

JAEN52, EU Constitutional Law, 12 credits

Konstitutionell rätt i EU, 12 högskolepoäng

Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2015-09-02 (U 2015/300) and was last revised on 2026-05-25. The revised syllabus comes into effect 2026-05-25 and is valid from the autumn semester 2026.

General information

The course EU Constitutional Law is a compulsory course within the Master's Programme in European Economic Law at the Faculty of Law. The course is open to students in the programme leading to a Swedish Professional Law degree as well as students participating in exchange programmes with the Faculty of Law, and who follow the courses on the Master's Programme in European Economic Law in their studies at an advanced level.

Language of instruction: English
Lectures and course materials are in English.

<i>Main field of study</i>	<i>Specialisation</i>
European Business Law	A1N, Second cycle, has only first-cycle course/s as entry requirements
European Economic Law	A1N, Second cycle, has only first-cycle course/s as entry requirements

Learning outcomes

The aim of the course is to enable students to critically reflect upon the basic EU law principles and legal remedies available before the European Court of Justice.

Knowledge and understanding

After completing the course the student shall be able to understand the interplay between national legal systems and EU legal systems on the basis of the relevant sources of law.

Competence and skills

After completing the course the student shall be able to

- critically evaluate and analyse the case law of the Court of Justice of the European Union using problem-based learning methods, and
- present their conclusions to specialists and non-specialists in both written and oral form.

Judgement and approach

After completing the course the student shall be able to

- work in an interdisciplinary manner alongside students from other cultures
- take responsibility for their own professional development in an objective and critical manner
- discuss social and ethical responsibilities in commercial contexts and form their own views independently on the basis of these reflections.

Course content

The course aims at presenting the most important constitutional principles developed by the European Court of Justice through its case law. It will also give an overview of the basic legal remedies that individuals can rely against the Union institutions and the Member States measures falling within the scope of Union Law. These principles and remedies constitute the basic framework of EU law.

The course consists of two main topics: Basic Principles and Legal Remedies. The Basic Principles part deals with direct effect, indirect effect, incidental effect, supremacy, loyalty and general principles. The Legal Remedies part includes enforcement actions (258-259 and 260 TFEU), preliminary rulings (Article 267 TFEU), action in annulment (263 TFEU) and other types of actions.

Course design

The course is structured through a succession of lectures and seminars, where student attendance is required.

In order to pass, students are required to meet 75% attendance on all lectures and seminars. If a student does not meet the attendance requirement, they must make up for the missed sessions. Information on how to do this is available on the learning platform.

Assessment

The examination consists of a written exam at the end of the course.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

Grades

Grading scale includes the grades: Fail, Pass, Pass with Credit, Pass with Distinction
To receive a B on the course, all criteria for a B must be met. To receive a BA on the course, most of the BA criteria must be met. To receive an AB on the course, most of the AB criteria and all of the BA criteria must be met. The course grade is based solely on the grade for the written exam.

B – Pass

To achieve a B, the student must demonstrate a basic

- understanding of the development of EU constitutional legal norms
- the ability to critically evaluate the circumstances, case law and application of EU law, within the framework of legal theory and practice
- an understanding of the interaction between EU legislation and national legislation
- knowledge of EU constitutional legal norms and the case law developing in relation to these
- knowledge of the rules for interpreting EU law
- the ability to apply these in an evaluation of the jurisprudence in question
- legal argumentation skills
- the ability to carry out and distinguish between a legal and a non-legal analysis, and
- the ability to situate one's arguments or positions within relevant fields of research.

BA – Pass with credit

To be awarded a BA, the student must demonstrate good

- knowledge of the development of EU constitutional legal norms
- the ability to critically evaluate circumstances, case law and the application of EU law within the framework of legal science and case law
- knowledge of the interaction between EU legislation and national legislation
- knowledge of EU constitutional legal norms and the case law developing in relation to these
- knowledge of the rules for interpreting EU law
- the ability to apply these in an evaluation of the jurisprudence in question
- legal argumentation skills, both orally and in writing
- the ability to carry out and distinguish between a legal and a non-legal analysis, and
- the ability to situate one's arguments or positions within relevant fields of research.

AB – Pass with distinction

To achieve an AB, the student must demonstrate very good

- knowledge of the development of EU constitutional legal norms

- ability to critically evaluate circumstances, case law and the application of EU law, within the framework of legal science and case law
- knowledge of the interaction between EU legislation and national legislation
- knowledge of EU Constitutional Law and the case law developing in relation to these
- knowledge of the rules for interpreting EU law
- the ability to apply these in an evaluation of the jurisprudence in question
- legal argumentation skills
- the ability to carry out and distinguish between a legal and a non-legal analysis, and
- the ability to situate one's arguments or positions within relevant fields of research.

Entry requirements

Students within the Master's Programme in European Economic 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 Economic Law in their studies at advanced level: prerequisites are stated in the curriculum for the Master of Law Programme at the Faculty of Law.

Exchange students must have passed at least two and a half years of law studies at university level.

Further information

The University views plagiarism as a very serious academic offence, and will take disciplinary action 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 practices in examinations or assessments, includes suspension from the University.

According to the Faculty of Law's Policy for Generative Artificial Intelligence (GAI) in Teaching and Assessment as Applicable to Students, all submitted texts in examinations must be based on independent work. As a student, you must be able to account for, justify, develop, and modify all parts of your submitted course assignments.