

JAEN69, Borders and Boundaries in the EU Internal Market, 15 credits

Gränser och gränsdragningar i EU:s inre marknad, 15 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 2024-03-22 (U 2024/174). The syllabus comes into effect 2024-03-25 and is valid from the autumn semester 2024.

General information

The course is an elective 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 to international students participating in exchange programmes with the Faculty of Law.

Language of instruction: English

Main field of study *Specialisation*

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

Learning outcomes

The aim of the course is to provide students with deep understanding of the concept of the internal market in relation to adjacent policy areas and geographical spaces in the ever-evolving political and legal setting.

Knowledge and understanding

To pass the examination, the student shall be able to:

- show thorough understanding of the relevance of borders and boundaries in EU law and the EU integration process
- demonstrate in-depth understanding of the substantive definition and limits of the internal market

- demonstrate a systematic understanding of the dynamics between membership, association and non-membership in the context of the internal market
- reflect on the relationship between the Court of Justice and the Union legislator in developing EU law in the internal market context
- reflect on the relationship between the Union and the Member States in the regulation of the Internal market
- show an understanding of conflicts of interests and other complex problems relating to the Internal market today.

Competence and skills

To pass the examination, the student shall be able to:

- demonstrate the ability to identify conflicting issues within the context of the internal market
- demonstrate the ability to critically analyse the development of EU internal market law in relation to borders and boundaries
- demonstrate the ability to discuss the role of borders and boundaries in defining the physical and substantive scope of internal market legislation
- demonstrate the ability to assess and critically analyse a wide range of relevant legislation, case law and legal doctrine
- demonstrate the ability to interpret and apply the legal framework according to generally accepted legal methods and legal theory
- demonstrate the ability to work individually and in a group
- demonstrate the ability to present the results both orally and in writing.

Judgement and approach

To pass the examination, the student shall be able to:

- display the ability to work in a cross-disciplinary and diverse setting, e.g. with colleagues from different cultural backgrounds and genders
- perform independent investigation and take full responsibility for the development of their own knowledge in an objective, but critical manner
- critically assess the legal aspects of EU integration and their impact at the national and global level
- consider and discuss social, ethical and sustainability-related aspects of global trade within the European and international legal framework, and form individual legal opinions and arguments based on such reflections.

Course content

The course provides the students with a profound understanding of the EU internal market as a physical, political and normative space and the ongoing processes of defining its borders and boundaries in geographical and substantive terms. The internal market is the central pillar of EU integration. Neither its physical borders or substantive boundaries, however, are clearly defined but instead fuzzy and fluid. The changing membership and shifts in the Union's competences have a significant impact on the internal market's definition and functioning and can be both legally

and politically sensitive.

The course focuses on complex borderline situations relevant to the current functioning of the Internal market. By gaining different disciplinary insights on the concepts of borders and boundaries and their workings in the context of the internal market, students will obtain a deep understanding of the fundamental characteristics of the internal market, the challenges it faces in the contemporary society, and its interrelationship with adjacent policy areas and geographical spaces.

The course starts with a general introduction into the concepts of borders and boundaries in EU integration, before moving on to themes such as the internal market's substantive and competence boundaries, geographical boundaries, physical borders, invisible borders, and economic borders.

Course design

Students obtain knowledge and competences by means of individual study of course materials, in particular, EU legislation, case law of the Court of Justice and relevant literature, and by taking actively part in lectures and seminars.

The course consists of lectures, seminars and a final individual assignment.

Assessment

Student performance is assessed by the following methods:

1. Attendance and oral presentation of group work assignments in seminars (40% of the final grade)
2. An independent written analysis of a self-identified problem related to borders and boundaries in the internal market, its presentation orally in class, and a peer review on another student's paper (60% of the final grade).

The students must pass each component separately to obtain a pass grade on the course. A student who fails to attend a seminar will be required to submit a compensatory assignment showing an adequate level of proficiency.

All submitted texts must be based on independent work. The student must be able to account for, justify, develop, and modify all parts of the submitted course assignments.

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

B – Pass

In order to achieve the passing grade, the student must show an ability to reflect on the concept and functioning of the Internal market in relation to borders and boundaries, to identify conflicts of interests and other complex problems relating to the Internal market today, and to critically analyse the development of EU internal market law in relation to borders and boundaries. The student must show an ability to analyse all relevant sources, including EU legislation, case law and doctrine and express his or her ideas orally and in writing.

BA – Pass with credit

In order to achieve this grade, the student must, the student must show a high degree of competence in reflecting on the concept and functioning of the Internal market in relation to borders and boundaries, identifying conflicts of interests and other complex problems relating to the Internal market today, and critically analysing the development of EU internal market law in relation to borders and boundaries. The student must show a good ability to analyse all relevant sources, including EU legislation, case law and doctrine and express his or her ideas well orally and in writing.

AB – Pass with distinction

In order to achieve the highest grade, the student must show a very high degree of competence in reflecting on the concept and functioning of the Internal market in relation to borders and boundaries, identifying conflicts of interests and other complex problems relating to the Internal market today, and critically analysing the development of EU internal market law in relation to borders and boundaries. The student must show a very good ability to analyse all relevant sources, including EU legislation, case law and doctrine and express his or her ideas clearly and concisely orally and in writing.

Entry requirements

Passed examination in courses corresponding to the first year of the Master's programme in European Business Law, amounting to at least 45 credits.

For students on the Professional Law Degree Programme the entry requirements for semesters 7 and 8 are outlined in the Programme syllabus (utbildningsplanen).

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

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.