



Syllabus

Introduction to EU Law - 62782

Last update 20-02-2022

HU Credits: 2

Responsible Department: Law

Academic year: 0

Semester: 2nd Semester

Teaching Languages: Hebrew

Campus: Mt. Scopus

Course/Module Coordinator: guy harpaz

Coordinator Email: guy.harpaz@mail.huji.ac.il

Coordinator Office Hours:

Teaching Staff:
Prof Guy Harpaz

Course/Module description:

The course is aimed at providing the students with a basic understanding about

the EU and its unique legal order. The focus of the course would be on the constitutional-institutional dimensions of the EU legal order as opposed to its commercial aspects

Course/Module aims:

to provide introductory knowledge and critical thinking of the relevant issues

Learning outcomes - On successful completion of this module, students should be able to:

to critically analyze constitutional issues of the EU

Attendance requirements(%):

80

Teaching arrangement and method of instruction: regular lectures supported by reading materials

Course/Module Content:

Chapter One - introduction to the Course

Chapter Two □ Introduction to the EU

Chapter Three □ Institutions, Legal Sources, Legislative Process, legal enforcement

Chapter Four □ Judge made Constitutional Law

Chapter Five □ A Constitution for Europe? The Charter of Fundamental Rights, the Constitutional Treaty and the Lisbon Treaty

Chapter Six □ The National Constitutional Response

Chapter Seven - Normative Power Europe and the State of Israel

Chapter Eight □ The Challenges

Required Reading:

Chapter One - Introduction to the Course

The importance and relevance of the course, teaching methodology, the exam

Chapter Two □ Introduction to the EU

Historical background, transformation from the European Coal and Steel Community into the EU, main trends, enlargement, deepening

Reading

Schuman Declaration

http://europa.eu/about-eu/basic-information/symbols/europe-day/schuman-declaration/index_en.htm

Nobel Prize

http://www.nobelprize.org/nobel_prizes/peace/laureates/2012/eu-lecture_en.html

Joseph Weiler (2011), 'Editorial: 60 Years since the First European Community - Reflections on Political Messianism', European Journal of International Law, 22/3, 303-309

<http://ejil.oxfordjournals.org/content/22/2/303.full.pdf>

אריה רייך, "האיחוד האירופאי", פרק 8 לספרו של רובי סיבל המשפט הבינלאומי □ מהדורה שנייה

Optional reading □ Hebrew

ליאור זמר ושרון פרדו, הרהורים על אקטיביזם שיפוטי, משפט ועסקים ז (2007), 203, 205-207

Chapter Three □ Institutions, Legal Sources, Legislative Process, legal enforcement

Articles 258-260, 263-265, 267 288-289

Treaty on the functioning of the EU

Chapter Four □ Judge made Constitutional Law

Reading

G. Mancini, The Making of a Constitution for Europe, 26 Common Market Law Review (1989), 595-614

Joseph Weiler (1999), "The Transformation of Europe," in: The Constitution of Europe: Do the New Closes Have an Emperor? 2405-2431 & 2478-2483

G. Harpaz, Judicial Review by the European Court of Justice of UN "Smart Sanctions" against Terror in the Kadi Dispute, 14 EFAR (2009), 65.

C - 6/64 Costa v. ENEL [1964] ECR 585

Factortame (2) [1991] AC 603

C- 26/62 Van Gend en Loos [1963] ECR 1

C- 43/75 Defrenne v. SABENA [1976] EC R 455

C- 36/74 Wallrave and Koch v. AVCI [1974] ECR 1405

C- 148/78 Public Ministrey v. Ratti [1978] ECR 1629

C □ 152/84 Marshall [1986] ECR 723

C- 106/89 Marleasing SA v. La Commercial [1990] ECR I □ 4135

FRANCOVICH - לעיל ראה

C- 29/69 Stauder v. Ulm [1969] ECR 419

C- 4/73 Nold v. Commission [1974] ECR 491

C- 299/95 Kremzow v. Austria [1997] ECR I □ 2629

C □ 159/90 Society for the Protection of the Unborn v Grogan [1991] I □ ECR 4685

C-70/88 European Parliament v Council of the European Communities, Para. 13-14 21-31

Opinion 1/91 (EEA)

Opinion 2/94 (accession ECHR)

Opinion 2/13

C-265/95 Commission v France just as discussed in class

Joined Case C-402/05 and C-415/05 P Kadi and Al Barakaat International Foundation v Council and Commission,.

Optional reading □ Hebrew

ליאור זמר ושרון פרדו, הרהורים על אקטיביזם שיפוטי, משפט ועסקים ז' (2007), 203

Chapter Five □ A Constitution for Europe? The Charter of Fundamental Rights, the Constitutional Treaty and the Lisbon Treaty

G. Harpaz (2011), 'European Integration in the Aftermath of the Ratification of the Treaty of Lisbon: Quo Vadis?' European Public Law 17/1 European Public Law, 73

C-131/12 Google Spain SL and Google Inc. v Agencia Española de Protección de Datos (AEPD) and Mario Costeja González
The Google verdict

Chapter Six □ The National Constitutional Response

A. Steinbach, 'The Lisbon Judgment of the German Federal Constitutional Court' 11/4 German Law Journal (2010), 368

ARMIN VON BOGDANDY and STEPHAN SCHILL, *Overcoming Absolute Primacy: Respect for National Identity under the Lisbon Treaty* *Common Market Law Review* 48: 1-38, 2011.

Chapter Seven - Normative Power Europe and the State of Israel

I. Manners, *Normative Power Europe: A Contradiction in Terms?*, 40/2 *JCMS* 235 (2002)

Yoram Hazoni

<http://via.readerimpact.com/v/1/c52153a35cd149240c64579a6e6648a96b7210346658c26c>

G. Harpaz and A. Shamis (2010), 'Normative Europe and the State of Israel: An Illegitimate Eurotopia?', 48/3 *Journal of Common Market Studies*, 579-616

G. Harpaz and Eyal Robinson, (2010) 'The Interface between Trade, Law and Politics and the Erosion of Normative Power Europe: Comment on Brita', *European Law Review*

Chapter Eight □ Euro-skepticisms and the way forward

Etzioni, Amitai, "The Community Deficit" . *Journal of Common Market Studies*, Vol. 45, No. 1, pp. 23-42, March 2007

Weiler, Editorial: The Case for a Kinder, Gentler Brexit *EJIL Talk*

<http://www.ejiltalk.org/editorial-the-case-for-a-kinder-gentler-brexit/>

Georgopoulos, *EJIL Talk*

<http://www.ejiltalk.org/brexit-article-50-teu-and-the-constitutional-significance-of-the-uk-referendum/>

Additional Reading Material:

Grading Scheme:

Additional information: