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LLM EU Constitutional Law

Module leader: **Professor Martin Trybus (/staff/profiles/law/trybus-martin.aspx)**

Module description:

This module will explore the two main aspects of the fundamental constitutional law of the European Union. On the one hand the institutional framework of the Union with the Council, Commission, European Parliament, and European Court of Justice and their interaction most notably in the legislative process and judicial review will be discussed. This analysis will include the constitutional role of the Member States, through their governments in the Council and through judicial review and through their courts in the preliminary reference procedure. On the other hand the principles of European Community law, most notably conferred powers, supremacy, direct effect, indirect effect, and State liability and their relation to each other shall be explored. The two main aspects will be put in their political, historical, and economic context.

Seminar topics:

- The European integration process
- Integration theory and constitutionalism
- Institutional law of the European Union, the Member States
- Competence: conferred powers and legal base
- The legislative process, democracy, accountability
- Citizenship and human rights
- Actions for annulment as constitutional and administrative judicial review
- Preliminary rulings
- The supremacy of Community law
- The direct effect of Community law, indirect effect, State liability
- The European Community as a supranational legal order, three pillars
- EU institutional law and principles in the Constitutional Treaty

Methods of assessment

Modules on the LLM programmes will be assessed in one of the following ways. As this website is set up in advance, it is not possible to specify which method of assessment will be implemented for each module.

Either:

- One 6000 word essay

Or

- One 3-hour written examination

If you'd like to find out how a module will be assessed in the forthcoming academic year please contact the LLM Programmes Administrator at **Law-LLM@contacts.bham.ac.uk (mailto:Law-LLM@contacts.bham.ac.uk)** .

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