

**SECOND  
EDITION**

COMPREHENSIVELY  
REVISED  
AND UPDATED

# **UNDERSTANDING THE EUROPEAN UNION**

*A Concise Introduction*

**John McCormick**

**The  
European  
Union Series**

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# Understanding The European Union A Concise Introduction Second Edition

**Sten Berglund**



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grade 1 45 Edinburgh Napier University European Law course European Law language English abstract Firstly this essay will provide some general information regarding the development of the EU In this context the concept of supremacy will briefly be overviewed as it is closely related to the doctrine of direct effect Subsequently a definition of both direct effect and direct applicability will be administered Furthermore the relationship between direct effect and the various Community measures will be examined focusing then on Directives for reasons which will be explained afterwards Afterwards the issues concerning vertical and horizontal direct effect in respect of Directives will be investigated Finally the essay will illustrate why and in which cases the doctrines of indirect effect and state liability become applicable The paper will then conclude by answering the question referring to the previous remarks why the European Court of Justice henceforth ECJ introduced the concept of direct effect The Treaty that established the European Economic Community EEC was the Treaty of Rome It became effective on the 1st of January 1958 This moment can be regarded as a milestone in the development of the European Union The treaty had not only the objective to prevent the outbreak of a further war between France and Germany but also to bring the Member States of western Europe together in a closer Union by extending the European integration to include general economic cooperation Over the years the Member States joined various treaties creating the juridical and political framework in order to make the Community capable of cooperating on a broad range of matters The EU organs such as the Commission Council Parliament and the Court were constituted In different shape and occurrence all of the above stated organs are entitled to announce measures Regulations Directives and Decisions which would be targeted to the Member States In the aftermath of this development two main questions arose Namely by what tool would such a measure be exercised towards the Member State s The second and closely linked question was which law would prevail in the not unlikely situation of a dispute between the national law of a Member State and the European rule *European Union--the Second Founding* Ludger Kühnhardt,2008 The author is presenting a broadly structured study about the first fifty years of European integration its geopolitical context and academic reflection His study is based on the two fold thesis that since a few years the European Union is going through a process of its Second Founding while simultaneously changing its rationale

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