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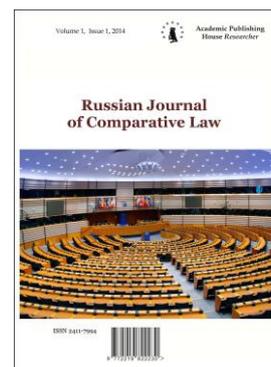
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Reviews

Review: European Union Law: a Textbook for Master's Degree Students / ed. P. Biriukov and V. Tuliakov. Voronezh: VSU Publishing House, 2016. 476 p.

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Abstract

This article is a review of the textbook “The Law of the European Union” [1], published by Voronezh State University (Russia). The textbook, comprising several contributions by Russian and Ukrainian legal scholars, adds to the existing collections of course materials on EU law. Since the events in East Ukraine have resulted in amendments to Article 65 of the 1993 RF Constitution, which nowadays states that the Republic of Crimea and Sevastopol City are constitutive subjects of the Russian Federation, Russia-EU relationships have become increasingly complex. EU-driven economic sanctions and Russian-steered countersanctions have inevitably engendered manifold economic, political and socio-cultural consequences in Russia. In the light of the said events, studying the law of the European Union becomes especially significant for Russian law students. Such contributions by Russian and Ukrainian scholars scrutinizing the legal foundations of the European Union are timely and very welcome efforts in the sense of disseminating information about the EU among future legal professionals.

Keywords: review, textbook, The Law of the European Union, authors.

The style of the textbook is analytical and rich in detail. The authors refer to a large number of international academic sources, both monographs and journal articles.

The structure of the textbook is well thought out, starting with providing general information about the Union, i.e., its history, objectives, competence, and the rules of membership, not to mention the main modes of co-operation within the EU. Further, it delves into the basic principles of the law-making process, shedding light on the legal sources, the legislative process, and law-enforcement processes inside the EU. The principles of the EU, the nature of the so-called preliminary rulings, and the issues concerning the cooperation between EU law and international law, and the EU law and national legal systems are also taken into account in the section devoted to the law of the EU. The textbook then continues with an overview of EU institutions. Distinguishing between the various court instances in a separate section (pp. 188-207) is highly relevant to legal professionals.

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Drawing the attention of the students to other EU bodies is also useful, as well as including a section on co-operation between the EU and the member states, with special emphasis on “sincere co-operation”.

At the same time, devoting a section – although a very short one (pp. 224-231), 6 pages long – to the issue of civil service in the EU is too specific for a general textbook on the law of the European Union. This could, however, stem from the Russian academic tradition, which scrutinizes the civil service in dealing with public law issues [See, for example: 2, 3, 6].

Chapter 4 of this textbook, entitled “EU citizenship (the human dimension of the EU),” however, is somewhat questionable. To start with, citizenship is conceptualized as one among many elements of the human dimension. Moreover, the Russian mode of interpreting the “legal status of personality,” which is the focus of section 4.1 “The legal status of a person in the EU,” is not familiar to European scholars. References to this concept can be again explained by examining the Russian academic tradition. Indeed, many fundamental works of Russian legal scholars are devoted to examining the “legal status” of various actors and institutions [4 and 5 are classics of public law scholarship]. And “legal status” conventionally includes the rights, obligations, and legal responsibilities of an individual.

It is also difficult to grasp why section 4.1.3.3 “EU citizenship: the right of non-EU family members” was included in Chapter 4. To start with, there is no distinct right to citizenship for third-country nationals who are family members of EU citizens. Decisions on citizenship are subject to the discretion of national officials, who, nonetheless, are expected to make these decisions according to rules established by law. Secondly, this issue would more logically belong to the paradigm of national immigration law, as EU citizenship is a continuation of the national citizenship of nation states.

At the same time, section 4.3, devoted to the Schengen rules, is important for Russian citizens. Yet I would not go as far as to regard the Schengen rules as a separate area of EU law. Section 4.2 of Chapter 4 “The Protection of Human Rights in the EU,” it is a well written and trenchant legal analysis of human rights protection mechanisms within the EU.

Chapter 5 “Four Market Freedoms,” chapter 6 “The EU Company law,” as well as Chapter 7 “The European Competition law,” are solid contributions to understanding the significance of the EU. Yet, the title of Chapter 5 “Four Market Freedoms” seems to be narrower in scope than its contents, which include, together with the four market freedoms, also discussions of the EU internal market and the economic and monetary union.

All in all, this is a solid, well-crafted work, constituting a positive addition to the existing Russian course literature in English. The authors are to be commended for their team effort in providing the students with a textbook that is up-to-date and well referenced and replete with fresh international academic sources.

Примечания

1. Law of the European Union: a Textbook for Master Students / ed. P. Biriukov and V. Tuliakov. Voronezh: VSU Publishing House, 2016. 476 p.
2. Братановский С.Н. Правовое регулирование муниципальной службы в Российской Федерации. Саратов: Научная книга, 2008. 191 с.
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Рецензия на учебник:

European Union Law: a Textbook for Master's Degree (LL.M) Students / ed. P. Biriukov and V. Tuliakov. Voronezh: VSU Publishing House, 2016. 476 p.

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Аннотация. Статья представляет собой рецензию на учебное пособие “Право Европейского Союза”, опубликованного в Воронежском государственном университете (Российская Федерация). Учебное пособие, представляющее исследования российских и украинских ученых-юристов, добавляется к существующей коллекции материалов курса по праву ЕС. Подобные научные вклады российских и украинских ученых, посвященных правовым основам Европейского Союза, являются своевременными и приветствуются в смысле распространения информации о ЕС среди будущих юристов.

Ключевые слова: рецензия, учебное пособие, право Европейского Союза, авторы.

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