EU Law: Text, Cases, and Materials (7th edn)
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2. Membership: Crisis, Conceptions and Challenges

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All books in this flagship series contain carefully selected substantial extracts from key cases, legislation, and academic debate, providing students with a stand-alone resource. This chapter considers two important issues that have affected the EU in recent years: Brexit and the rule of law crisis. These issues are explored in the context of the considerations they raise about EU membership and resulting obligations. The discussion of Brexit covers the UK referendum and ensuing debate, Article 50 TEU, and the relevant Treaty provisions. It explores what the Brexit negotiations tell us more broadly about the EU, and describes the Withdrawal Agreement and Political Declaration. The second half of the chapter is concerned with the rule of law crisis: the Treaty framework and membership obligations that flow therefrom, the problem posed by ‘rule of law backsliding’ by some Member States, and the different ways in which the EU has responded to this ‘backsliding’.