

Stellingen behorende bij het proefschrift van Stephan Michel

1. Constitutional drafters should not be seen as acting selflessly. Like everybody else, they are driven by their self-interest.
2. The choice of constitutional features depends significantly on the procedural rules of constitution making.
3. Constitutional referendums work best when least needed and worst when most needed as a mechanism to constrain the members of the constitution-making body.
4. The double-standard in terms of majority rules between ratification in constitutional assemblies and ratification in referendums is one main reason why referendums are no panacea for stability and legitimacy of a constitution.
5. Unamendability rules, such as Article 79 (3) of the German Basic Law, should be conceptualized as paternalistic devices of the drafters and not as commitment tools.
6. Institutions matter for economic and for legal research, because (legal) rules shape the incentives of the relevant actors.
7. There is no political Coase Theorem since the actors with political power cannot credibly bind themselves.
8. Other game theoretic concepts, besides the Prisoners dilemma, can fruitfully be used in Law & Economics.
9. In bargaining situations, reducing your acceptable outcomes oftentimes increases your bargaining power.
10. The reason why similar formal rules have large disparities in performance are the different norms, values and traditions between societies.
11. Dutch food, Italian organization and German humor are not as bad as they are often thought of. Just kidding.