

# Reading Group, spring 2023

## Masaryk University, Faculty of Law

*“Larsen is judicious and insightful in what she deals with, and manages to make the discourse relevant, very relevant to contemporary debates (and hand-wringing) about our beloved Union. And, crucially, it’s of very manageable proportions and a good read.”*

J. H. H. Weiler, [10 Good Reads 2022](#)

- Convenor:** Zuzana Vikarská (zuzana.vikarska@law.muni.cz)
- Format:** 13 x 90-minute seminars (in person @Faculty of Law)  
+ self-study of about 40-50 pages per week
- Timetable:** Monday evenings 18:00 – 19:40, room No. 253
- Annotation:** This course aims to inspire PhD students, as well as highly motivated undergraduates, to read recent works in the field of constitutional law and political science, to think about matters presented therein, and to discuss them in a small group with an interactive setting. Active class participation is expected from all students.

In the spring of 2023, we will explore the concept of federalism in the context of the EU, reading a recent book by **Signe Rehling Larsen, *The Constitutional Theory of the Federation and the European Union*** (OUP 2021). More references will be provided to those interested in further readings.

Every class will be moderated by one of the students. Three days before our meeting (i.e. the previous Friday by 18.00), the moderator shall submit a one-pager with some reflection questions to our virtual classroom in MS Teams. All students are welcome to respond to this one-pager already before class and add further questions.

**Week 1: Monday 20 February 2023, no class yet, reading only**

**Larsen**, Introduction (1-10) + **interview** with the author, available at: <https://revdem.ceu.edu/2022/03/17/signe-larsen-the-federal-telos-of-the-european-union/>

Since not everyone will be in town until the semester fully begins, we will convene the first two classes in a ‘long-distance’ mode. Before 20/2, please read the intro to the book & listen to the interview with the author. Then, upload a short (1 page) reaction paper to MS Teams, formulating your expectations from the book, any bias you may have, or any bias that you feel from the author. What are you looking forward to the most?

**Week 2: Monday 27 February 2023, no class yet, reading only**

**Larsen**, Ch 1 (Constitutional Nature), p. 11-27  
& **Schmitt**, Ch 30 (Consequences), p. 381-395

Larsen refers to Carl Schmitt quite a lot in her book. Please read both texts carefully and then submit another reaction paper (2 pages) to MS Teams. Two questions: (1) explain how you understand the concept of 'federation' after reading both texts, and (2) take a position on whether the EU is (not) a federation.

**Week 3: Monday 6 March 2023, 18:00 – 19:40**

**Larsen**, Ch 1 (Constitutional Nature), p. 27-48

**Week 4: Monday 13 March 2023, 18:00 – 19:40**

**Larsen**, Ch 2 (Origin and Telos), p. 49-63

**Week 5: Monday 20 March 2023, 18:00 – 19:40**

**Larsen**, Ch 2 (Origin and Telos), p. 64-75

**Week 6: Monday 27 March 2023, 18:00 – 19:40**

**Larsen**, Ch 3 (State Transformation), p. 76-81 (+ Schmitt)

**Week 7: Monday 3 April 2023, 18:00 – 19:40**

**Larsen**, Ch 3 (State Transformation), p. 81-105

**Week 8: Monday 10 April 2023, no class, state holiday**

**Larsen**, Ch 4 (Balance), p. 106-126

**Week 9: Monday 17 April 2023, 18:00 – 19:40**

**Larsen**, Ch 4 (Balance), p. 126-147

**Week 10: Monday 24 April 2023, 18:00 – 19:40**

**Larsen**, Ch 5 (Emergency Rule), p. 148-162 (+ Schmitt)

**Weeks 11+12: Mondays 1 May & 8 May 2023, no class, state holidays**

**Larsen**, Ch 5 (Emergency Rule), p. 163-190

**Week 13: Monday 15 May 2023, 18:00 – 19:40**

**ECJ**, C-370/12 *Pringle*, C-62/14 *Gauweiler*, C-493/17 *Weiss*

#### **Literature:**

- Signe Rehling **Larsen**, *The Constitutional Theory of the Federation and the European Union* (OUP 2021); <https://academic.oup.com/book/39593>
- Carl **Schmitt**, *Constitutional Theory* (1927, reprinted by Duke University Press 2008); <https://www.dukeupress.edu/constitutional-theory>