

JEAN MONNET EUROPEAN MODULE  
LAW 374  
LAW OF THE EUROPEAN UNION

COURSE DESCRIPTION

Instructor: Professor Martha O'Brien  
Term: Fall 2009  
Unit Value: 1.5  
Hours per week: 3  
Prerequisites: none

A. Assumptions

It is assumed that students will have taken no previous courses in law of the European Union, although some may have background in history and politics of the EU. Accordingly, the course will be taught at an introductory level. The course is open to both second and third year students and graduate students.

B. Educational Goals

Students will gain a thorough knowledge of the EU legal system through study of the treaties, case law, and subordinate legislation. A central theme will be the foundations and development of the legal system itself with a view to drawing comparisons with the Canadian federation. Substantive areas will include free movement of goods, persons and services, and citizenship rights. The role and functioning of the European Court of Justice will be studied in some detail, focusing on the various forms of action provided for in the Treaties.

C. Teaching Methodology

The course will be presented as a combination of lectures and class discussion of assigned readings and emerging issues of EU law and politics. Students are encouraged to bring their personal knowledge of EU geography, politics, history and economics, international trade and international law to enrich the class discussion.

D. Evaluation

There are **two mandatory** components, and **one optional** component for evaluation in this course.

The **mandatory components** are

1. a take-home written assignment and
2. a final examination.

The written assignment will be handed out after the Thanksgiving Day holiday (October 12). The assignment will involve reading a case or cases decided by the European Court of Justice, including the opinion of the Advocate-General. There will be a number of short answer questions about the assigned reading, worth one to two marks per question at most. Students will also write a directed essay of a maximum 1500 words demonstrating their understanding of the significance of the case(s) assigned. Detailed instructions will be provided with the assignment. The written assignment will be worth 25% of the final grade, and is due on the date of the final examination, to be handed in with the examination booklets at 11:00 a.m. It will be marked based on correctness, clarity and organization of answers, accuracy of references and quality of written expression. Students must work on their own; this is not a group project and plagiarism will result in a mark of zero, and potentially a failing grade for the course.

The final examination will be open book, worth 75% of the grade, and will be **two hours** long. Questions may include true-false, multiple choice, short answer (50-150 words) and essay questions, and one or more problems based on a hypothetical fact situation.

The **optional component** is worth 10% of the final grade. Students are not required to complete this component; it is entirely their choice. If a student does complete this component, then the final exam will only count for 65% of their final grade. (A 10 mark question on the exam will not have to be answered by students who have completed this option.)

The optional component consists of preparing and presenting, at a class during October or November, a current issue of EU law or mixed law and politics. The student will identify a news article from a reputable source for European news, confirm with the professor that it is suitable, and then prepare a 10 to 15 minute presentation for the class. The student will have to become fully familiar with the background to the issue, and be able to add to the news article some additional information that enlarges the understanding of the topic or places it in clearer context. The student will be expected to respond to questions from the class and the professor. Students may complete this option in pairs, but not in larger groups.

Students will receive a final letter grade as set out below:

<u>Percent</u>	<u>Letter Grade</u>	<u>Grade Point Value</u>
90-100	A+	9
85-89	A	8
80-84	A-	7
75-79	B+	6
70-74	B	5
65-69	B-	4
60-64	C+	3
55-59	C	2
50-54	D	1
0 -49	F	0