

JAEN51, Argumentation and Methodology, 3 credits

Argumentation och metod, 3 högskolepoäng

Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Educational Committee of the Law Faculty Board on 2014-09-03 to be valid from 2014-09-03, autumn semester 2014.

General Information

The course Argumentation and Methodology is a compulsory course within the Master's Programme in European Business Law at the Faculty of Law. The course is open to students on the programme leading to a Swedish Professional Law degree and who follow the Master's Programme in European Business Law in their studies at advanced level. The course is also open to international students participating in exchange programmes with the Faculty of Law. The course is scheduled to require 10 weeks of part-time studies.

Language of instruction: English

Lectures and course materials are in English.

Main field of studies

European Business Law

Depth of study relative to the degree requirements

A1F, Second cycle, has second-cycle course/s as entry requirements

Learning outcomes

The aim of the course is to enable students to critically reflect upon EU law and ways in which it is constructed and used before and by the EU courts.

Knowledge and understanding

To pass this course the student must evidence the ability to think critically; that is, being able to resort to EU law, identify the relevant legal issues, and apply EU law in a coherent and argumentative way.

Competence and skills

To pass this course the student must assess critically and analyse the relevant legislation, case law and commentaries used in the course, and to communicate conclusions during class, as well as in the written assignment. The skills for which the student will be trained consist of thinking critically about law and constructing legal arguments.

Judgement and approach

To pass this course the student shall undertake independent research and take full responsibility for the development of their knowledge on this topic. The student is also required to critically reflect upon EU law, and more precisely, how lawyers, as well as the EU judiciary, construct and apply EU law and policy.

Course content

Argumentation and Methodology is a compulsory course for master's students on the Master's programme in European Business Law. It aims are to discuss both theoretical and practical questions regarding the applicability of law, and more precisely EU law before and by the EU Courts. How to construct a legal argument is an important component of the course, covering issues such as how both policy and law are used as building blocks in constructing and effectively applying arguments before the EU judiciary. Ultimately, the course focuses on enhancing critical thinking as reflected in written and oral presentation of legal arguments, which is an essential component in studying and understanding law.

In 2012 the European Commission acknowledged the efforts of the teaching team of Argumentation and Methodology by naming the course 'Jean Monnet Module'.

Course design

The course is structured through a series of lectures and seminars where student participation is required. In order to pass, students are required to meet 80% attendance on the course.

Assessment

The examination on the course consists of a written assignment, which requires answering a specific part of a legal problem composed by the organisers of the European Law Moot Competition. The legal question deals with one of the topic of the Internal Market course, for instance, free movement of goods.

Subcourses that are part of this course can be found in an appendix at the end of this document.

Grades

Marking scale: Fail, Pass.

Grading criteria are applied to all dimensions listed as "Learning outcomes" in this syllabus. By way of example, Pass would presuppose that the student's examination reflect her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as "learning outcomes". Grading is done primarily using Qualitative and Quantitative criteria. The Quantitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use his/her knowledge to make a well structured critical and analytical argument and put it in a proper context.

In order to pass the course, the student needs to demonstrate a good ability in identifying and conceptualising legal problems independently and critically.

The student needs to show a very good ability in systematising and constructing valid legal arguments in response to legal issues arising in an internal market context.

The student must show very good ability in relying on case law and legal scholarship concerning EU law in constructing their arguments.

Entry requirements

Students recruited within the Master's Programme in European Business Law qualify automatically for this course.

Students on the programme leading to a Swedish Professional Law degree and who follow the Master's Programme in European Business Law in their studies at advanced level: prerequisites are stated in the curriculum for the Master of Law Programme at the Faculty of Law.

Further information

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

Subcourses in JAEN51, Argumentation and Methodology

Applies from H14

1401 Argumentation and Methodology, 3,0 hp
Grading scale: Fail, Pass