

**MASARYK UNIVERSITY
FACULTY OF LAW**

**MVV178K CONTEMPORARY ISSUES IN FEDERAL AND
MULTI-LEVEL LEGAL SYSTEMS**

TAKE HOME EXAMINATION AUTUMN 2015

Instructions

1. This examination paper is to be released on Friday, 11 December and must be submitted via the University's electronic system by **17:00 on Monday, 14 December 2015**.
2. The examination has a maximum of 3000 words and a minimum of 2000 words. You should be concise in answering questions.
3. A bibliography is required. Bibliography and notes are not included in the word count. Notes should be kept to a minimum.
4. Reference your sources in accordance with the accepted MU, Faculty of Law referencing style.
5. **Answer three (3) questions only**. Each question is of equal value.
6. The examination will be marked on a Pass/Fail basis.

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11 December 2015

QUESTIONS

CHOOSE ANY THREE QUESTIONS

1. How do federal systems differ from unitary systems? What are the advantages and disadvantages of federalism over the unitary form of government? Illustrate your answers.
2. Can the European Union learn from Australia's experience of federalism and *vice versa*? Explain.
3. It is often claimed that the federal balance in Australia has shifted too far in favour of the federal government and that the states are struggling to maintain their sovereignty. Do you consider that the European Union is open to similar criticism? Why or why not?
4. Describe the legal foundation of Economic and Monetary Union (EMU). Does EMU exemplify a version of federalism? To what extent does EMU reflect the centralising pressures of economic governance? What, in your opinion, is required to complete EMU?
5. Outline the different approaches to the reception of international law within the domestic legal order. Is a monist or a dualist state at greater risk of violating its international law obligations, or is the matter actually influenced by factors other than a state's constitutional tradition? Explain and illustrate your answer by referring to the experience of one or more of the following: Canada, Australia and the European Union.
6. Are there lessons for Australia in the way regional and local governments in the EU participate in European governance?

END OF EXAMINATION