



UNIVERSIDADE
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ESCOLA DE LISBOA

COURSE MARCH 27 > MAY 6, 2008 | LISBON

THE LAW OF EUROPEAN UNION

Joseph Weiler, New York University | Miguel Poiares Maduro, European Court of Justice | Damian Chalmers,
London School of Economics | Imola Strehö, European Court of Justice | José M. de Areilza, Instituto de Empresa

THE TOTAL LAW™ TEAM

GLOBAL LEGAL STUDIES MASTER OF LAWS PARTNERS:

Linklaters

PLMJ
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Prof. Joseph Weiler

"This course represents a bold pedagogical and intellectual break with the traditional ways of teaching European Community Law.

The students enrolled in this course are facing a huge effort with which most will be unfamiliar. It will demand a sustained level of very high commitment, preparation and engagement. But the rewards will be rich. Both in intellectual excitement and professional formation."

Prof. Miguel Poiares Maduro

"We do not aim to offer an encyclopedic knowledge of EU Law sources but to transform how students deal with those sources. More than providing students with complete information on EU Law this course aims to reshape the way students interpret and apply the law. EU Law is a vehicle to a new way of thinking about the law."

TOTAL

The Total Law™ label (created by Professor Joseph Weiler) reflects a new approach to teaching and learning the law. Notably, the Total Law™ approach believes in **contextualization**: Situating a legal controversy, a court decision, a Treaty provision, a Directive or Regulation in its economic and political context. Our aim is not try and make students amateur economists or politologists and not simply to give them "another perspective" of the problem. **We want to make students better, much better, lawyers by explaining how the economic and or the political context shape the legal problem and impacts the thinking about the legal solution.** We also want to equip the students to understand the economic and political consequences of different legal outcomes. The discipline is Law. The focus is Law. But the premise is that **law cannot be understood, nor practiced professionally and competently without understanding its broader contexts.**

LAW™

But Total Law™ also requires **Pro-active learning**. Lecturing will be limited. We reject the Magisterial Frontal Lecture format of teaching. There will be some lecturing but most **teaching will be interactive, "Socratic" and dialogical. Student engagement is indispensable** if we are to live up to the promise of attaining the finest teaching and learning experience commensurate with the intellectual ability of both teachers and students.



THE LAW OF EUROPEAN UNION COURSE

This course requires:

- Full and regular **attendance**;
- Scrupulous **preparation** ahead of the class of the reading assignments;
- **Engagement** in the classroom.

We cannot accept spectators and free riders. Students cannot go to Theatre School and then, when asked to recite, claim they suffer from Stage Fright. Students cannot come to the study of law, an eminently communicative discipline, and then sit quietly in the back, passively taking notes. Not, at least, in this course.

PROGRAM AND SCHEDULE

Subject

1st Week

Ends and Means of European Integration - I [3h]

Ends and Means of European Integration - II [3h]

2nd Week

The Judicial Architecture of the European Union - I [3h]

The Judicial Architecture of the European Union - II [3h]

Constitutional Architecture of the European Union Direct effect, Supremacy [2h]

Workshop: Guide to Research in European Law [1h]

3rd Week

The European Union and its institutions [3h]

Administrative law of the EU [3h]

Delegation of powers and administrative agencies in EC Law [3h]

4th Week

Taxation, Regulation, Trade of Goods and Services in the EU - I [3h]

Taxation, Regulation, Trade of Goods and Services in the EU - II [3h]

EC Law and the Political Economy of the Single Market [4h]

5th Week

The EU as an International Actor [3h]

6th Week

Citizenship - I [4h]

Citizenship - II [4h]

Lecturer

M. Poiares Maduro

M. Poiares Maduro

I. Strehö

I. Strehö

I. Strehö

I. Strehö

J. M. de Areilza

J. M. de Areilza

J. M. de Areilza

D. Chalmers

D. Chalmers

D. Chalmers

M. Poiares Maduro

J.H.H. Weiler

J.H.H. Weiler

Date | Schedule

March 27 | 10:00 > 13:30

March 28 | 10:00 > 13:30

April 7 | 10:00 > 13:30

April 8 | 10:00 > 13:30

April 9 | 10:00 > 12:15

April 9 | 12:30 > 13:30

April 14 | 10:00 > 13:30

April 15 | 10:00 > 13:30

April 16 | 10:00 > 13:30

April 21 | 10:00 > 13:30

April 22 | 10:00 > 13:30

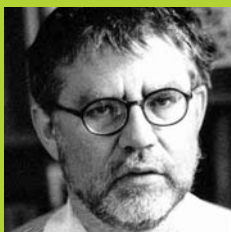
April 23 | 9:00 > 13:30

April 28 | 10:00 > 13:30

May 5 | 9:00 > 13:30

May 6 | 9:00 > 13:30

THE TOTAL LAW™ TEAM



J.H.H. Weiler is University Professor and holder of the Jean Monnet Chair at the New York University (NYU) School of Law. He serves as Chairman of the NYU Global Law School Program and is Director of the Jean Monnet Center for International and Regional Economic Law & Justice. He is also an Honorary Professor at London University and the University of Copenhagen. Prior to his NYU appointment he was the Manley Hudson Professor of Law and Jean Monnet Chair at Harvard University. He is a Fellow of the American Academy of Arts and Sciences. He is a WTO and NAFTA Panel Member. He is a founding editor of the *European Journal of International Law*, of the *European Law Journal* and of the *World Trade Review*. He writes in the fields of International Law, the Law of the European Union, and Comparative Constitutional Law. His recent publications include: *Un'Europa Cristiana: Un saggio esplorativo* (BUR Saggi, Milano, 2003 - translations into Spanish, Polish, Portuguese, German, Dutch, Slovenian, Hungarian, French); *The European Court of Justice* (OUP 2001 with G. de Burca); *The EU, the WTO and the NAFTA* (OUP, 2000), *The Constitution of Europe* (CUP, 1998 - translated into Spanish, Italian, Slovenian, Serbian, Japanese, Greek, Chinese), and a *Novella, Der Fall Steinmann* (Piper, 2000).



Miguel Poiares Maduro is currently Advocate General at the European Court of Justice. Until October of 2003 he was a Professor of Law at the Law School of the Universidade Nova de Lisboa. He is also an external Professor at the London School of Economics, the College of Europe and the Centro de Estudios Constitucionales (Madrid). In 2008 he will also be a Visiting Professor at the European University Institute and Chicago Law School. He is a Doctor of Laws by the European University Institute (Florence) and was the first winner of the Rowe and Maw Prize and winner of the Prize Obiettivo Europa (for the best PhD thesis at the EUI). He has been Fulbright Visiting Research Scholar at Harvard Law School. He is Co-Director of the Academy of International Trade Law (Macao). He co-edited with Joseph Weiler the Special Book Review Issue of the *European Law Journal*. He is co-editor with Francis Snyder of the Hart Publishers Series Studies in European Law and Integration. He belongs to the editorial or advisory board of several law journals, including the *European Law Journal* and the *Common Market Law Review*. He is the author of *We the Court - The European Court of Justice and the European Economic Constitution* (Oxford, Hart Publishing, 1997). He has published articles, in several languages, on issues of EU law, constitutional law, human rights law and international economic law. He has recently published *A Constituição Plural - Constitucionalismo e União Europeia* (Lisboa, Principia, 2006) and his first non-legal book (*Crónicas de um Peixe Fora de Água*, Lisboa, Entrelinhas, 2006). He has taught courses on EU constitutional and economic law, international trade law, and comparative institutional analysis.



Damian Chalmers is a Professor of EU law and holder of the Jean Monnet Chair at the London School of Economics and Political Science. Prior to that he was a lecturer at the University of Liverpool, and was for 4 years on the Management Committee of the AIRE Centre. He has held Visiting Appointments at the College of Europe, Copenhagen, Lund, Helsinki, Michigan, Instituto de Empresa and Fudan (PRC). He has also taught at the National University of Singapore, at the University of Melbourne, Australia and since 2005 at the Central European University in Budapest, Hungary. He is currently editor of the *European Law Review* and *EU Jurist*. He is the author (with C. Hadjiemmanuil, G. Monti & A. Tomkins) of *European Union Law* (2006, CUP). His other recent publications include *The Reconstitution of Europe's Public Spheres* (2003), *European Law Journal - Food for Thought: European Risks and National Ways of Life* (2003), *Modern Law Review - Risk, Anxiety and the European Mediation of the Politics of Life* (2005), *European Law Review* 649 - *The Court of Justice and the Constitutional Treaty* (2005), 4 I-CON 428 - *Private Power and Public Authority in European Union Law* (2005-2006), 8 *Cambridge Yearbook of European Legal Studies*.



Imola Strehö, the Coordinator of the Total Law™ Team, is référendaire in the cabinet of the Estonian Judge and previously worked in the cabinet of the French Advocate General at the European Court of Justice in Luxembourg. She is teaching seminars on the European Judicial System and the Law of the Internal Market at University of Paris II (Assas - Institut des Hautes Etudes Internationales). She has also taught at the College of Europe (Natolin), at Science Po Paris, at the National University of Singapore, at the University of Melbourne, Australia and since 2005 at the Central European University in Budapest, Hungary. From 2000 to 2002, she was a visiting researcher at Harvard Law School and NYU School of Law where she was the Executive Director of its Jean Monnet Center. She holds a diploma from the College of Europe. She writes in the field of EU law, particularly about the judicial system and the internal market. Her recent publications include: *Fundamental Principles vs. Fundamental Rights, comment on the ECJ decisions Schmidberger, C-112/00 (2003-2004) 1, and Omega, C-36/02 (2003-2004) 4, also On the ECJ judgment Bidar, C-209/03 (2005) 2, RAE / Law & European Affairs and Regional Organizations' Judicial System Compared: Is the European Model Transposable and Should It Be?* (2004) 27 *Review of Asian Pacific Studies*.



José M. de Areilza is Professor of European Union Law, Vice Dean of Legal Studies and holder of the Jean Monnet Chair at Instituto de Empresa, Madrid. Between 1996 and 2000 he was Advisor on European Affairs at the Spanish Prime Minister's Office. During 2002, he advised the Spanish Government Representative at the European Convention. His research focuses on European institutions, flexibility and EU-Member States competences. He has published several articles on these issues and has edited and co-authored the books *España y las transformaciones de la Unión Europea* (1998) and *Internet, una profecía* (2002). He is the Editor of the weblog *BlogEuropa.eu*. He has been a Visiting Professor at William & Mary School of Law in Williamsburg, USA and at the College of Europe in Natolin, Poland.

GLOBAL LEGAL STUDIES MASTER OF LAWS

“The Law of European Union” is part of the Global Legal Studies academic program.

The **Global Legal Studies** Master has been entirely designed to fit in the demands of the global teaching of law. The legal practice in a global world where the borders of legal systems are waning demands a comprehensive understanding of transnational law from every practitioner.

Aware of these demands Católica offers this innovative program benefiting from its established tradition in international legal studies and allying the experience of the renowned scholars that are routinely invited to the Lisbon campus with the reputation of the Católica Law School, ranked among the best law Schools in Europe.

Goals

- To provide the skills necessary for the transnational legal practice.
- To provide thorough exposure to new teaching methods and international Faculty and to daily transnational legal situations.
- To improve students' English proficiency in the legal context and to develop the most modern techniques of legal writing and research.

Academic Year 2008/09

Beginning of the program: **September 2008**

Rolling Applications

mestradosdireito@fd.lisboa.ucp.pt

Phone + 351 217 214 179

www.fd.lisboa.ucp.pt



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Fax: +351 217 264 566

e-mail: fpaiva@fd.lisboa.ucp.pt

Application deadline: March 13

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