced Studies, European University Institute
The EU is subscribing to the international trend of local governments becoming more involved in climate change policy-making and higher levels of government encouraging this trend. With the Covenant of Mayors, the EU has already been successful in voluntarily committing city authorities to reduce their CO₂ emissions by at least 20% by 2020. The ambition of the Smart Cities Initiative is to speed up the transition towards local sustainable energy systems. A portfolio of smart cities that represents the population of European cities should be selected, consisting of cities with different energy fundamentals, a different political economy, and different institutional capacities. The cities in this portfolio need to be given the institutional flexibility (human and financial resources) to conceive and manage the implementation of concepts of city smartness, i.e. to lead by example (first level of city smartness: city as a public actor), to govern the actions by the private urban actors (second level of city smartness: city as a local policy maker), and to promote an integrated approach (third level of city smartness: city as a coordinator). To have an impact, the initiative needs to establish a strict performance reporting methodology (currently, city pioneer experiences are difficult to compare or replicate because of a lack of reporting, and pioneers that do report, use very different reporting methodologies), which would allow the creation of a good-practice forum or register. An EU level legislative initiative to require all cities to report about their progress or lack of progress is also recommended to further improve the impact of the initiative.
<http://hdl.handle.net/1814/20782>

MEEUS, Leonardo, HAFNER, Manfred, AZEVEDO, Isabel, MARCANTONINI, Claudio, GLACHANT, Jean-Michel

Transition Towards a Low Carbon Energy System by 2050: What role for the EU?, Florence School of Regulation, THINK Reports;

The THINK project (2010-2013) is funded by the European Commission under the Seventh Framework

Programme, Strategic Energy Technology Plan. (Call FP7-ENERGY-2009-2, Grant Agreement no: 249736). Coordinator: Prof. Jean-Michel Glachant and Dr. Leonardo Meeus, Florence School of Regulation, Robert Schuman Centre for Advanced Studies, European University Institute
<http://hdl.handle.net/1814/20756>

MEHCY, Zaki, DOKO, Amer Mahdi

General Overview of Migration into, through and from Syria, CARIM Analytic and Synthetic Notes, 2011/41, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

This paper provides a general overview of Syrian migration. Migration in Syria has been particularly affected by the economic and socio-political environment in the region. Figures for Syrian emigrants vary widely because of the lack of available data and because too of the different methodologies employed in measurement; they range from between about one million and fifteen million. Arab countries are the main destination for Syrian emigrants, especially for those who engage in circular migration. Remittances sent by emigrants to their families seem to play a growing role in the Syrian economy: their contribution to GDP increased from less than 1% in 2000 to about 5% in 2009. The number of immigrants in Syria can be more accurately gauged than the number of emigrants given that more than 90% of these are refugees who are monitored and tracked by the government and international organizations. The number of refugees in Syria was estimated at around 1.4 million in 2009; the majority were Iraqis followed by Palestinians with a small minority from other nationalities. About 10% of Iraqi refugees were subject to resettlement in third countries. The remaining immigrants are workers who could be divided into two groups; the first including highly-skilled employees, while the second and larger group is made up of domestic workers coming from southeast Asian countries. Laws and regulations that are related to migration in Syria focus on organizing and controlling immigrants' inflow and encouraging emigrants to invest in the country.

Cet article livre un panorama général du phénomène migratoire en Syrie encore récemment encouragé par les conditions éco-socio-politiques enlisant l'ensemble de la région. Il reste que, toutefois, de grands écarts de mesure de l'émigration syrienne se creusent – tenant à la fois au peu de données disponibles, et à des méthodes de recensement différentes : cette estimation repose, en effet, sur un écart allant de un à quinze millions d'émigrés. Les pays arabes représentent la principale destination de l'émigration syrienne, en particulier s'agissant des candidats investis dans un parcours migratoire circulaire. En outre, la contribution croissante des envois de fond – transférés par les émigrés à leurs familles – dans l'économie syrienne est forte à souligner, avec une proportion dans le PNB s'élevant de moins de 1% en 2000 à environ 5% en 2009. S'agissant de l'immigration en Syrie, le nombre d'immigrés enregistré sur le territoire est plus aisément recensable par comparaison avec le nombre d'émigrants, dans la mesure essentielle où plus de 90% des immigrés sont à la fois couverts par le statut de réfugiés, et recensés et suivis comme tels par le gouvernement et les organisations internationales. Il en ressort que le nombre de réfugiés en Syrie a été estimé, au titre de l'année 2009, à hauteur de 1.4 millions d'individus ; la majorité est constituée d'Irakiens, suivie par des Palestiniens et par une minorité plus restreinte constituée de diverses nationalités. Néanmoins, près de 10% des réfugiés irakiens ont été sujet à une réinstallation dans des pays tiers. Le segment restant de la population immigrée est constitué de travailleurs, classe subdivisée en deux catégories : la première catégorie compte parmi ses rangs des employés hautement qualifiés, alors que la seconde – plus largement constituée – comprend essentiellement des travailleurs domestiques issus des pays de l'Asie du Sud-est. Les lois et règlements portant sur la migration tels qu'en vigueur en Syrie mettent surtout l'accent sur l'organisation et le contrôle des flux d'immigration, et la promotion des investissements versés dans le pays par les émigrés.

<http://hdl.handle.net/1814/17794>

MICHETTI, Emanuela

European Energy Markets Transparency Report , Florence School of Regulation Reports;

The 2010 Report enlightens the role of transparency in the promotion of well-functioning wholesale energy markets in Europe, and describes the most relevant pro-transparency initiatives undertaken by market and system operators as well as by European insti

<http://hdl.handle.net/1814/20760>

MICHETTI, Emanuela - GLACHANT, Jean-Michel, MICHETTI, Emanuela (ed/s)

Transparency in the European Wholesale Energy Markets: Filling the regulatory gaps, Florence School of Regulation, 2011/03, Policy Briefs;

Wholesale transparency promotes competition and market well-functioning, and positively reflects on the performance of the entire energy sector. Transparency can be improved through the disclosure of ex-ante and ex-post information, as well as through record keeping. The governance of transparency in the European wholesale energy markets can be analysed from three different points of view: levels of governance (national/supranational), policy domains (sector-specific, financial, carbon), nature of enforcer (private/public). While several pro-transparency initiatives were undertaken by market actors, the public governance of transparency is still a work in progress. The current regulation exhibits significant regulatory gaps which the EU is willing to fill through a new tailor-made market transparency framework. The main challenge in this respect is represented by the need for coordination. Overlaps and inconsistencies with the existing national and supranational rules shall be avoided and the three different policy domains involved in energy trading shall develop more integrated implementation paths. <http://hdl.handle.net/1814/20781>

MOHAMED-ALI, Amna Omer

Gender and Migration. The case of Sudan, CARIM Analytic and Synthetic Notes, 2011/23, Gender and Migration Series;

Although female migration is on the rise, research studies with a gender perspective are scarce and fragmentary. Therefore, this paper represents a pioneer work aimed at analyzing female migration from Sudan. The emigration of Sudanese women to neighboring countries is addressed as it represents the largest share in Sudanese female emigration. Being historically family-driven, female emigration from Sudan is today increasingly characterized by independent women leaving the country with the hope of improving their work and life conditions. The recent shift from family- to labor-driven emigration is due mainly to the increase in the proportion of women enrolled in formal education, which in turn has meant a rise in their participation in the labor market. The scarcity of opportunities for newcomers in the Sudanese labor market is today the main reason for outward migration from Sudan. Meanwhile, war and civil conflicts have been an important trigger to female emigration creating, in most cases, refugees. The paper also discusses female emigration in non-African countries and argues that the push factors give impetus to migratory processes that cut across the regional and ethnic boundaries of Sudanese society.

Bien que le phénomène de la migration féminine s'inscrive en pleine croissance, les analyses intégrant une dimension genre sont rares et fragmentaires. A ce titre, cette note représente un travail pilote visant à dresser une analyse de l'émigration féminine soudanaise. Cette émigration vers les pays du voisinage attire l'attention du chercheur, dans la mesure où elle représente la proportion la plus large parmi l'émigration féminine soudanaise. Fondée, dans un premier temps, sur des motifs d'ordre familial, l'émigration féminine soudanaise est aujourd'hui davantage caractérisée par le profil d'une femme indépendante quittant le pays d'origine avec pour objectif double l'amélioration des conditions de travail et de vie. Le glissement récemment opéré d'une émigration essentiellement fondée sur des motifs d'ordre familial à une émigration motivée par des impératifs liés à l'emploi s'explique essentiellement au regard de l'augmentation de la proportion de femmes éduquées avec un impact conséquent sur leur participation accrue au marché du travail. La rareté des opportunités pour les nouveaux immigrés au sein du marché du travail soudanais justifie hautement l'émigration en partance du Soudan. Parallèlement, les guerres et conflits civils ont constamment représenté un levier encourageant l'émigration féminine, allant jusqu'à acquérir le statut de réfugié. Cette note analyse, en outre, l'émigration féminine à destination de pays non-africains, et part du postulat que ces différents facteurs sous-jacents les mouvements migratoires agissent sur les processus migratoires à échelle régionale, et peu important les frontières ethniques traversant la société soudanaise. <http://hdl.handle.net/1814/15620>

MOHAMED-ALI, Amna Omer

Migration from and to Sudan, CARIM Analytic and Synthetic Notes, 2011/24, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

In this paper, a survey of the demographic aspects of migration from and to Sudan is presented. One of the main limitations in approaching migration from and to Sudan is the poor data coverage, quality and accuracy of official statistics. Emigration seems to be increasing. As to immigration patterns, Sudan has historically hosted a large number of refugees from neighboring countries and Sudan is also an important origin country for asylum seekers and refugees. The characteristics of Sudanese labor emigrants are varied. Agricultural workers are most numerous among those workers seeking fortunes abroad, followed by equipment mechanics and then professionals and scientists. Assessing the impact of labor emigration on the local economy is extremely difficult. As to destination countries, Sudanese emigrants are to be found all over the world. Much work needs to be done to perfect data collection, with an emphasis on coverage, accuracy, quality and relevance. It is very important for government agencies concerned with migration to build strong and relevant databases. Cooperation among such agencies is to be recommended. Cet article présente les résultats d'une analyse se rapportant aux aspects démographiques de la migration en provenance et à destination du Soudan. De nombreuses difficultés liées au recueil de données, à la qualité et de la fiabilité des statistiques officielles ont pu être relevées au cours de cette enquête. Le phénomène de l'émigration s'inscrit dans une courbe de nette progression. S'agissant des caractéristiques de l'immigration, le Soudan a traditionnellement constitué un terrain d'accueil pour un grand nombre de réfugiés issus de pays voisins, et représente également un important Etat d'origine pour les demandeurs d'asile et les réfugiés. Les caractéristiques des émigrants travailleurs soudanais sont multiples et variées. Les agriculteurs constituent un large segment au sein de la population de travailleurs cherchant fortune à l'étranger, suivi par les mécaniciens d'équipements, puis par les professionnels et scientifiques. L'évaluation de l'impact de l'émigration de travail sur l'économie locale est très difficile. Concernant le choix des pays de destination, les émigrants soudanais se répartissent sur l'ensemble de la planète. Davantage d'efforts restent à fournir en vue de renforcer le recueil de données, à travers la définition de leur finalité, de leur fiabilité, de leur qualité et de leur pertinence. Il revient, à ce titre, aux agences gouvernementales en charge de la migration d'établir des bases de données crédibles et pertinentes. La coopération entre ces agences est à ce titre plus que recommandée.

<http://hdl.handle.net/1814/16197>

MOHAMED-SALEH, Sidna

Mauritanie : genre et migration, CARIM Analytic and Synthetic Notes, 2011/50, Gender and Migration Series;

La présente étude porte sur la dimension genre de la migration en Mauritanie. Il y est d'abord question du poids relatif des hommes et des femmes dans les effectifs des migrants, mais aussi de la distribution selon le genre de différents indicateurs tels que le niveau d'instruction, la situation d'activité, la motivation à migrer, les revenus et les envois de fonds et ce, malgré l'insuffisance des données disponibles. Ainsi, les immigrées en Mauritanie représentent 48% de la population étrangère et sont actives à hauteur de 65,2%, contre 93% pour les migrants masculins, employées principalement dans des activités commerciales ou de services. Ces femmes viennent en Mauritanie à la recherche d'un emploi mieux rémunéré, ainsi que pour le regroupement familial. Quant aux Mauritaniennes résidant à l'étranger, on estime leur proportion à hauteur de 25% dans la zone OCDE, alors qu'elles représentent 53 à 54,5% parmi les réfugiés mauritaniens rapatriés au cours de ces deux dernières années en provenance du Sénégal. Les Mauritaniennes font montre d'une faible propension à migrer. Leur situation est encore négativement affectée par des taux de mariage précoces élevés parmi les filles (19% avant l'âge de 15 ans et 43% avant l'âge de 18 ans). Par contre, leur niveau de scolarisation est en progression et dépasse celui des garçons dans le cycle primaire. Leur participation au marché du travail en Mauritanie demeure encore faible avec un taux d'activité de 34,4% et un taux de chômage de 44% enregistré au titre de l'année 2008.

The present study concerns the gender dimension of migration in Mauritania. The report deals, notwithstanding the weak data available, with the relative weight of men and women in terms of the number of migrants and also the distribution by gender of various indicators such as academic level, the economically-active population, the motivation to migrate, income and remittances. So, the migrant women in Mauritania represent 48% of the foreign population and 65.2% of these are employed, against 93% of migrant men, mainly in commercial activities or services. These women come to

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Mauritania looking for a better paid job as well as for opportunities for family entry and settlement. As for Mauritanian women living abroad, these stand at 25% of Mauritanian migrants in the OECD countries, while they represent 53% to 54.5% among the Mauritanian refugees repatriated these last two years from Senegal. Mauritanian women declare little interest in migrating. Their situation is still negatively affected by high rates of early marriage among girls (19% before 15 and 43% before 18 years of age). On the other hand, the percentage of girls in full-time education is on the rise and exceeds boys in the primary cycle. Female participation in the labour market in Mauritania is still low with an economically active population rate of 34.4% and an unemployment rate of 44% in 2008.

<http://hdl.handle.net/1814/18476>

MÜHE, Nina

(In-)Tolerance Towards Religious Minorities in German Schools: Religious diversity challenges in regard to Muslim religious practice and education, ACCEPT-PLURALISM, 2011/18, 3.National Case Studies - School Life, Final Country Reports;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/20974>

MÜHE, Nina

Acceptance of Religious Diversity in German Public Schools, ACCEPT-PLURALISM, 2011/02, 3. National Case Studies - School Life, Policy Briefs;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19805>

NASSAR, Heba

Recent Trends of Egyptian Migration, CARIM Analytic and Synthetic Notes, 2011/72, Mediterranean and Sub-Saharan Migration: Recent Developments Series, Demographic and Economic Module;

CARIM is co-financed by the European University Institute and the European Union

This paper highlights the recent patterns of outward migration from Egypt. After a brief historical overview, the main characteristics of Egyptians residing abroad are presented. Part of the analysis is also dedicated to the effects of emigration on the Egyptian labor market as well as on the causes prompting outward migration from the country. As to immigration patterns, the conditions of refugees and asylum seekers living in Egypt are analyzed in detail. The paper concludes with a time analysis of the social and economic impact of remittances in Egypt., Cet article se propose d'apporter un éclairage nouveau et actualisé sur les caractéristiques se rapportant au phénomène de l'émigration en partance de l'Egypte. Partant d'une brève historique, l'analyse s'attache à retranscrire les caractéristiques principales des émigrés égyptiens. L'intérêt de cette étude tient, en outre, à déterminer, et d'une part, l'impact de ce phénomène sur le marché du travail égyptien et, de l'autre, les causes motivant les migrations enregistrées en partance de l'Egypte. S'agissant des caractéristiques liées au phénomène de l'immigration, l'analyse prête une attention particulière à la condition des réfugiés et des demandeurs d'asile résidant en Egypte. L'article se penche, en dernier lieu, à l'appui d'une analyse temporelle, sur l'impact socio-économique des transferts de fonds réalisés vers l'Egypte.

<http://hdl.handle.net/1814/19878>

NASSAR, Heba

Report on Egyptian Women Migration, CARIM Analytic and Synthetic Notes, 2011/13, Gender and Migration Series;

To understand female migration and its interrelation with socio-economic development, a consideration of the selectivity of female migrants, their characteristics and differences with respect to female

non-migrants as well as male migrants together with an analysis of the forces leading to such selectivity is an important first step. The general structural determinants of female migration have been categorized as: (i) those related to the economic development context and stemming mostly from government policies that influenced gender-based economic opportunities and constraints in areas of origin and destination; (ii) those determinants related to institutional factors that maintained gender inequalities; (iii) those determinants arising from the socio-cultural system of gender roles and relations operating in accordance with prevalent norms, values and expectations. The promotion of equal employment opportunities for men and women is needed: it is important to prevent the perpetuation of segmented labor markets. At the household level, migration might be treated as part of a household strategy of risk diversification wherein a member of the household is encouraged or helped to migrate so as to send back remittances. Finally, it should be noted that the outcome of migration for women varies considerably according to the socio-cultural and family contexts in which migration takes place. Pour comprendre le phénomène de la migration féminine et ses liens avec le développement socio-économique, il convient d'étudier, dans un premier temps, la sélectivité des migrantes, leurs caractéristiques et différences par rapport aux femmes non-migrantes et aux migrants de sexe masculin, ainsi que d'analyser les forces conduisant à une telle sélectivité. Les déterminants structurels généraux de la migration féminine ont été classés comme suit : 1) déterminants liés au contexte du développement économique et provenant principalement de politiques gouvernementales ayant influencé les opportunités économiques et les contraintes dans les zones d'origine et de destination dans une perspective de genre; 2) déterminants liés à des facteurs institutionnels maintenant les inégalités entre les sexes; 3) déterminants découlant du système socio-culturel des rôles et des relations entre les sexes et s'appuyant sur les normes et valeurs courantes. La promotion de l'égalité des chances entre les hommes et les femmes est nécessaire. Il est, de fait, important d'empêcher la perpétuation des marchés du travail segmentés. Au niveau des ménages, la migration peut également être considérée comme partie prenante d'une stratégie de diversification des risques des ménages au sein desquels un membre est encouragé à migrer afin de bénéficier des envois de fonds. Enfin, il convient de noter que le résultat de la migration pour les femmes varie considérablement selon les contextes socio-culturels et familiaux dans lesquels cette migration a eu lieu.

<http://hdl.handle.net/1814/15598>

NAUFAL, Hala

La situation des réfugiés et travailleurs syriens au Liban suite aux soulèvements populaires en Syrie, CARIM Analytic and Synthetic Notes, 2011/73, Series on the Impact of the Arab Spring on Migration, Socio-political Module;

CARIM is co-financed by the European University Institute and the European Union

Depuis mars 2011, la répression violente des manifestations contre le régime syrien a entraîné la fuite de milliers de réfugiés vers le nord du Liban. La plupart d'entre eux ont afflué par des points de passages frontaliers illégaux et ont été hébergés par des membres de leurs familles. Le Haut Comité de Secours libanais (HCS) a supervisé et coordonné l'aide humanitaire fournie par des organismes locaux et internationaux. Le nombre de réfugiés enregistrés dans la base de données établie par le HCS et le Haut-Commissariat des Nations Unies pour les Réfugiés (HCR) connaît des fluctuations, mais il atteignait 3605 personnes à la fin du mois de novembre 2011. Toutefois, les ONG locales considèrent que le nombre de réfugiés syriens au Liban est plus important. L'absence de cadre juridique et de politique officielle vis-à-vis des réfugiés syriens explique la précarité de leur situation au Liban.

Parallèlement, plusieurs centaines de milliers de travailleurs migrants syriens résident au Liban. Since March 2011, protests against the Syrian regime have been violently repressed resulting in thousands of Syrian refugees fleeing toward the North of Lebanon. Most of them have crossed the border illegally and have been hosted by their relatives in Lebanon. The Lebanese High Relief Committee (HRC) has supervised and coordinated humanitarian aid provided par local and international organizations. The number of refugees registered in the database of the HRC and the UN Refugee Agency (UNHCR) varies, but it reached 3605 persons at the end of November 2011. However, local NGOs consider that the number of Syrian refugees in Lebanon is higher. The lack of legal framework and official policy in respect with the Syrian refugees explains their precarious situation. In parallel, several hundreds of

thousands of Syrian migrant workers are residing in Lebanon.

<http://hdl.handle.net/1814/19879>

O'BOYLE, Neil, FEHR, Franziska, PRESTON, Paschal

Training, MEDIVA, 2011/04, Thematic Reports;

The MEDIVA project (2011-2013) is co-funded by the European Commission, DG HOME, European Integration Fund for Third Country Nationals, Community Actions 2009.(Grant Agreement no: HOME/2009/EIFX/CA/1814). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

This report presents findings and key recommendations in respect of current diversity training practices (or lack thereof) in newsmaking organisations in the following European Member States: Greece, Ireland, Italy, the Netherlands, Poland, the UK. In general, and allowing for notable exceptions (e.g. The Netherlands), this report finds minimal evidence of diversity training across the abovementioned Member States. Attitudes towards diversity training vary considerably. While on one hand journalists are broadly in favour of ongoing professional “education” in a variety of forms, many are hostile to the very notion of training, regarding it as an unnecessary intrusion on their own professional “know how”, garnered through lengthy experience “on-the-job”. Those in favour of diversity training remain cautious about its potential impact, with some suggesting that such initiatives are unlikely to succeed without increased diversification of the media workforce (though most are also critical of employment quotas).

<http://hdl.handle.net/1814/19733>

OLMOS, Luis, NEWBERY, David, RUESTER, Sophia, LIONG, Siok Jen, GLACHANT, Jean-Michel

Public Support for the Financing of RD&D Activities in New Clean Energy Technologies,

Florence School of Regulation, THINK Reports;

The THINK project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Strategic Energy Technology Plan. (Call FP7-ENERGY-2009-2, Grant Agreement no: 249736). Coordinator: Prof. Jean-Michel Glachant and Dr. Leonardo Meeus, Florence School of Regulation, Robert Schuman Centre for Advanced Studies, European University Institute

<http://hdl.handle.net/1814/20754>

OLMOS, Luis, RANCI, Pippo, PAZIENZA, Maria Grazia, RUESTER, Sophia, SARTORI, Martina, GALEOTTI, Marzio, GLACHANT, Jean-Michel

The Impact of Climate and Energy Policies on the Public Budget of EU Member States,

Florence School of Regulation, THINK Reports;

The THINK project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Strategic Energy Technology Plan. (Call FP7-ENERGY-2009-2, Grant Agreement no: 249736). Coordinator: Prof. Jean-Michel Glachant and Dr. Leonardo Meeus, Florence School of Regulation, Robert Schuman Centre for Advanced Studies, European University Institute

<http://hdl.handle.net/1814/20757>

OLMOS, Luis, RUESTER, Sophia, LIONG, Siok Jen, GLACHANT, Jean-MichelZORN, Annika (ed/s)

Public Support for the Financing of RD&D Activities in New Clean Energy Technologies,

Florence School of Regulation, 2011/01, [THINK] Policy Briefs;

The THINK project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Strategic Energy Technology Plan. (Call FP7-ENERGY-2009-2, Grant Agreement no: 249736). Coordinator: Prof. Jean-Michel Glachant and Dr. Leonardo Meeus, Florence School of Regulation, Robert Schuman Centre for Advanced Studies, European University Institute

Substantial investments in RD&D in new low-carbon technologies are required to reach the EU climate objectives. Given existing market failures affecting clean innovation, developing a balanced portfolio of existing and new clean technologies will require both demand pull support measures – namely carbon pricing and the Renewables Directive, and direct public support to innovation. Innovation activities should comprise research, development and demonstration and be aimed at both (i) accelerating the decarbonization of energy systems to reach mid-term 2020 objectives by pushing especially more mature technologies and (ii) developing a diversified technology mix enabling the achievement of

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long-term 2050 objectives by supporting also still immature technologies. Cooperation and coordination among Member State and EU support policies have to be improved. The initiation of European Energy Research Alliances is a step into the right direction; their successful implementation should be fostered and progress monitored. The form of direct public support needs to be tailored to the features of each innovation project – depending on both the technology targeted and its level of maturity – and to the type of entity best placed to undertake the respective RD&D. Financing instruments need to be implemented in a way that encourages efficiency while not discouraging participation by the private sector. Competition for funds should be used and public funding should be output-driven whenever possible; the institutions set up to allocate funds should be flexible enough to avoid institutional inertia and lock-in.

<http://hdl.handle.net/1814/20783>

OLMOS, Luis, RUESTER, Sophia, SARTORI, Martina, PAZIENZA, Maria Grazia, RANCI, Pippo, GLACHANT, Jean-Michel, GALEOTTI, Marzio ZORN, Annika (ed/s)

The Impact of Climate and Energy Policies on the Public Budget of EU Member States, Florence School of Regulation, 2011/05, [THINK] Policy Briefs;

The THINK project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Strategic Energy Technology Plan. (Call FP7-ENERGY-2009-2, Grant Agreement no: 249736). Coordinator: Prof. Jean-Michel Glachant and Dr. Leonardo Meeus, Florence School of Regulation, Robert Schuman Centre for Advanced Studies, European University Institute

In the current context, where public budgets are overstretched due to the economic crisis, there is a pressing need to understand the fiscal implications of climate policies. Policies intended to achieve decarbonization will impact both sides of a country's budget via changes in the tax levels and composition of taxes on the one hand, as well as transfer payments and direct investments on the other. Back-of-the-envelope calculations – comparing net public revenues in 2020 for a Baseline and an Enhanced Policy scenario – show that the additional revenues from carbon pricing and the reduction in revenues from excise taxes on fossil fuels clearly dominate other direct and indirect effects of policies on public budgets such as the additional expenditures dedicated to RD&D targeting low-carbon technologies. The aggregated net budget impact of all direct and indirect effects of new climate policies implemented in the Enhanced Policy Scenario on public budgets in 2020 for the EU-27 as a whole – given our simplifying assumptions – amounts to additional net public revenues of about €12.6bn (0.09% in terms of the EU-27 GDP) under medium-level abatement costs. This makes a non-negligible impact which is nevertheless much lower than the impact on public accounts from changes in main macroeconomic variables over time. Differences among Member States mainly depend on the additional revenues they will obtain from carbon pricing, which are driven by three main factors: the carbon intensity of the economy, which is positively correlated with the absolute value of the net budget impact of new policies; the share of non-ETS GHG emissions, which is positively correlated with the net budget impact; and the reduction in GHG emissions resulting from new policies, which is negatively correlated with this impact. Countries most significantly affected, both positively and negatively, are among the “new” Member States in the EU-27. In contrast, the impact of new climate policies on large EU-15 economies would be generally positive and typically in line with average EU values. Therefore, authorities from the EU-15 may consider the option of sharing the economic burden of the transition to a low-carbon economy among EU countries, taking into account their economic strength.

<http://hdl.handle.net/1814/20779>

OLSEN, Tore Vincents, AHLGREN, Sofie Marie

(In)Tolerance and Accommodation of Difference in Danish Public and Private Schools, ACCEPT-PLURALISM, 2011/09, 3. National Case Studies - School Life, Final Country Reports;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19796>

OLWAN, Mohamed Y.

Trafficking in Persons in Jordan, CARIM Analytic and Synthetic Notes, 2011/42, Series on the Fight against Trafficking in Persons and the Smuggling of Migrants in Legislation;

The study is designed to offer the reader an outline of Jordan's legal responses to human trafficking. It is divided into five sections: legal framework of human trafficking; child labor and human trafficking; migrant domestic workers and human trafficking; migrant laborers in the qualified industrial zones (Qizs); and finally Jordanian case law. The conclusion then follows these five sections., Cette étude vise à présenter au lecteur les réponses juridiques apportées par la Jordanie à la traite des personnes. Elle est en cinq sections : le cadre juridique de la traite des personnes, le travail des enfants et la traite, les migrants travailleurs domestiques et la traite, les travailleurs migrants dans les zones qualifiées industrielles et enfin la jurisprudence jordanienne. Une conclusion suivra ces cinq sections.
<http://hdl.handle.net/1814/17795>

OZKUL, Derya

Circular Migration Schemes: Renewed interests in the destination countries, CARIM Analytic and Synthetic Notes, 2011/61, The Best Summer School Essays;

This article looks at the emergence of the concept of circular migration in the European Union (EU) and makes three main arguments. First, it argues that circular migration as a concept is not a new phenomenon but that if the circular migration schemes (CMSs) are implemented in a strictly controlled manner, they can lead to even more unexpected results than those of previous guest-worker programmes. As the old temporary guest-worker programmes proved that temporary migration was not a temporary issue, the presently discussed legislation on CMSs can illustrate that migrants cannot be forcibly circulated, without creating new allegiances and new sub/supra national identities that would eventually alter the very foundations of the national states. Second, looking at the developmental discourse of the legislative debates, the article argues that instead of a triple-win situation, CMSs conceal the further securitisation of the EU's borders, which, in turn can transform national governments' authority over the longer term. This is related to the third and final argument. The very emergence of these schemes evinces the change in time and space configurations in the contemporary world, which illustrates the liberal paradox faced by national states. Instead of limiting the discussion on whether or not to launch the CMSs, this article ultimately elaborates on structural changes that facilitate their emergence and finally on their implications that should be considered in a broader sense.

Cette analyse s'attache à définir les contours du concept de migration circulaire au sein de l'Union européenne (UE), et à dresser un argumentaire divisé en trois sections. D'une part, l'étude part du postulat que la migration circulaire définie comme concept n'est pas un phénomène nouveau et que la mise en oeuvre des schémas de la migration circulaire (SMC) sous un contrôle strict serait de nature à conduire à des résultats beaucoup moins prévisibles que ceux ressortant des précédents programmes de travailleurs invités. Ces anciens programmes de travailleurs invités temporaires ont bien attesté que la migration temporaire ne relevait pas d'une question temporaire : les débats législatifs en cours autour de l'adoption d'une réglementation ès SMC révèlent que les migrants ne peuvent être contraints à circuler, sans précisément générer de nouvelles allégeances et de nouvelles identités sous- et supranationales de nature à altérer substantiellement les bases des Etats nationaux. D'autre part, et au regard des principaux arguments ressortant des débats législatifs, cet article argumente que, au lieu de tracer les contours d'un jeu à triple somme positive, les SMC se proposent d'assurer de facto une plus grande sécurisation des frontières de l'UE ce qui, en retour, pourrait amener à alimenter une controverse quant à l'autorité des gouvernements nationaux et ce, sur un long terme. Cette question est étroitement liée au troisième et dernier argument. En effet, l'émergence de ces schémas manifeste un changement profond et substantiel dans la configuration du temps et de l'espace du monde actuel, ce qui atteste, en retour, du paradoxe libéral au sein duquel sont versés les Etats nationaux. La présente analyse se propose d'aller au-delà du débat entourant l'opportunité ou non de dresser des SMC et se penche, en dernier lieu, à la fois sur les changements structurels de nature à faciliter précisément leur émergence, et sur leurs implications largement entendues.

<http://hdl.handle.net/1814/18487>

PERRIN, Delphine

Country Report: Morocco, EUDO Citizenship Observatory, 2011/42, Country Reports;
Research for this EUDO Citizenship Observatory Country Report has been supported by the British Academy Research Project CITMODES, directed by the University of Edinburgh and the European University Institute.

<http://hdl.handle.net/1814/19628>

PILGRAM, Lisa

International Law and European Nationality Laws, EUDO Citizenship Observatory, 2011/01, Comparative Analyses, Comparative Reports;
Research for the EUDO Citizenship Observatory Comparative Analyses has been jointly supported by the European Commission grant agreement JLS/2007/IP/CA/009 EUCITAC and by the British Academy Research Project CITMODES (both projects co-directed by the European University Institute and the University of Edinburgh).

This paper on international law and European nationality laws is based on the findings from country reports produced within the framework of the EUDO Citizenship Observatory as well as further correspondence with country experts who participated in this project. After a brief description of the history and sources of public international law on nationality, the domestic impact of international legal provisions in this field is being examined. To this end, the second part of this paper discusses the key factors which determine state receptivity towards international law on nationality. These include historical, regional and political factors, internal doctrinal preconditions, informal factors such as societal pressure as well as systems of reservations and the absence of independent review in international Treaty law. The regional influence of the European Convention on Nationality (ECN), as the most important multilateral instrument at present, is analysed in more detail in the last part of the paper including a description of common obstacles to ratification of the Convention.

<http://hdl.handle.net/1814/19455>

RUEDIN, Didier, D'AMATO, Gianni

Social Cohesion Challenges in Europe, EU-US Immigration Systems, 2011/04;

Recent decades saw increasing levels of immigration to European countries. This has led to a more diverse population in Europe, and often this increased diversity is seen as a challenge to social cohesion. At the beginning of the 21st century, the political rhetoric has become harsher, with immigration, Islam, and security increasingly mentioned in one breath. Economic pressures because of global recession are similar in most European countries, leading to lower levels of economic integration, and thus may affect social cohesion. The article presents a number of reasons why reactions differ across Europe. Reasons include the ability of immigrants to adjust to the recession, or different historical legacies of immigration. Moreover, the role of the welfare state in issues of immigration and social cohesion is highlighted. The welfare state plays an important role in cultural and social integration – which can differ significantly from economic integration – and can explain why social cohesion and the state of the economy are not directly linked. In European countries, the welfare state to some degree counters purely economic trends. Additionally, the article argues that stricter immigration policies tend not to affect areas directly relevant to social integration and social cohesion, where there are possibly no real alternatives to encouraging integration. Yet, the perception in society that social cohesion is under threat can lead to hostile reactions, but this is not necessarily the case. The political system and historical differences play a crucial role in how issues of immigration are politicized in times of economic crisis.

<http://hdl.handle.net/1814/17835>

SAKHO, Papa, DIOP, Rosalie A., AWISSI-SALL, Madon

Migration et genre au Sénégal, CARIM Analytic and Synthetic Notes, 2011/10, Gender and Migration Series;

Les rapports de genre dans la migration sénégalaise connaissent une évolution notable depuis une trentaine d'années, marquées par la croissance de la présence féminine dans les mouvements internationaux de personnes. Dans les milieux de départ, les mutations socioculturelles s'affirment tant en milieu urbain que rural, et les difficultés économiques sont de plus en plus aiguës. Dans les pays de

destination, les conditions d'installation deviennent sans cesse plus contraignantes. Malgré les contraintes de données, souvent parcellaires quand elles sont disponibles, l'analyse s'appuie sur des enquêtes récentes menées à Dakar et dans la vallée du fleuve Sénégal, deux espaces assez représentatifs des foyers de départ urbains et ruraux. Elle livre des éléments de réponse sur le profil de la migrante sénégalaise, surtout citadine, sur son statut économique et les raisons de sa migration. Ainsi, la migration féminine autonome s'amplifie en particulier en direction de l'Europe avec la réorientation des flux de la migration sénégalaise. En outre, le profil de la migrante sénégalaise se distingue relativement de celui des hommes ; elle part plus jeune et revient plus tôt. L'augmentation de l'autonomie féminine s'affirme, par ailleurs, dans les raisons de la migration. Le regroupement familial traduit toujours le poids de l'homme et est encore de mise. Toutefois, plus de la moitié d'entre elles partent pour les mêmes raisons de travail et d'études. Pour mieux cerner les rapports de genre, il serait opportun de revisiter toutes les données collectées antérieurement afin de mieux conceptualiser le phénomène, et de porter plus d'attention aux rapports de la femme dans le ménage de départ en relation avec la migration, afin d'ouvrir davantage de perspectives d'actions de développement dans les pays de départ. / In the framework of Senegalese migration, gender relations have changed significantly over the last thirty years the result, in part, of there being more women in international movements. As a whole, female migration experiences the same patterns of international movements as male migration: in the origin country, they are pushed by rapid changes in the socio-cultural environment both in urban and rural areas, together with worsening socio-economic conditions ; while in the destination country, they face an ever more challenging process of integration. This analysis is based on two recent surveys conducted in Dakar and in the Senegal River Valley, two important emigration regions. Thanks to this data, the profile of Senegalese emigrants can be set out, especially regarding their socio-economic status and their reasons for migration. As a whole, the independent emigration of women is increasing especially towards European countries, a result of the reorientation of Senegalese emigration flows. The profile of female migrants differs slightly from that of their male counterparts. Females tend to be younger when they leave and to return more often than men. As to the reasons for emigration, even if family reasons are still more important for women than for men, today, more than half of female migrants leave Senegal for work or study. Understanding the causes and effects of female migration makes sense for designing development policies in Senegal.

<http://hdl.handle.net/1814/15595>

SALIH, Ruba

The Relevance of Gender in/and Migration, CARIM Research Report, 2011/06, Gender and Migration;
<http://hdl.handle.net/1814/18958>

SENENIG-DABBOUS, Eugene, HOURANI, Guita

Towards Effective Temporary Labor Migration Schemes Report on Lebanon and Jordan, CARIM Research Report, 2011/08;

CARIM is co-financed by the European University Institute and the European Union Migration policy is one of the fields least scrutinized in the Arab world. Responding to international economic trends, policy makers, social partners, and civil society players in Jordan and Lebanon have come to the realization that certain labour market bottlenecks can only be overcome by bringing in foreign workers. This has led to a significant immigration of laborers from a wide variety of countries and forced all relevant participants in the policy making process to renew their interest in coordinated temporary labour migration schemes. Both in Jordan and Lebanon, experts and policy makers alike see opportunities in these schemes that can help them meet the changing demands in their labour markets without permanently adding to their populations and labour forces. In the countries of origin, reciprocally, temporary labour migration schemes are intended to allow governments to alleviate pressures on their labour markets in the short and medium-term, and also let them reap the benefits of migration, through remittances and skill acquisition. In this study the authors will consider, based on a tripartite approach, whether the interests of employers and workers organizations coincide with those of governments in designing and implementing temporary migration schemes. The internationally codified rights of migrant workers to equality and non-discrimination and to their integration into societies and

workplaces will be compared to the realities on the ground in Lebanon and Jordan. Have the limited provisions for protecting employees' rights and a lack of their integration into the host societies negatively affected policy goals, closely linked to social cohesion? Does the effective protection of migrant workers contradict the needs of the indigenous populations in Lebanon and Jordan in general? Can the empowerment of the migrants themselves and their inclusion into the tripartite decision making process facilitate migration policy reform? Which social players can – and have – step in if the state and social partners neglect those roles foreseen for them by the international organizations dealing primarily with migrant labour, first and foremost the International Labour Organization (ILO)?

<http://hdl.handle.net/1814/19882>

SHALABI, Yasser

Gender and Migration in the Occupied Palestinian Territory Socio-Political Perspectives, CARIM Analytic and Synthetic Notes, 2011/44, Gender and Migration Series;

International gender migration has recently sparked worldwide interest. This paper examines such migration in the Palestinian context from a socio-political perspective. It attempts to estimate and compare female to male migration trends in Palestine, levels of women's migration and differing motives. Are these 'modern' motives for modern migration? Is migration linked, instead, to traditional, conservative motives? The paper hypothesises that the displacement, to which Palestinians have been subject, has affected both female and male migration. Displacement has also affected the patterns of social relations in general, and gender-based relations, in particular. This paper makes references to available, if limited, data and literature. It scrutinises the phenomenon of gender-based migration by categorising it into forced, voluntary and return migration. To understand the factors that drive women's migration in comparison to men's, the paper concludes with a discussion of these different types of migration. In general, the paper concludes that the migration of Palestinian women compared to men does not differ in quantitative terms from international trends. However, gender-based migration is more associated with political factors in the Palestinian case. It is generated by displacement, the destruction of developed urban centres on the coastline of historic Palestine, and denial of the development of potential urban centres inside Palestine through Israeli policies, which seek to marginalise and annex Palestinian society and its economy to those of Israel. Patterns of gender relations have also been influenced by migration motives, which have been mostly conservative. As a subordinate, not independent migration trend, women migrated in company of either their husbands or their families. General patterns of gender relations were also affected by destination countries, which typically had restrictive social and cultural fields. Accordingly, patterns of conservative relations were effectively maintained. Palestinian migration, especially women's migration, can be described as traditional migration vis-a-vis modern, innovative migration, which seeks employment and education opportunities and looks for modernising, renovating and developing lifestyles.

Les migrations internationales de genre ont récemment été l'objet d'un intérêt mondial. Cet article examine ces migrations dans le contexte palestinien dans une perspective sociopolitique. Il tente de comparer les tendances de la migration des femmes et des hommes en Palestine, le niveau de migration des femmes, et les raisons pour lesquelles les femmes migrent. Ces raisons sont-elles 'modernes' ou, au contraire, traditionnelles et conservatrices ? L'hypothèse avancée est que les déplacements auxquels les Palestiniens ont été soumis ont touché les femmes et les hommes, et ont affecté les formes des relations sociales, en général, et des relations entre hommes et femmes, en particulier. Cet article s'appuie sur les données et la littérature existantes, qui sont toutefois limitées. Il examine le phénomène de la migration de genre en la catégorisant en migration forcée, volontaire, et de retour. Afin de comprendre les différents facteurs qui déterminent la migration féminine, en comparaison avec celle des hommes, cet article analyse ces différents types de migrations en conclusion. De manière générale, cet article conclut que, par rapport à la migration des hommes palestiniens, la migration des femmes palestiniennes ne diffère pas des tendances internationales. Toutefois, dans le cas palestinien, la migration des femmes est liée à des causes politiques. Elle a pour cause le déplacement des populations, la destruction des centres urbains côtiers de la Palestine historique, et l'impossible développement des centres urbains en Palestine en raison des politiques israéliennes qui visent à annexer la société et l'économie palestinienne. Les formes de la migration de genre ont également été influencées par des pratiques migratoires qui sont généralement

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traditionnelles. Les femmes migrent généralement avec les maris et leurs familles, de façon subordonnée et non indépendante. Enfin, les formes générales de la migration de genre ont été influencées par les pays de destination, dont le champ social et culturel est conservateur. En conséquence, les relations sociales sont restées traditionnelles. La migration palestinienne et, en particulier, la migration des femmes, peut être décrite comme traditionnelle, en opposition aux migrations modernes et innovantes qui visent à trouver un emploi ou à compléter son éducation, et qui tendent à moderniser et à renouveler le style de vie.

<http://hdl.handle.net/1814/17797>

SHALABI, Yasser

Palestine: The political and social dimension of migration 2009-2010, CARIM Analytic and Synthetic Notes, 2011/56, Mediterranean and Sub-Saharan Migration: Recent Developments Series; This report covers socio-political developments in 2009 and 2010 related to migration from, or return to, the occupied Palestinian territory (oPt), and also to the status of the Palestinian refugees, especially those residing in Lebanon. This report takes its data from the 2010 Migration's Survey in the Palestinian Territory of the Palestinian Central Bureau of Statistics (PCBS), as well as the Socio- Economic Survey of Palestinian Refugees in Lebanon, developed jointly by the United Nations Relief and Works Agency (UNRWA) and the American University of Beirut (AUB). The report concludes that emigration from the oPt will continue to be related with the political context and living conditions of the Palestinian people under the Israeli occupation. In addition, the Palestinian refugee problem will remain a central issue which, if not resolved on a just basis and in line with international law, will hamstring the peace process. Ce rapport couvre les développements sociopolitiques en 2009-2010 relatifs : d'une part, aux migrations de, ou de retour vers, les Territoires palestiniens occupés ; d'autre part, aux statuts des réfugiés palestiniens, en particulier ceux vivants au Liban. Ce rapport s'appuie principalement sur deux études : Migration's Survey in the Palestinian Territory réalisée par le Bureau central palestinien de la statistique (PCBS) et Socio-Economic Survey of Palestinian Refugees in Lebanon réalisée par l'UNRWA (United Nations Relief and Works Agency) et l'Université américaine de Beyrouth (AUB). Ce rapport conclut que l'émigration depuis les Territoires palestiniens occupés est liée au contexte politique et aux conditions de vie des Palestiniens vivants sous occupation israélienne. De plus, la question des réfugiés palestiniens représente un problème central qui, s'il n'est pas réglé de façon juste, selon le droit international, handicape le processus de paix.

<http://hdl.handle.net/1814/18482>

SIKA, Nadine

Egypt: Socio-political dimensions of migration, CARIM Analytic and Synthetic Notes, 2011/74, Mediterranean and Sub-Saharan Migration: Recent Developments Series, Socio-political Module; CARIM is co-financed by the European University Institute and the European Union This study argues that the Egyptian government both prior to and after the January 25th revolution encourages the migration of Egyptians abroad, in order to lower unemployment, and to increase remittances. Bilateral agreements on temporary and irregular migration have been signed with different governments, of which the Egyptian-Italian agreement on migration remains the most important. Moreover, the Egyptian government applies stricter rules concerning foreign workers in Egypt. Finally, the Libyan crisis poses a challenge to the Egyptian policy makers, with almost 1.5 Egyptian return migrants who represent a burden on the economy. Cet article montre que le gouvernement égyptien, avant et après la révolution du 25 janvier 2011, encourage l'émigration, afin de limiter le chômage et de développer les remises. Plusieurs accords bilatéraux sur la migration temporaire et irrégulière ont été conclus, parmi lesquels l'accord Egypto- Italien est le plus important. Par ailleurs, le gouvernement égyptien applique sévèrement la législation relative aux travailleurs étrangers en Egypte. Enfin, la crise libyenne représente un défi pour les dirigeants égyptiens avec le retour de près de 1,5 million de migrants égyptiens qui représentent un fardeau pour l'économie.

<http://hdl.handle.net/1814/19880>

SIKA, Nadine

Gender Migration in Egypt. How far does it contribute to development?, CARIM Analytic and Synthetic Notes, 2011/06, Gender and Migration Series;

This study demonstrates a weak link between gender-migration and development in Egypt, a direct result of the small percentage of female migrants compared to the number of males. On the other hand, the empowerment of women, especially in terms of human capital, is positively correlated to male temporary migration, as a result of the role of remittances in the development of human-capital skills. The Egyptian government's policies impedes the development of gender migration, through restrictive laws and sanctions against the migration of single women abroad. Policies concerning the employment of foreign females in the Egyptian market are also restrictive, which poses a problem for bringing out the full potential of migration for development. / Cette étude démontre que la migration de genre n'a qu'un faible impact sur le développement en Égypte, en raison du faible pourcentage de femmes qui émigrent par rapport aux hommes. Toutefois, l'émigration des hommes a des conséquences positives sur l'émancipation des femmes, en particulier sur le capital humain, grâce à l'utilisation des remises pour le développement des compétences. En matière de politiques publiques, le gouvernement égyptien dresse des obstacles au développement de la migration de genre, à travers des lois et des sanctions restrictives à l'encontre de l'émigration des femmes seules. Par ailleurs, les politiques publiques en matière d'emploi des femmes étrangères en Égypte sont également restrictives, ce qui restreint le potentiel de la migration sur le développement.

<http://hdl.handle.net/1814/15591>

SOW, Djibril

Genre et migration : une approche juridique pour le cas du Mali, CARIM Analytic and Synthetic Notes, 2011/11, Gender and Migration Series;

L'essor de l'approche genre se perçoit de plus en plus dans divers domaines. Le phénomène de la migration ne fait pas exception à cette donne. La présente communication envisage certains aspects juridiques liés au thème genre et migration en rapport avec le cas du Mali. Elle concerne plus précisément les problématiques liées au regroupement familial, au statut personnel, au droit d'asile, à la protection des personnes vulnérables, ainsi qu'aux discriminations pouvant se rencontrer dans ce domaine. Dans le cadre du regroupement familial, des difficultés se rencontrent contre tenu des disparités entre la réglementation des pays d'accueil et celle malienne. En outre, les incompatibilités des dispositions du statut personnel de la femme au Mali avec les règles des pays d'accueil compliquent assez la situation des femmes migrantes. Quant aux règles concernant le droit d'asile, la protection des personnes vulnérables, tout comme celles relatives aux discriminations, leur examen révèle l'existence de très peu de règles spécifiques à la migration féminine. La situation des femmes migrantes est donc analysée à la lumière des règles applicables en matière migratoire au Mali de façon générale. La relative insuffisance de la prise en compte de l'aspect genre en la matière n'est pas de nature à favoriser la situation de la femme migrante. / Gender is becoming increasingly important in different fields including migration. The paper examines some legal aspects linked to gender and migration as far as Mali is concerned. It especially tackles issues related to family reunification, personal status, right of asylum, protection of vulnerable persons, as well as discrimination. As for family reunification, some difficulties stem from disparities between regulations in receiving countries and in Mali. Besides, incompatibilities between rules concerning the personal status of Malian women and rules in host countries create complicated situations for immigrant women. Regarding the right of asylum, protection of vulnerable persons and discrimination issues, specific provisions focusing on female migrants are scarce. The status of migrant women is thus analyzed through rules applying to Malian migration in general. The relative lack of consideration of gender issues does not work in the favor of female migrants.

<http://hdl.handle.net/1814/15596>

TABAPSSI, Timothée

Genre et migration au Niger, CARIM Analytic and Synthetic Notes, 2011/04, Gender and Migration Series;

Les mouvements migratoires ne sont pas neutres vis-à-vis du genre. Et en dépit de la féminisation significative des flux migratoires au cours des dernières années, et des enjeux qu'elle suggère, les recherches sur le genre et la migration en Afrique subsaharienne sont limitées par le manque d'informations et de données sur les relations de genre dans la dynamique et l'évolution des flux

migratoires. Aussi, la présente étude se propose-t-elle de montrer, à la lumière des données de terrain, que les facteurs socioculturels, notamment les perceptions, les rôles et les responsabilités construites par la société et attribués aux femmes et aux hommes dans une culture et un espace donné, influencent de manière significative la décision de migrer, les impacts possibles, socio-économiques et culturels, des politiques migratoires et des migrations. Les constructions socioculturelles peuvent donc limiter ou favoriser les possibilités de capitalisation des opportunités et d'optimisation des ressources productives que l'entreprise migratoire offre aux hommes et aux femmes. / Migration is not neutral towards gender issues. Despite the significant feminization of migration flows and the issues raised by this phenomenon during the last years, academic research on gender and migration in Africa is limited, above all because of a lack of data. On the basis of my fieldwork in Niger, I argue that the gendered role of men and women in a given society and environment significantly influences migration policies, migration and its potential cultural and socioeconomic impact. In other words, the social and cultural constructions and perception of roles and responsibilities of men and women can limit or facilitate the range of opportunities offered by migration.

<http://hdl.handle.net/1814/15589>

TALL, Serigne Mansour, TANDIAN, Aly

Cadre général de la migration internationale sénégalaise : historicité, actualité et prospective., CARIM Analytic and Synthetic Notes, 2011/54, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

Le Sénégal est à la fois un pays d'émigration et un pays d'immigration. Pays d'accueil, historiquement, le Sénégal est devenu un pays de départ vers l'Afrique et la France au début des années 1970, en raison des conséquences du changement climatique et de la crise pétrolière. Par la suite, le mouvement d'émigration s'est intensifié malgré la fermeture des frontières en Europe et les difficultés économiques et les crises politiques en Afrique. Ces départs vers l'étranger sont le prolongement de mouvements migratoires spontanés à l'intérieur du pays vers les grandes villes, c'est-à-dire l'exode rural. Les nouveaux habitants des villes sont insérés dans le secteur informel qui est connecté aux réseaux transnationaux de départ et de transferts financiers. En effet, les grands marchés de Dakar et Touba sont des zones carrefours, à la fois pour les candidats au départ et pour les remises des émigrés. Les migrations internationales sont donc au coeur du changement territorial et des mutations sociales au Sénégal

Senegal is a country of both in-migration and out-migration. Historically a destination country, Senegal became a country of departure toward Africa and France in the beginning of the 70s because of the impact of climate change and the oil crisis. Later on, out-migration developed in spite of the closure of the European borders, and the economic and political crisis in Africa. Out-migration prolongs spontaneous internal movement of population within the country toward the main cities, or rather, the rural exodus. The new inhabitants of the cities are incorporated into the informal sector, which is connected to transnational networks of migration and financial transfers. The great markets of Dakar and Touba are main crossroads for migration candidates and the destination of migrants' remittances. International migration is, therefore, at the heart of territorial and social changes in Senegal.

<http://hdl.handle.net/1814/18480>

TALL, Serigne Mansour, TANDIAN, Aly

Migration circulaire des Sénégalais : des migrations tacites aux recrutements organisés, CARIM Analytic and Synthetic Notes, 2011/52, Circular Migration Series;

Les migrations sénégalaises vers la France étaient caractérisées par d'incessants allers-retours connus sous le nom de phénomène 'noria'. Cette circulation a été facilitée par les besoins d'une main-d'oeuvre peu qualifiée et l'absence de contraintes pour l'entrée et le séjour des travailleurs étrangers dans les pays de destination. A cet effet, la migration circulaire fut une pratique ancienne pour de nombreux Sénégalais avant qu'elle ne soit inscrite dans l'agenda international comme une piste de gestion concertée des migrations internationales et comme un moyen de réconcilier le couple migration et développement. Il faut, à la vérité, différencier les migrations circulaires fondées sur des accords bilatéraux qui organisent le recrutement des migrants, et celles 'spontanées' qui dépendent du contexte migratoire (migrations familiales, migrations saisonnières, migrations transfrontalières), en particulier la

possibilité d'entrer, et de sortir, facilement dans les pays de destinations.

Senegalese migration to France was characterized by incessant roundtrips, a phenomenon known as 'noria'. Such circulation was facilitated by the needs of a low qualified workforce and the lack of constraints ruling the entry and the residence of foreign workers in destination countries. For this purpose, circular migration was an ancient practice for many Senegalese before it entered into the international agenda as a way of managing international migration and a mean to bring together migration and development. However, circular migration based on bilateral agreements, which organize the recruitment of the migrants, should be differentiated from 'spontaneous' ones, which depend on the migratory context (family reunification, seasonal migration, cross-border migration), in particular the possibility to enter, and exit, easily into destination countries

<http://hdl.handle.net/1814/18478>

TOLSTOKOROVA, Alissa V.

The Ukrainian Migratory Corridor, EU-US Immigration Systems, 2011/12;

The paper discusses recent developments in Ukrainian migratory corridor, focusing on transit migration, a reality that has emerged since independence. It analyzes push and pull factors underpinning the rise in mobility which followed the downfall of the Soviet Union, traces the different ways that migrants enter Ukraine and examines routes followed by them in entering Europe, transiting through Ukraine. It will be demonstrated that the Ukrainian migratory corridor comprises multiple channels, chains, paths and routes which turn the country into a sort of a 'migratory highway' in the very heart of Europe. The paper examines core groups of non-nationals residing in Ukraine and discusses their human rights and safety conditions. It reviews issues pertaining to cooperation between Ukraine and the European Union in the area of migration control, placing emphasis on the effectiveness of current European policies regarding border management there. The present paper argues that the EU and Ukraine should make more efforts to mainstream human rights and security considerations into their bilateral cooperation and add more political will and mutual trust to enable fruitful dialogue on migration matters.

<http://hdl.handle.net/1814/17842>

TORRESI, Tiziana, OTTONELLI, Valeria

Taking Migrants' Projects Seriously: Temporary migration, integration and exit options, CARIM Analytic and Synthetic Notes, 2011/34;

<http://hdl.handle.net/1814/16207>

TOUZENIS, Kristina

The Fight against Trafficking in Selected SEM and EU States, CARIM Research Report, 2011/01, Series on the Fight against Trafficking in Persons and the Smuggling of Migrants in Legislation;

This report tries to give an insight into what case law on trafficking and exploitation has told us about implementation of trafficking legislation, focusing especially on the Mediterranean Region. Five countries from the South and five from the North have been taken to give as examples. The countries from the North have been chosen partly to give an overview from different parts of the EU partly because they each present interesting and rather developed case law which helps understand what the contents of the crime and crimes related to trafficking actually consist of. As a background for the analysis of what trafficking/exploitation means in these countries is a brief overview of relevant international and regional legislation. The interpretation given by the courts to human trafficking indirectly affects the way in which the pre-trial investigation authorities and other parties working with trafficking in human beings define human trafficking and whom they identify as a victim of trafficking. Court decisions affect the way in which the authorities identify victims of human trafficking and under what offence categories the cases are investigated and prosecuted. By their decisions, the courts also have an influence on who is entitled to the services of the system for victim assistance intended for victims of human trafficking, reflection periods, and residence permits. The implementation of the rights of human trafficking victims has strong links to how the courts apply and interpret the penal provisions on human trafficking and their relation to offences related to human trafficking.

This report tries to give an insight into what case law on trafficking and exploitation has told us about implementation of trafficking legislation, focusing especially on the Mediterranean Region. Five countries from the South and five from the North have been taken to give as examples. The countries

from the North have been chosen partly to give an overview from different parts of the EU partly because they each present interesting and rather developed case law which helps understand what the contents of the crime and crimes related to trafficking actually consist of. As a background for the analysis of what trafficking/exploitation means in these countries is a brief overview of relevant international and regional legislation. The interpretation given by the courts to human trafficking indirectly affects the way in which the pre-trial investigation authorities and other parties working with trafficking in human beings define human trafficking and whom they identify as a victim of trafficking. Court decisions affect the way in which the authorities identify victims of human trafficking and under what offence categories the cases are investigated and prosecuted. By their decisions, the courts also have an influence on who is entitled to the services of the system for victim assistance intended for victims of human trafficking, reflection periods, and residence permits. The implementation of the rights of human trafficking victims has strong links to how the courts apply and interpret the penal provisions on human trafficking and their relation to offences related to human trafficking.

<http://hdl.handle.net/1814/17801>

TRAORÉ, Sadio

Comparaison des profils des émigrés maliens en Afrique et en Europe : aspects démographiques et économiques, CARIM Analytic and Synthetic Notes, 2011/25;

La présente étude est un mélange d'empirie et de théorie, fondé sur une démarche comparative des caractéristiques démo-économiques des émigrés maliens établis en Afrique versus ceux établis en Europe. Après un bref rappel théorique des niveaux d'analyse de la migration africaine, les différentes caractéristiques individuelles et collectives envisagées en guise de variables et qui affectent cette migration ont été intégrées dans cette étude. L'illustration de certaines variables constatées à partir des données recueillies au cours de l'Enquête Migration de 1993 a mis en évidence une série de différentiels entre les émigrés maliens en Afrique et les émigrés maliens en Europe. En définitive, il conviendra de retenir que des efforts restent à fournir en termes de collecte de données aussi bien dans les milieux d'origine que dans les pays d'accueil, dans la mesure essentielle où les données nécessaires à la conduite d'analyses comparatives plus consistantes restent encore que très peu disponibles aux deux niveaux. The present study is a mixture of the empirical and theoretical. It offers a comparative approach to demographic and socio-economic differentials among Malian emigrants established in Africa versus those established in Europe. After a short theoretical summary of the analysis of African migration, various other variables including the individual and collective characteristics that affect this migration are reviewed. Data from the 1993 Malian Survey on Migration and Urbanization are employed to highlight some of these differentials among Malian emigrants. Finally we conclude that comparative analysis is theoretically possible, but that some efforts in data collection are needed given the very little data on emigrants available in the sending countries as well as in the host countries, if comparative analysis is to be consistent.

<http://hdl.handle.net/1814/16198>

TRAORÉ, Sadio

Les migrations maliennes : empreintes historiques et mutations actuelles, CARIM Analytic and Synthetic Notes, 2011/38, Mediterranean and Sub-Saharan Migration: Recent Developments Series; Le Mali, trait d'union entre l'Afrique du Nord et l'Afrique subsaharienne, a toujours été un lieu de brassage de population. Il a également vu naître de grands empires dont la composition et la recomposition sont à l'origine d'une longue tradition migratoire. Cette tradition migratoire s'est développée au travers de trois étapes importantes : le commerce transsaharien, la traite atlantique et la période coloniale. Au départ, la migration était l'apanage de deux groupes : les Soninkés et les Peuls. Ces derniers avaient recours à une main d'œuvre saisonnière de remplacement, rémunérée avec l'argent envoyé par leurs migrants. Puis la migration s'est généralisée à l'ensemble des couches de la société par le fait même de son développement parmi les Soninkés et les Peuls. Elle s'est ensuite considérablement accrue sous l'effet conjugué de la détérioration des conditions de vie, de la pression démographique, et des mutations sociales, comme l'aspiration des jeunes et des femmes à davantage de liberté. Les actions visant à limiter les mouvements migratoires telles que la mise en œuvre de plans d'aménagement du territoire ou encore la création de pôles régionaux de développement, n'ont pas eu

les effets escomptés, notamment parce que les ressources engagées n'étaient pas à la hauteur des objectifs. En réaffirmant récemment sa volonté d'intégrer les questions migratoires au cœur de sa stratégie de développement socio-économique, le gouvernement malien mise désormais sur le co-développement et défend une approche plus positive axée sur la migration légale et le soutien aux programmes de lutte contre la pauvreté.

As a hyphen between North Africa and sub-Saharan Africa, Mali has long been a place of the meeting and mixing of populations. It was, indeed, the cradle of great empires whose creation and recreation stand at the beginning of a long migratory tradition. This migratory tradition went through three distinct stages: Trans-Saharan trade, Atlantic trade and, finally, the colonial period. At the beginning, migration was restricted to certain specific groups, the Soninke and Peulh. At home, labor shortages brought about by emigration were filled by seasonal immigrant workers, who were paid using money sent by migrants abroad. The migratory phenomenon though also began to touch other groups. It developed owing to a deterioration in living conditions, the result of the weak performance of the local economy and population increase in the context of a globalized world where young people and women also have expectations. Attempts to control migratory flows through, for example, the implementation of suitable programs and country planning and the creation of regional poles of development were under-resourced and did not have the desired effects. Today Mali is attempting to use the concept of co-development to bring about a more positive approach to migratory questions, particularly legal immigration, and poverty-fighting programs. In doing so it is affirming its political determination to use new structures, making migration part of socio-economic development.
<http://hdl.handle.net/1814/16211>

TRAORÉ, Sadio

Les migrations maliennes dans une perspective de genre, CARIM Analytic and Synthetic Notes, 2011/09, Gender and Migration Series;

Les transformations socio-économiques subies par les familles et ménages maliens constituent aujourd'hui un des facteurs principaux du développement des migrations. C'est, en particulier, le cas de l'avènement des migrations féminines de travail qui est intimement lié aux évolutions affectant les pouvoirs, rôles et rapports sociaux. Ces changements nouveaux dans les modèles migratoires maliens justifient la prise en compte de l'approche genre pour cerner non seulement l'évolution des rapports sociaux de sexe à l'intérieur des ménages et des familles, mais également les implications sur les conditions de vie des femmes comme actrices majeures du développement socio-économique.

L'analyse des migrations récentes à partir des enquêtes du Réseau Migrations et Urbanisation en Afrique de l'Ouest (REMUAO), montre que les migrations maliennes sont marquées par l'effet genre à la fois au niveau de l'implication que du calendrier, ou encore des projets migratoires. Mais le développement de l'approche genre étant relativement récent, il va sans dire qu'elle est peu usitée au niveau de la recherche sur les migrations ou simplement dans les politiques migratoires au Mali.

The socio-economic transformations experienced by Malian families and households now constitute a major factor in the development of migration. In particular the phenomenon of female labor migration is intimately linked to developments affecting hierarchies, roles and social relationships. These new changes in Malian migration patterns justify the inclusion of a gender approach to identify not only the evolution of gender relations within households and families, but also to identify the implications for the lives of women as agents of major socio-economic developments. The analysis of migration, approached thanks to data collected by the surveys Réseau Migrations et Urbanisation en Afrique de l'Ouest (REMUAO) shows that migration is affected by gender both in timing and the planning of migrations. However, it is worth noting that the gender approach is relatively new and has been scarcely employed in migration research or in migratory policy planning in Mali.

<http://hdl.handle.net/1814/15594>

TRIANDAFYLLIDOU, Anna, ULASIUK, Iryna

Studying and Evaluating the Role of the Media in Migrant Integration: Introductory remarks for the MEDIVA project, MEDIVA, Concept Papers;

The MEDIVA project (2011-2013) is co-funded by the European Commission, DG HOME, European Integration Fund for Third Country Nationals, Community Actions 2009.(Grant Agreement no:

Research Reports

HOME/2009/EIFX/CA/1814). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

Studying and Evaluating the Role of the Media in Migrant Integration: Introductory remarks for the MEDIVA project Europe has experienced important tensions between national majorities and ethnic or religious minorities, more particularly with migrants and their offspring during the past ten years. These tensions largely understood as an ethnic or religious issue have been however exacerbated by the global financial crisis that has hit all EU countries (even if at varying degrees) since 2008. Indeed at these times of economic crisis, rising unemployment and increasing insecurity, non EU citizens who reside in EU countries tend to become the target of xenophobic and racist attitudes. In this context, the question of third country nationals' (TCN) integration becomes all the more pressing to preserve social cohesion and also to help EU societies overcome the crisis. The media have a role to play under these circumstances in promoting policy discourses and media representations that are pro-integration and not immigrant-phobic. The importance of this role is acknowledged by politicians, policy makers, scholars and migrants/minorities themselves. There have been several initiatives initiated by European institutions such as the Fundamental Rights Agency (FRA), Directorate General for Employment and Social Affairs (DG EMPL), the European Broadcasting Union (EBU), the International Federation of Journalists (IFJ), which have aimed at strengthening the capacity of the media to reflect diversity. Several studies have identified best practices and have presented these with a view to raising awareness among media companies and media professionals. Hard facts and figures are needed to assess and plan pro-integration policies and practices. These should be derived from both qualitative and quantitative measurements. Regular and thorough analysis of different aspects of media production can lead to re-balancing of the output in favour of negatively stereotyped immigrant groups. The MEDIVA project adopts this view and capitalizes on the work done so far by combining it with a series of in-depth interviews with senior journalists across six member states (Greece, Ireland, Italy, the Netherlands, Poland, the UK) with a view to understanding better how journalists and other media professionals assess the tools they have so far in dealing with migrant diversity (recruitment/employment conditions, training provided, codes of ethics, knowledge about diversity and how all these are combined in everyday work in news making and programme production). The MEDIVA project will use this added knowledge to create a set of Indicators of Media Capacity to Reflect Diversity and Promote Migrant Integration. This project builds on the existing work but also goes a step further from the studies that exist so far which have generally provided for best practice knowledge, training tool kits and media content analysis but have not yet created a tool for self-/other assessment and monitoring of the media on reflecting diversity and promoting TCN integration. This paper provides definitions for key terms used in the project, demarcating the field of study and clarifying the project's objectives.

<http://hdl.handle.net/1814/19729>

TRIANDAFYLLIDOU, Anna

(In)tolerance of Difference in Greek Schools: The case of migrant and Roma children, ACCEPT-PLURALISM, 2011/06, 3. National Case Studies - School Life, Final Country Reports; The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19793>

TRIANDAFYLLIDOU, Anna

Addressing Cultural, Ethnic & Religious Diversity Challenges in Europe: A comparative overview of 15 European countries, ACCEPT-PLURALISM, 2011/02, 1. Overview National Discourses, Comparative Country Report; The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

Research Reports

The aim of this report is to present and discuss the main ethnic, cultural and religious diversity challenges that Europe is facing today. In particular the report surveys 15 European countries, notably 14 member states (Bulgaria, Denmark, France, Germany, Greece, Hungary, Ireland, Italy, the Netherlands, Poland, Romania, Spain, Sweden, and the UK) and one associated country (Turkey) and identifies the minority groups or migrant populations that pose the most important ethnic or religious diversity challenges within them. The report concentrates in particular on challenges that have a currency across several EU countries. It discusses the ways in which different countries have dealt with similar diversity dilemmas and identifies appropriate courses of action for the future. The report is organised into seven parts. In parts 1- 6 we offer working definitions, followed by a comparative review of state formation, conceptions of citizenship and national identity, and minority/immigrant groups in the 15 countries studied. We also discuss comparatively the challenges raised by three main minority populations: 'black' people, Muslims and Roma (and the policies addressing with these challenges). The seventh section of this report offers 15 short country profiles outlining the situation in each of the countries studied. The purpose of ACCEPT PLURALISM is twofold: - to create a new theoretical and normative framework of different types of (in)tolerance of diversity; and - to explore adequate policy responses that take into account the realities and expectations of European and national policy makers, civil society and minority groups.

<http://hdl.handle.net/1814/19254>

TRIANDAFYLLIDOU, Anna

Circular Migration and Integration: A short guide for policy makers, METOIKOS, Guide for Policy Makers;

METOIKOS (2009-2011) is funded by the European Commission, European Integration Fund for Third Country Nationals, Community Actions 2008 (Grant Agreement no: JLS/2008/EIFX/CA/1007).

Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19714>

TRIANDAFYLLIDOU, Anna

Circular Migration between the EU and its Neighbours. A comparative analysis, METOIKOS, Comparative Reports;

METOIKOS (2009-2011) is funded by the European Commission, European Integration Fund for Third Country Nationals, Community Actions 2008 (Grant Agreement no: JLS/2008/EIFX/CA/1007).

Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19715>

TRIANDAFYLLIDOU, Anna

Diversity in Greek schools: What is at stake? / Διαφορετικότητα Στα Ελληνικά Σχολεία: Θεωρία Και Πράξη, ACCEPT-PLURALISM, 2011/07, 3. National Case Studies - School Life, Policy Briefs;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/20294>

TRIMIKLINIOTIS, Nicos, SYMFILIOSI, CORINA, Demetriou

Tolerance and Cultural Diversity Discourses in Cyprus, ACCEPT-PLURALISM, 2011/01, 1.

Overview National Discourses, Background Country Reports;

The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.

<http://hdl.handle.net/1814/19789>

ULASIUK, Iryna

Country Report: Belarus, EUDO Citizenship Observatory, 2011/41, Country Reports; Research for this EUDO Citizenship Observatory Country Report has been supported by the British Academy Research Project CITMODES, directed by the University of Edinburgh and the European University Institute. The financial support from this project is gratefully acknowledged.
<http://hdl.handle.net/1814/19604>

VERSTEEGT, Inge, MAUSSEN, Marcel

The Netherlands: Challenging diversity in education and school life, ACCEPT-PLURALISM, 2011/11, 3. National Case Studies - School Life, Final Country Reports; The ACCEPT PLURALISM project (2010-2013) is funded by the European Commission under the Seventh Framework Programme, Socio-economic Sciences and Humanities. (Call FP7-SSH-2009-A, Grant Agreement no: 243837). Coordinator: Prof. Anna Triandafyllidou, Robert Schuman Centre for Advanced Studies, European University Institute.
<http://hdl.handle.net/1814/19798>

WEIL, Patrick

Circulatory Migration vs. Sedentary Immigration, CARIM Analytic and Synthetic Notes, 2011/36; One of the many reasons for undocumented migration are the poorly-designed regulations for circulatory migration. The lack of flexibility in granting circular residence status forces many migrants, both unskilled and skilled, to remain in a country against their personal wishes. Twentieth-century nation-states were inert and liked stable populations, quotas and permanent residents. However, the modern twenty-first century state must learn to manage circulatory migration and to adapt policies to address the legal rights and the status of migrants in movement.
<http://hdl.handle.net/1814/16209>

WEINAR, Agnieszka

EU Cooperation Challenges in External Migration Policy, EU-US Immigration Systems, 2011/02; International cooperation on migration is a major challenge for sovereign States in bilateral relations: the inherent contrasting interests between receiving and sending countries put obstacles in the way of bilateral satisfaction and require extra political involvement to overcome any differences. The same cooperation when developed by a supranational organization like the EU¹ is even more challenging, as bilateral tensions are topped off with tensions between the national and supranational level. The EU has developed its Global Approach to Migration as a possible way to establish comprehensive cooperation with non-EU partners from the East and the South on a whole range of migration issues, including the fight against irregular migration, legal migration, migration and development, and asylum policy. The approach also had a coordinating effect for internal EU policymaking. There have been, however, four main challenges hampering this policy domain: 1) the limited ability of the EU to define its migration policy with its 27 sovereign States; 2) tensions between the national and supranational level in the EU as regards international cooperation on migration; 3) the diverging interests and priorities of sending regions and/or partner countries; 4) the limited implementation capacities of the EU and its Member States, as well as of partner countries. The prospects for cooperation depend on the ability of the EU to overcome these challenges. Focus should be on the vital areas of action, addressing the non-secular issues of migration policy and assuring its thematic diversity; strengthening the EU's international standing; and introducing coherent monitoring of policy implementation.
<http://hdl.handle.net/1814/17756>

WIHTOL DE WENDEN, Catherine

Note on Diaspora Policies and the Role of Muslim States in the Management of Islam in Immigration Countries, CARIM Analytic and Synthetic Notes, 2011/35;
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WISKOW, Christiane

International Migration of Health Personnel: Challenges and opportunities for North- and

West-African Countries, CARIM Research Report, 2011/02;
<http://hdl.handle.net/1814/18954>

YAZJI-YAKOUB, Amal

Le cadre juridique général de la migration en Syrie, CARIM Analytic and Synthetic Notes, 2011/29, Mediterranean and Sub-Saharan Migration: Recent Developments Series;

La Syrie, comme les autres pays du Moyen Orient, découvre la nécessité de comprendre l'enjeu que représente la migration vers le pays et à partir de celui-ci. C'est à travers les divers textes de lois que cet enjeu se dessine, même si l'absence de statistiques claires en la matière ne permet pas une bonne compréhension de la situation migratoire. Les textes de loi qui réglementent l'émigration syrienne sont éparpillés entre plusieurs branches : droit constitutionnel, droit administratif, code de la famille, etc. et entre plusieurs sources : la constitution, les lois, décrets présidentiels, arrêtés ministériels, sans oublier les conventions multilatérales et bilatérales qui touchent aux droits des émigrés et auxquelles la Syrie est partie. On note l'absence en Syrie d'une loi générale sur la migration, qui prendrait en compte toutes les formes du phénomène : permanente, temporaire, masculine et féminine. Par ailleurs, les étrangers se trouvant en Syrie par centaines de milliers sont en majorité des réfugiés. Certains travaillent, le travail des domestiques étrangères étant dominant. Les dispositions juridiques réglementant le séjour ou le travail des étrangers en Syrie se trouvent également dans diverses sources, la constitution, le droit du travail, les circulaires et arrêtés administratifs.

Syria, like other countries in the Middle East, is discovering the need to get to grips with the migration stakes to and from the territory. These stakes are there in the various legal texts, even if the lack of clear statistics in this field does not enable a good understanding of the migratory situation. The legal texts ruling Syrian emigration are divided among several fields, constitutional law, administrative law, family law, etc. These texts lie in the constitution, laws, presidential decrees, ministerial decisions, as well as in multilateral and bilateral conventions, which Syria has ratified, affecting the rights of emigrants that Syria. No general law on migration has been adopted in Syria addressing all forms of it : permanent, circular, male and female, ... Besides, most of the hundreds of thousands of foreign nationals in Syria are refugees. Some of them work as domestics. The legal provisions for foreign nationals to stay and to work in Syria are also to be found in various sources including the constitution, the labour code and administrative decisions.

<http://hdl.handle.net/1814/16202>

ZAMPAGNI, Francesca

A Visa for Schengen's Europe: Consular practices and regular migration from Senegal to Italy, CARIM Analytic and Synthetic Notes, 2011/59, Series on the Best Summer School Essays;

In this paper I am going to explore the process of visa issuance of a European Union Member State's consulate in a country of high emigration, taking the Italian Embassy in Dakar as a case-study. The paper falls into two main sections. In the first part, I will present the context of my analysis, in order to get to grips with the significance of consulates within the wider framework of migration management in countries of origin. Thus, I will focus on the European Union visa policy, which represents one of the key EU instruments for regulation of migration flows from third countries, then on the role of Senegal in EU migration management as well as on the relevance assumed by Italy in Senegalese migratory routes. The second part deals with an analysis of visa' issuing procedures in the Italian consulate in Dakar, taking into account the whole process, from accessing information to issuance/refusal, in order to estimate costs of migrating with documents ('regularly') towards the EU. Furthermore, I will focus on family reunification visas to show how practices of control persist even in the case of a recognized right. My argument is that the map of Schengen visas represents a metaphor of the new division in our world, where EU Member States' consulates filter out 'undesirable people' at their gates with the presumption of 'migration risk' demanding stricter and stricter requisites for visas. It is difficult not to question the consequences of such practices on the development of the streams of 'irregular' migration and on the responsibilities that consulates come to assume.

Dans cet article, j'explore le processus de délivrance des visas du consulat d'un État membre de l'Union européenne dans un pays à forte émigration, en prenant l'ambassade d'Italie à Dakar comme une étude de cas. Le document se divise en deux sections principales. Dans la première partie, je présente

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le contexte de mon analyse afin de se familiariser avec l'importance des consulats dans le cadre plus large de la gestion migratoire dans les pays d'origine. Ainsi, je me concentre sur la politique de l'Union européenne en matière de visas, un des instruments clés de l'UE dans le cadre de la régulation des flux migratoires en provenance des pays tiers. Ensuite, j'étudie le rôle du Sénégal dans la gestion de la migration de l'UE ainsi que sur la pertinence assumée par l'Italie dans sénégalais routes migratoires. La deuxième partie traite de l'analyse de visa »les procédures de délivrance dans le consulat italien à Dakar, en tenant compte de l'ensemble du processus, d'accéder à l'information à l'émission / refus, afin d'estimer les coûts de migration avec des documents (« régulièrement ») vers la UE. Par ailleurs, je vais me concentrer sur les visas de regroupement familial pour montrer comment les pratiques de contrôle de persister même dans le cas d'un droit reconnu. Mon argument est que la carte de visas Schengen représente une métaphore de la nouvelle division dans notre monde, où les Etats membres de l'UE des personnes indésirables »consulats filtrer 'à leurs portes avec la présomption de« risque migratoire exigeants »requis en plus strictes pour les visas . Il est difficile de ne pas remettre en question les conséquences de telles pratiques sur le développement du flux des «irréguliers» des migrations et sur les responsabilités qui viennent consulats à assumer
<http://hdl.handle.net/1814/18485>

ZAPATA-BARRERO, Ricard, BURCHIANTI, Flora

Tolerance to Cultural Diversity in Spanish Schools. Discourses and practices,
ACCEPT-PLURALISM, 2011/17, 3. National Case Studies - School Life, Final Country Reports;
<http://hdl.handle.net/1814/19870>

Lectures & Policy Papers

ACKERMAN, Bruce

The Decline and Fall of the American Republic: Obama's Libyan Intervention, EUI MWP LS, 2011/02;

The lecture traces a series of political, bureaucratic, and military transformations that have, over the past forty years, transformed the American presidency into a potential platform for charismatic extremism and bureaucratic lawlessness. Watergate, Iran-Contra, and President Bush's legitimization of torture may well be prelude to worse breakdowns in the future – unless the presidency can be fundamentally reformed.

<http://hdl.handle.net/1814/18276>

BÉNABOU, Roland, TIROLE, Jean

Laws and Norms, EUI MWP LS, 2011/05;

This paper analyzes how private decisions and public policies are shaped by personal and societal preferences ("values"), material or other explicit incentives ("laws") and social sanctions or rewards ("norms"). It first examines how honor, stigma and social norms arise from individuals' behaviors and inferences, and how they interact with material incentives. It then characterizes optimal incentivesetting in the presence of norms, deriving in particular appropriately modified versions of Pigou and Ramsey taxation. Incorporating agents' imperfect knowledge of the distribution of preferences opens up to analysis several new questions. The first is social psychologists' practice of "norms-based interventions", namely campaigns and messages that seek to alter people's perceptions of what constitutes "normal" behavior or values among their peers. The model makes clear how such interventions operate, but also how their effectiveness is limited by a credibility problem, particularly when the descriptive and prescriptive norms conflict. The next main question is the expressive role of law. The choices of legislators and other principals naturally reflect their knowledge of societal preferences, and these same "community standards" are also what shape social judgements and moral sentiments. Setting law thus means both imposing material incentives and sending a message about society's values, and hence about the norms that different behaviors are likely to encounter. The analysis, combining an informed principal with individually signaling agents, makes precise the notion of expressive law, determining in particular when a weakening or a strengthening of incentives is called for. Pushing further this logic, the paper also sheds light on why societies are often resistant to the message of economists, as well as on why they renounce certain policies, such as "cruel and unusual punishments", irrespective of effectiveness considerations, in order to express their being "civilized".

<http://hdl.handle.net/1814/18135>

CARLETTI, Elena, CORSETTI, Giancarlo, SIMONELLI, Saverio (ed/s)

The Macroeconomic and Financial Landscape in the Aftermath of the 2007 Crisis: New Challenges and Perspectives, EUI RSCAS PP, 2011/04, Global Governance Programme;

The paper by Thomas Cooley (New York University) discusses the challenges for the European Central Bank in the current situation both in terms of long term fiscal adjustments and of potential fragility of the European Banking system. The pair of papers by Giancarlo Corsetti (Cambridge University and EUI) and Massimiliano Marcellino (EUI) focuses on debt sustainability and the implications of the debt crisis for growth. The paper by Harold James (Princeton University) focuses more specifically on the challenges to monetary and fiscal policies in Europe. The joint paper by Joanna Gray and Patrick O'Callaghan (both Newcastle University) discusses the legitimacy and efficacy of the EU and Member State response to the sovereign debt problems in the Eurozone from a legal perspective. The joint paper by Franklin Allen (University of Pennsylvania) and Elena Carletti (EUI) turn the attention to the issue of systemic risk and the need for macroprudential regulation. Finally, Luigi Guiso (EUI) tackles the issue of trust and risk aversion in the aftermath of the financial crisis. Our hope is that this joint policy paper will contribute to shaping the debate further and help policymakers to tackle the challenges emerged in the aftermath of the financial crisis. Elena Carletti, Giancarlo Corsetti and Saverio Simonelli

<http://hdl.handle.net/1814/18736>

CURTIN, Deirdre

Keeping Government Secrecy Safe: Beyond Whack-a-Mole, EUI MWP LS, 2011/07;

The concept of secrecy as a mechanism for not providing government information, on the one hand, and the commitment to openness of government, on the other, reflect certain historical understandings of the relationship between a government, citizens, officials and information. Within democratic systems of government secrecy has been an essential ingredient irrespective of the existence or otherwise of a written Constitution (eg. US and the UK). The transparency 'explosion' of recent decades both in rhetoric and in law has been matched by a parallel growth in secrecy regulation and practice at all levels of government, including, in Europe, supranational government (the EU). Leaking has always had a symbiotic relationship with secrecy. What has changed in the information age is that (leaked) information can be shared right across the globe through the Internet in an unstoppable fashion (Wikileaks). This lecture focuses on the understudied phenomenon of government secrecy, its nature, structure, categories and its multiple layers. These are explored from the perspective of (representative) democracy and of constitutional law. The basic argument is that secrets can be protected more effectively and more legitimately if government secrecy is reduced overall. This will mean more 'shallow' (less deep) secrets, refining access control and introducing second order disclosure requirements in the context of institutional checks and balances.

<http://hdl.handle.net/1814/18641>

DENNETT, Daniel C.

"My Brain Made Me Do It" (When neuroscientists think they can do philosophy), EUI MWP LS, 2011/01;

Some philosophers and neuroscientists have recently been saying that science shows that we don't have free will, but it turns out that this claim-which would be bad news if true-is due to misrepresentation and misinterpretation. Since free will matters to people, and should matter, these contributions to public misunderstanding are regrettable. When we clarify the issues we see that we will have to make some significant adjustments to our understanding of moral responsibility, allowing for more differences in moral competence than our traditional understanding recognizes.

<http://hdl.handle.net/1814/16895>

HELPMAN, Elhanan, ITSKHOKI, Oleg, REDDING, Stephen

Trade and Labor Market Outcomes, EUI MWP LS, 2011/03;

This paper reviews a new framework for analyzing the interrelationship between inequality, unemployment, labor market frictions, and foreign trade. This framework emphasizes firm heterogeneity and search and matching frictions in labor markets. It implies that the opening of trade may raise inequality and unemployment, but always raises welfare. Unilateral reductions in labor market frictions increase a country's welfare, can raise or reduce its unemployment rate, yet always hurt the country's trade partner. Unemployment benefits can alleviate the distortions in a country's labor market in some cases but not in others, but they can never implement the constrained Pareto optimal allocation. We characterize the set of optimal policies, which require interventions in product and labor markets.

<http://hdl.handle.net/1814/17954>

MAVROIDIS, Petros C. (ed/s)

International Trade Observatory (ITO). Trade Roundtable. Trade Policy Brief /1: The Doha Round and Beyond, EUI RSCAS PP, 2011/02, Global Governance Programme;

The Doha round is going through tough times and at this stage it is impossible to predict its outcome. This is the central message coming from the meeting held on February 4, 2011 at EUI (RSCAS). For reasons having to do with domestic political economy, but also the inability to adjust to the emerging multi-polar reality, negotiators find it hard to come to grips with whatever is required to conclude the round. The most problematic feature is the absence of a Plan B: what do in case current design of talks fails to deliver? Maybe it is time to rethink ambitions and strategies, while accepting that an imminent conclusion has become a remote possibility.

<http://hdl.handle.net/1814/16357>

MERSCH, Yves

Optimal Currency Area Revisited, EUI RSCAS DL, 2011/01, Pierre Werner Chair Programme on Monetary Union;

Several euro area member states are under increased market scrutiny although public finances in the euro area as a bloc are in a much better shape than in the US or Japan. The main reason is that the euro area is an alliance of sovereign countries with most of the relevant political decisions - including public finance - being taken by national governments whereas the other major currencies are sovereign states with central governments and budgets. In the absence of a central government and an internal nominal exchange rate, effective rules are required to safeguard the stability of a currency area. The current crisis has disclosed the weaknesses of the institutional set up of the euro area. Europe has already undertaken major steps to tackle these. Challenges remain, however, to further proceed in the direction of an Optimum Currency Area.

<http://hdl.handle.net/1814/19495>

POIARES PESSOA MADURO, Luis Miguel (ed/s)

An EU Agenda for Global Governance, EUI RSCAS PP, 2011/01, Global Governance Programme;

<http://hdl.handle.net/1814/16356>

POMERANZ, Kenneth

Development with Chinese Characteristics? Convergence and divergence in long-run and comparative perspective, EUI MWP LS, 2011/06;

Looked at in comparative perspective, among the most striking features of Qing political economy are the combination of highly commercialized agriculture with the strength of peasant land use rights – both through smallholding and through various forms of secure tenancy – and the very small share of the population dependent on wage-earning. This paper begins by analyzing some reasons for this pattern, focusing on the intersection of customary land rights, agricultural practices and family formation in China's wealthiest regions. Most of the paper then traces its long-run consequences – for urbanization, internal trade, migration, environmental change, and fiscal policy – and compares them with those in other parts of the world. It argues that the intersection of these institutions with China's resource endowments created a distinct political economy which produced considerable agricultural and commercial dynamism, but not industrialization. It then shows that, though severely disrupted in the 19th and early 20th century, patterns derived from these basic conditions continued to shape Chinese economic development thereafter, and even into the present era of post-Mao reform.

<http://hdl.handle.net/1814/18640>

ROSANVALLON, Pierre

Rethinking Equality in an Age of Inequality, EUI MWP LS, 2011/08;

We live in a time of counter-revolution. Since the 1980s, reversing a century-old trend towards fewer inequalities, the richest among us have kept accumulating revenues and possessions. The economic and social roots of this situation are well-known. But the complete break-down of the very idea of equality has also played a major role, having gone hand in hand with the insidious undermining of the tax system and other redistributive measures. Inequalities that are seen as unacceptable are denounced; but denunciation does not prevent resignation and a feeling of helplessness. To get us out of today's stalemate, there is nothing more urgent than a refoundation of the idea of equality. This lecture wants to contribute to this refoundation in two ways: first, by retracing two centuries of debates and struggles around the idea of equality, and shedding new light on today's situation; then by proposing to go beyond dominant theories of justice, from John Rawls' to Amartya Sen's, to outline a theory of equality as social relation. Pierre Rosanvallon will show that refounding a society built on principles of singularity, reciprocity, and community, is the necessary condition for a more active solidarity.

<http://hdl.handle.net/1814/19754>

SCHEININ, Martin (ed/s)

European and United States Counter-Terrorism Policies, the Rule of Law and Human Rights, EUI RSCAS PP, 2011/03, Global Governance Programme;

Lectures & Policy Papers

On 15 March 2011 the Global Governance Programme at the EUI hosted a High-Level Policy Seminar (HLPS) on “European and United States Counter-Terrorism Policies, the Rule of Law and Human Rights”. The first part of the event consisted of a transatlantic dialogue on legal issues in the fight against terrorism, with addresses by the Legal Adviser of the US Department of State, Harold Hongju Koh and the EU Counter-Terrorism Coordinator, Gilles de Kerchove. The second part of the HLPS consisted of focused discussions introduced by academics and clustered around four big themes: terrorist blacklisting, definitions of terrorism, detention, trial and the role of criminal law in the fight against terrorism, and finally the positions of the EU and the US in relation to counter-terrorism and the role of Islam. This joint policy paper is based on a selection of memoranda written mainly by academics to launch the debates in the second part of the HLPS. After the event the authors were given an opportunity to broaden and deepen their short memoranda, without necessarily remaining within the structure of four theme clusters. Even if the papers were expanded, they were to remain policy papers, rather than academic articles. As outcome, this joint policy paper consists of six papers by participants of the HLPS event. They reflect the aim of the HLPS to contribute to a dialogue on counter-terrorism issues in the United States and in Europe, the broad scope of the themes covered in the HLPS itself and, perhaps most importantly, an effort to address practical issues and dilemmas.
<http://hdl.handle.net/1814/18055>

STREECK, Wolfgang

The Crisis in Context: Democratic capitalism and its contradictions, EUI MWP LS, 2011/04;
The “financial crisis” and its sequel, the current sovereign debt crisis, appear to be the latest permutations of an old conflict between capitalism and democracy that forcefully reasserted itself after the end of the postwar growth period. Present calamities were preceded by high inflation in the late 1960s and 1970s, rising public deficits in the 1980s, and growing private indebtedness in the 1990s and 2000s. In each case, governments were faced with popular demands for prosperity and security that were incompatible with an allocation of life chances by free markets alone. Rather than the result of faulty economic management, inflation, deficits and financial under-regulation must be understood as temporary stopgaps to satisfy democratic-political claims for “social justice” alongside economic capitalist requirements of profitability and distribution by marginal productivity. The risks associated with the inherent contradictions of democratic capitalism may have increased in recent years, with potentially disruptive consequences for the social integration of democratic polities as well as for the system integration of advanced market economies.
<http://hdl.handle.net/1814/18134>

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