



LW6638

Brexit and the Future of Europe

Spring 2021

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 **UCC**
University College Cork, Ireland
Coláiste na hOileánuí Corcaigh

School of Law
Scoil an Dlí

SHAPING A JUST SOCIETY
SINCE 1849

1. MODULE DETAILS

Lecturer Details

Module Coordinator: Stephen Coutts

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E: stephen.coutts@ucc.ie

Office Hours: Thursdays, 14:00-16:00 (please email in advance).

Location and Time

Time: Wednesdays 12:00-14:00

Location: Online (Canvas and Microsoft Teams)

2. OVERVIEW

Brexit is a significant historical event, not only for the United Kingdom but also for Ireland and the European Union more broadly. From 2019-2022, the School of Law at UCC in collaboration with the Department of Government will be running a series of modules focusing on legal and political implications of this momentous event with a particular focus the evolving European Union, with a special consideration for Ireland's position in the EU's changed political and legal landscape. The first semester module, Brexit: Legal and Policy Issues will focus on the origins and current state of play of the Brexit process up to the present date. The second semester module, Brexit and the Future of Europe will be more forward looking and adapted to the recent developments.

Brexit and the Future of Europe is intended to give students an in-depth understanding of current challenges facing the European Union and possible trajectories of reform. This will involve an assessment of the current state of European integration and its political, institutional and constitutional structures followed by a detailed consideration of the various challenges facing the Union including the migration crisis, Eurozone reform, security issues and Brexit itself. A final section of the course will address the current debate on the future of Europe and Ireland's position in the context of various proposed reforms. The overall goal is to integrate these different elements such that students have an awareness of how the history and structures of European integration contribute to the existence and nature of various challenges, condition the Union's ability to respond to these challenges and shape future reforms.

The course will be delivered in a blended learning approach with a pre-recorded lecture of 40 mins – 1 hour followed by an hour-long discussion of the material with lecturers. This method of delivery is subject to change in light of the public health situation. Topic outlines will be provided in advance of each session. Essential readings are indicated and will form the basis of class discussion. Powerpoint slides of the lectures, if used, will also be made available.

General questions on the course can be directed to the discussion group established for that purpose on the Canvas site. Feel free to also contribute to this general discussion if you have something to add. For other questions please email.

3. KEY THEMES

- Underlying legitimacy problems of the European Union
- The 'polycrisis' facing Europe, including Brexit.
- Differentiated integration and other reforms

4. OUTLINE

Part I – Political and Constitutional Context

1. European integration: Current Constitutional and Institutional Arrangements
2. The Democratic Deficit
3. Differentiated Integration

Part II – The Polycrisis

4. Brexit I – Why Brexit happened?
5. Brexit II – The Withdrawal Process, the Future Relationship and European integration
6. Eurozone I – The Eurozone crisis
7. Eurozone II – Reform of the Eurozone
8. The Migration crisis
9. The Rule of Law Crisis
10. Security

Part III – The Future of Europe

11. Conference on the Future of Europe

12. Ireland and the Future of Europe

5. READING MATERIAL

The course will rely on a variety of different reading materials.

We will be using some primary sources including legislation, international agreements, caselaw and original reports from institutions. EU legal materials are available on the [Eurlex.eu](http://eurlex.eu) website. This is freely available and relatively simple to use, searching by year and document number. The [L'Oeil Legislative Observatory](http://l'oelil.eu) of the EU is also a useful source of documentation on legislation.

The reading lists include secondary material including journal articles and books by legal scholars. Most of these will be available through the library either electronically or in hard copy. Material not available through the library or publically will be provided through Canvas.

There is no textbook for the course. Reading materials will be indicated for each individual session.

General textbooks on EU law and integration include:

- Paul Craig and Grainne de Burca, *EU Law: Text, Cases and Materials* 6ed (OUP 2016)
- Neill Nugent, *The Government and Politics of the European Union* 8ed (Macmillian 2017)
- Erik Jones, Anand Menon and Stephen Weatherill (eds), *The Oxford Handbook of the European Union* (OUP 2012)

There are numerous texts on Brexit including:

- Federico Fabbrini (ed), *The Law and Politics of Brexit - Volume I* (OUP 2017)
- Federico Fabbrini (ed), *The Law and Politics of Brexit - Volume II* (OUP 2020)
- Kevin O'Rourke *A Short History of Brexit: From Brentry to Backstop* (Pelican Books 2019)

For a good assessment of the Union's polycrisis see:

- Luuk van Middlelaar, *Alarums and Excursions* (Agenda Publishing 2019)

Useful journals on EU law and EU politics include:

- Common Market Law Review
- European Law Journal

- European Constitutional Law Review
- Journal of Common Market Studies

6. ASSESSMENT

The module is assessed by an assignment and weekly response papers to the readings.

The **assignment** will consist of a choice of three questions of which you must answer one and will have a limit of 3,000 words. Further details will be available on the Canvas site.

The **response papers** are worth 40% of the total marks. Each week you will be required to submit a short response paper to the readings of between 400-600 words. This should consist of a short summary of the readings and any critique/analysis. You will be required to upload the assignment to Canvas the Thursday preceding the relevant lecture by 13:00.

