



COMILLAS

UNIVERSIDAD PONTIFICIA

ICAI

ICADE

CIHS

2019 - 2020
COURSE
DESCRIPTIONS

SUBJECT DETAILS

| Data on the subject | |
|---------------------|---|
| Full Name | Initiation Course: Legal Research Course – Basic Methods of Legal Research. Basic EU Law Seminar |
| Code | E000001795 |
| Degree | Postgraduate in Master in International and European Business Law |
| Year | 2019-20 |
| Nature | Fall |
| ECTS Credits | 2 |
| Department | Law |
| Area | Law |
| Teaching staff | Adam Dubin, Víctor C. Pascual Planchuelo |

| Data on the teaching staff | |
|----------------------------|--|
| Teacher | |
| Name | Adam Dubin |
| Department / Area | Public Law |
| e-mail | adubin@comillas.edu |
| Telephone | Ext - 2852 |
| Tutoring Schedule | Upon request from students |

| Data on the teaching staff | |
|----------------------------|--|
| Teacher | |
| Name | Víctor C. Pascual Planchuelo |
| Department / Area | Public Law |
| e-mail | ycpascual@comillas.edu |
| Telephone | |
| Tutoring Schedule | Upon request from students |



SPECIFIC DATA ON THE SUBJECT

Framework of the subject

Pre-requisites

None

Contribution of the degree to the professional profile

This course will develop students' research skills in relation to European law. In addition, the class will help students begin developing a thesis idea and walk them through the research steps necessary to start advancing on MIEBL thesis.

An understanding of EU Legal Affairs in order to give you a foundational basis for understanding all subsequent content.

Competences - Goals

Competences to be developed

Generic Competences

GC 6: Ability to work in groups

GC 7: Ability to work in an international context

GC 10: Ability to develop autonomous learning skills.

Specific Competences

SC 4 Mastering the main rules of EU law and international law that are relevant to international business development

SC 15: Mastering the techniques of legal research and developing the ability to present convincingly, in writing and orally, the results of personal, original research



COURSE SYLLABUS AND CONTENT

| Content |
|--|
| PART I. |
| Theme 1. Introduction to Legal Research and MIEBL Requirements |
| <ul style="list-style-type: none">a) Brussels Tripb) Overview of Thesis Requirements and MIEBL policiesc) Plagiarism and Footnoting |
| Theme 2. Using the Comillas Library and Databases |
| <ul style="list-style-type: none">a) Intro to Comillas Databases: Class taught by Marta Soto Gonzalez, UPC Librarianb) Eur-Lex and other online databases |
| Theme 3. Trends in European Legal Scholarship |
| <ul style="list-style-type: none">a) Preparing and developing thesis and research topicsb) Multidisciplinary Legal Researchc) Quantitative Legal Researchd) Abstracts |
| Theme 4. Pulling it all Together: Preparing your Thesis Topic and Research Proposal |
| <ul style="list-style-type: none">a) In - class final research preparation |
| PART II. |
| AREA 1. Presenting the EU from a historical and theoretical stand point: past, present and...future? |
| Theme 1. Theorizing on European Integration. Conceptualizing the EU |
| <ul style="list-style-type: none">1.1. The meaning of integration. Reasons for integration1.2. The peculiar rationale and dynamics of European integration. Overview of main theoretical models1.3. Attempting to define the EU. The EU, a peculiar legal entity |
| Theme 2. Milestones in the history of the EU. Predicting the future of the European integration project |



- 2.1. The historical roots of European integration. Landmark events up to present
- 2.2. Drivers, catalysts and deterrents of the EU construction process
- 2.3. The future of the European integration projects: difficulties, challenges and opportunities

AREA 2. Introduction to the EU institutional system and the specificities of EU decision-making

Theme 1. The EU and the exercise public policy. Introduction to the EU institutional system

- 1.1 The catalogue of competences of the EU. The interaction between EU and national administrations in the exercise of public policies
- 1.2 The pragmatic rational of the EU's institutional architecture
- 1.3 Overview of institutions (1): decision-making institutions
- 1.4 Overview of institutions (2): institutions of control

Theme 2. The EU decision-making process. Future institutional reform of the EU

- 2.1 Analysis of the main phases of the EU decision making cycle: proposal, decision and implementation
- 2.2. Overview of the different procedures: legislative procedures, budgetary procedure, conclusion of international agreements
- 2.3 Institutional reform of the EU: equipping the EU with the right tools and instruments to confront new policy challenges

TEACHING METHODOLOGY

General methodology of the subject

Contact hours methodology: Activities

The course will follow an interactive format, combining presentations analysing legal contents, with participation of the students (exchange of views and discussions, and Q & A periods).

In addition, each of 2 content areas composing the course will feature an interactive element. They will be, respectively:

- A group debate on the future of European Integration (students will read the European Commission's White Paper on the future of Europe in preparation of the debate)
- A workshop proposing the analysis of a number legal texts (conclusions of the European Council, speeches, political statements) in order to determine the number of institutional changes to be



operated in the EU so that it can meet new policy challenges in areas such banking policy, migration, environment, etc.

At these two interactive elements of experiential learning, participation of the students is required, who will intervene under the guidance of the professor, who will provide comments and final feedback.

Outside class methodology: Activities

Although each student is supposed to structure his / her individual study autonomously, using the course syllabus as a guideline, and taking into consideration the advice of the professor on the first day of the course, the following recommendations can be formulated:

In preparation to each lesson, students are invited to read and examine the corresponding part of the PP course presentations. Any type of background material which could be the basis of the course exercises must also be revised in advance;

After each lesson and / or the conclusion of the course, revision of course content and notes taken during lessons. Students are invited to check the titles cited as basic bibliography. The professor could provide additional references for supplementary research if required.

SUMMARY OF STUDENT WORK HOURS

| NUMBER OF CONTACT HOURS | | | | | |
|--------------------------------------|-----------------|--------|----------|-----------------|------------|
| Lecture | Practical class | Debate | Workshop | Individual work | Evaluation |
| 10 | 6 | 2 | 2 | | |
| NUMBER OF INDEPENDENT WORK HOURS | | | | | |
| Lecture | Practical class | Debate | Workshop | Individual work | Evaluation |
| 7 | | 1 | 2 | 10 | 10 |
| ECTS CREDITS: 2 (50,00 hours) | | | | | |

GRADE EVALUATION AND CRITERIA

| Evaluation Activities | Indicators | Evaluation weighting |
|-----------------------|--|----------------------|
| Work in collaboration | Two short in - class research exercises where students will be expected to demonstrate the skills learned during the lectures. | 10% |
| Debate | Participation in group debate on the future of European Integration. | 5% |



| | | |
|------------------|---|-----|
| Workshop | Presentation of individual positions and their argumentation at the Workshop on the institutional reform of the EU. | 5% |
| Evaluation: exam | Students will have to develop a thesis outline and corresponding bibliography. The due date will be two weeks after the class. Written exam in take-home (essay question(s) on the contents of the course; the modalities of the essay and the date to hand it in will be presented during session 1 of the course). | 20% |
| Attendance | The attendance to the 8 lectures is obligatory to be entitled to take part in the final exam | 60% |

BIBLIOGRAPHY AND RESOURCES

Basic Bibliography and Resources

TEXT BOOKS

Hesselink, Martijn, *The New European Legal Culture*, 2001, pages 22 – 33

Theories of EU Integration:

- Rosamond, Ben, *Theories of European integration*, The European Union series, Houndmills, Palgrave Macmillan, 2000
- Wiener, Antje, Díez, Thomas, *European Integration Theory*, Oxford University Press, 2009

History of EU Integration:

- Deadman, M., *The Origins and Development of the EU 1945 – 2008*, Routledge, 2009
- Gilbert, Mark, *European Integration: A concise history*, Rowman & Littlefield Publishers Inc., 2012
- McCormick, J., *Understanding the European Union: a concise introduction*, Palgrave, 2017
- Senior Dello, S., *The European Union: Economics, Politics and History*, McGraw-Hill, 2012

On EU Institutions :

- Peterson, John & Shackleton, Michael, *The Institutions of the EU*, The European Union Series, Oxford University Press, 2012



On EU decision-making:

- Hardacre, Alan, *How the EU institutions work and-, how to work with the EU institutions*, John Harper Publishing, 2011

WEBSITES

Reading: Research Guide, European Union Materials (skim)

http://library.law.columbia.edu/guides/European_Union_Legal_Materials

Reading: *Developing a Thesis Statement*, The Writing Center at Georgetown University Law Center (2003), available at: <https://www.law.georgetown.edu/academics/courses-areas-study/legal-writing-and-student-scholarship/>

Internet resources give us access to a wealth of information on EU affairs, which can perfectly complement the research carried out by traditional academic means.

www.cvce.eu is the website of the CVCE Centre for European Studies. Its consultation is highly recommended for those students with a keen interest in the history of the European integration project. In the digital environment provided by this site, students will find not only a detailed analysis of the landmark events of this historical evolution, but also a digital archive of relevant European documents (political declarations, speeches, treaty acts, press cuts, etc.) as well as recorded audio-visual interviews with various personalities who, in different capacities, contributed with their efforts to the advancement of the European project.

Students are also encouraged to get quickly acquainted with the European Union's portal on internet hosted at <http://europa.eu>. This portal gives access to many interesting topical sections referring to the EU and its institutions, policies, the legal system, etc.

In addition, students are strongly invited to visit each of the institutions' respective web site:

- Council of the European Union: www.consilium.europa.eu
- European Council: www.european-council.europa.eu
- European Parliament: www.europarl.europa.eu
- European Commission: www.ec.europa.eu
- Court of Justice of the European Union: www.curia.europa.eu
- Court of Auditors: www.eca.europa.eu

All throughout the MIEBL, students will need to retrieve EU legal instruments and case-law, for their latter consultation. The quickest way to find these legal texts is consulting the electronic repository of EU law, hosted at www.eur-lex.europa.eu



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Summaries of EU legislation in almost all policy fields plus commented accounts of EU action in each can be consulted in the following site: http://europa.eu/legislation_summaries/index.htm

These list is completed with a reference to a series of websites which will help the student to keep the pulse on EU's news and current policy and legal debates:

- www.euractiv.com (this site has versions in all of the 23 EU official languages)
- www.europeanvoice.com

NOTES

The explanations of the professor during the course are supported on extensive PP presentations which will be accessible by the students beforehand.

These presentations will be projected during lessons. However, they should not be exclusively regarded as visual aids for the course explanations and discussions. In addition, students are invited to use them as reference instruments and study tools. Due to the completeness of their content, they can be very useful for course revision in preparation of the exam.

OTHER MATERIAL

EU legal instruments, case law, newspaper clips and other material could be handed out before / during classes as complementary material, or as background information to be used by the students for the practical components of the course.

