

LAW OF THE EUROPEAN UNION

Faculty Instructor: Dr. Somesh Dutta

Associate Professor, Jindal Global Law School

Credits: 4

Credits Type: Law

Cross-registration: No

Pre-requisites: Public International Law

Course Description

This elective course offers a comprehensive exploration of the European Union (EU), framing it not merely as an international organization, but as a unique, supranational legal and political ecosystem. Moving beyond traditional intergovernmental cooperation, the course traces the evolution of the EU from its foundations in public international law to its current status as a transformative project that redefines State sovereignty. Students will engage with the constitutional ‘backbone’ of the Union, dissecting the landmark doctrines of direct effect, primacy, and autonomy. By analyzing how these principles penetrate domestic legal orders, participants will develop the doctrinal precision required to navigate complex EU regulations and the judicial-dialogue scenarios between national courts and the Court of Justice of the EU (CJEU).

The course further bridges foundational theory with high-stakes contemporary practice by examining the EU’s evolving role in the global economy. This includes a critical analysis of the shift in investment arbitration, specifically the legal consequences of the *Achmea* and *Komstroy* rulings and the subsequent termination of intra-EU Bilateral Investment Treaties (BITs). Additionally, the curriculum explores the EU’s recent pivot toward ‘strategic autonomy,’ analyzing the latest measures taken to boost domestic production and protect internal industries through frameworks such as the Industrial Accelerator Act (in light of the Net-Zero Industry Act). By situating the Union within these shifting global and regional governance landscapes, the course equips students to critique the EU both as a self-contained legal system and as a protective, proactive economic actor on the world stage.

Teaching Methodology

Through interactive lectures and discussions, case studies, treaty analysis, and expert insights, students will develop a comprehensive understanding of legal principles and real-world complexities in the functioning of the EU Law. The course would place strong emphasis on critical thinking and comparative legal analysis, ensuring that students engage with contemporary challenges shaping the Union today.

Assessment

Students will be assessed through a combination of research assignments, case analyses, and a final (end-term) examination. Active participation in class discussions and group projects will also form an integral part of the overall evaluation. **100 marks - 70 marks** (internal assessments) + **30 marks** (end-term examination). Alternatively, the course can be administered as a continuous assessment course.

Intended Learning Outcomes

By the end of the course, students will be able to:

- Explain and analyse the EU's constitutional architecture, competences, and institutional design, and contrast them with general international organizations;
- Understand and apply the doctrines of direct effect, primacy, and autonomy to fact patterns, including judicial-dialogue scenarios between national courts and the CJEU;
- Evaluate and compare law-making and adjudicatory processes in the EU with other regional/global bodies;
- Assess compliance mechanisms (infringement procedure, remedies) and propose realistic legal-policy strategies for improving implementation;
- Engage critically with contemporary EU regulatory developments (in the context of geopolitical developments).

Broadly, the students will be equipped to approach the EU as a system, both internally (as a legal system with its own constitutional logic) and externally (as a model—sometimes a cautionary tale—for regional governance elsewhere).

Indicative Reading List (Subject to Revision)

- Damian Chalmers, et al., *European Union Law: Text and Materials*, 5th ed. (CUP, 2024), selected chapters.
- Jacques Ziller, *Advanced Introduction to European Union Law* (Edward Elgar, 2023).
- Bernhard Rittberger, 'Which institutions for post-war Europe?' *Journal of European Public Policy* 2001(8)5, 673–708.
- JHH Weiler, 'European Integration'. *Max Planck Encyclopaedia of Public International Law [MPEPIL]*.
- B. Plechanovová, 'Intergovernmental Conference: Three Case Studies of EC/EU Institution Building'. *Oxford Research Encyclopaedia of Politics* (2021).
- Karns, Mingst, Stiles, *International Organizations: The Politics and Processes of Global Governance* (Third edition, 2015), ch. 5.

- A. Jetschke, 'ASEAN'. In Beeson and Stubbs (eds), *Routledge Handbook of Asian Regionalism* (2012).
- O.H. Khan, *Strengthening Regional Trade Integration in South Asia* (Springer, 2021), Ch. 3 (Comparative Regionalism: SAARC, ASEAN and EU).
- Christoph J. Schneider, 'The Political Economy of Regional Integration'. *Annual Review of Political Science* 2017(20), 229-248.
- M.A. Presno Linera, A. Meuwese, 'Regulating AI from Europe'. *The Theory and Practice of Legislation* 2025(13)3, 292-311.