



LUND UNIVERSITY
Faculty of Law

GENERAL SYLLABUS

1 (11)

2007-03-14

Dnr J 2007/140
Dnr J 2010/495
Dnr J 2012/83
Dnr J 2013/122
Dnr J 2013/262
Dnr U 2015/172
Dnr U 2015/503

Board of the Faculty of Law

English translation of the Swedish original, which remains the only authentic one.

General syllabus for doctoral studies for completion of the degrees DOCTOR OF LAWS and LICENTIATE OF LAWS at the Law Faculty, Lund University

1. Identification

Subjects:

Jurisprudence, labour law, banking law, private law, EU law, fiscal law, public international law, administrative law, international environmental law, private international law, comparative law, constitutional law, environmental law, human rights, public law, civil and criminal procedure, law and economics, legal history, social and welfare law, and criminal law

University credits:

240 university credits (uc) for completion of a Doctor of Laws degree (four years full-time study)

120 university credits (uc) for completion of a Licentiate of Laws degree (two years full-time study)

Ratified: 14 March, 2007, by the Faculty Board of Law

Amended: 29 September, 2010, 18 January 2012, 13 February 2013, 29 May 2013, 29 April 2015 and 11 November 2015 by the Faculty Board of Law

Entered into force:

July 1, 2007

Amendments on 29 September 2010 enter into force 29 September 2010

Amendments on 18 January 2012 enter into force 18 January 2012

Amendments on 13 February 2013 enter into force 13 February 2013

Amendments on 29 May 2013 enter into force 29 May 2013

Amendments on 29 April 2015 enter into force 29 April 2015

Amendments on 11 November 2015 enter into force 1 January 2016

This syllabus applies to admission to the doctoral program commencing after the end of June 2007 and to employment of doctoral students thereafter.

2. Description of Degree Programme

Students who complete the degree programme on the postgraduate level shall be well prepared to perform research and investigative work, and should be otherwise

prepared to perform activities requiring more extensive insight and knowledge in the selected subject area.

The doctoral programme builds on the knowledge and capabilities students acquire during degree programmes on the undergraduate and graduate levels. Persons admitted to the doctoral programme are presumed to possess the appropriate knowledge and capabilities to complete their studies. The programme of study must have a clear association with the research being performed at the university.

3. Objective

The goal of the doctoral programme is that the doctoral student shall acquire the knowledge and capabilities required to act as an independent participant in the international research arena and contribute to the development of international research.

Upon completion of the doctoral programme, doctoral students must be able to demonstrate theoretical and practical familiarity with scientific methods in general and in particular with methods relevant to juridical research. The doctoral student must have acquired the ability to perform the following tasks:

- formulate hypotheses and test these scientifically;
- deal with politically controversial issues in a scientific manner;
- analyse complex problems and find new approaches and ways of thinking;
- deal with research issues on a fundamental level, so the relevance of the investigation extends beyond Swedish conditions, and
- present research in English or another language commonly used in the international research community.

For information about additional goals for the doctoral programme, see the regulations for doctoral studies (licentiate degree and doctoral degree) in the Higher Education Ordinance HF 1993:100 (Appendix 1 to the general syllabus).

4. Programme Content

4.1. General Information

The programme for a doctoral degree comprises a total of 240 uc (four years of full-time study). The main portion of the programme consists of the completion of a scientific dissertation (doctoral thesis), which corresponds to 210 uc. The doctoral thesis can comprise a single text (monograph) or several texts having the same theme (a composite thesis). Courses in this programme correspond to 30 uc.

The programme for the degree of Licentiate of Laws comprises a total of 120 uc (two years of full-time study). The main portion of this degree consists of the completion of a licentiate thesis, corresponding to 105 uc. Doctoral students may complete part of the programme, consisting of at least 120 uc, by completing the degree of Licentiate of Laws. Courses in this programme correspond to 15 uc.

Employment as a doctoral student consists of work on a full-time basis. A person may be employed as a doctoral student for a total of eight years. However, the

accumulated time of employment may not exceed four years of full-time study. For the degree Licentiate of Laws, the accumulated time of employment may not exceed two years of full-time study. Upon admission to continued study at the postgraduate level after completion of a licentiate degree, the time of employment for completion of that degree will be subtracted from the accumulated time of employment as a doctoral student.

In addition to writing a doctoral thesis, the doctoral student shall participate in courses at the Faculty (see 4.2), the Research School in Jurisprudence (see 4.3), and/or complete other courses that may be determined in an individual plan of study (see 4.4).

In issues of equal treatment and discrimination in the doctoral programme, Board of the Faculty of Law decisions presented in the “Plan and Measures for the Prevention of Discrimination in the Faculty of Law” will apply.

4.2. Courses and Other Information.

The doctoral programme comprises courses of a total of 30 uc for completion of the doctoral degree and 15 uc for completion of the licentiate degree.

Each year, the committee on doctoral education determines a plan for courses in the doctoral programme for the coming academic year. For each course, the committee on doctoral education specifies a syllabus, a list of course literature, and an examiner. Students taking courses in the doctoral programme at the Faculty receive the grade of Pass or Fail. More detailed regulations for grading are provided in the syllabus for each individual course.

The committee on doctoral education can decide that the doctoral student may count as equivalent courses completed on the graduate or postgraduate level at other educational institutions. A theoretical, introductory course in jurisprudence is *mandatory* and is always included in the course offering. Doctoral students intending to complete a doctoral degree take a course for 15 uc and doctoral students intending to complete a licentiate degree take a course for 7.5 uc. The committee on doctoral education can grant dispensation to doctoral students who have acquired equivalent proficiency in some other manner.

Doctoral students teaching at the undergraduate or graduate level must have completed a course in introductory teaching and learning in higher education, or must have acquired equivalent proficiency in some other manner. The teaching courses are usually counted as part of the general duties of employment (see 4.5).

4.3. Seminars and the Research School in Jurisprudence

The Research School in Jurisprudence consists of a seminar series designed and led by one or more senior researchers, and conducted in close co-operation with supervisors. Activities in the Research School are based on the research projects conducted by the doctoral students and the method issues that arise in these projects. The goal of the Research School is that doctoral students shall improve their ability to apply scientific methods, and develop their creative skills in research.

All doctoral students at the Faculty must participate in the Research School in Jurisprudence during the entire programme of study, and on at least two occasions participants must present a portion of their own dissertation texts as a basis for seminar activities. The first seminar, which must take place during the doctoral

student's first year in the programme, is a seminar focusing on organisation of the doctoral student's planned work. At this point, the text used as a basis for the seminar can also comprise a detailed, commented outline.

For doctoral students intending to complete the Doctor of Laws degree, the second seminar will take place in midway through the doctoral programme. Prior to this second seminar, the committee on doctoral education must commission two senior researchers who participate in the seminar and provide written comments to the text used as a basis for the seminar. For doctoral students intending to complete a licentiate degree, the second seminar is expected to be an open seminar (licentiate seminar) during which doctoral students defend their scientific dissertations (see also 6.2.).

Participation in the Research School in Jurisprudence is *mandatory*, and counts as two courses in the doctoral programme, corresponding to 7.5 uc each. Doctoral students pursuing a doctoral degree must complete two courses for a total of 15 uc, and doctoral students pursuing a licentiate degree must complete one course for a total of 7.5 uc. The committee on doctoral education can grant dispensation if a doctoral student has acquired equivalent proficiency in some other manner.

Before a student presents a doctoral thesis for public defense (disputation), the committee on doctoral education must organise a final seminar during which the student orally defends a draft version of the dissertation, as part of the requirements of the doctoral programme. This draft manuscript must be available in the registrar's office at the Faculty no later than three weeks prior to the final seminar. In connection with the seminar, the committee on doctoral education will determine whether the quality of the dissertation is such that the faculty should promote distribution of the dissertation, by covering the cost of producing the minimum number of copies (called statutory copies) prior to the public defense as decided by the Law Faculty Board. The final seminar serves as the basis for such a decision. The ceiling for this potential extra support is determined on the same occasion, taking into account the subject, scope and language of the dissertation as well as available resources. When establishing the definitive amount of the extra support, considerable significance is attached to the doctoral student's documented efforts to cover publication costs by applying for funds from external sources.

The committee on doctoral education commissions one senior researcher having a primary affiliation outside the faculty to participate in either the second seminar or the final seminar, to provide commentary on the dissertation manuscript. The researcher at the second seminar will be one of the two senior researchers appointed by the committee on doctoral education. After consulting with the doctoral student, the supervisor decides the seminar in which the senior researcher having a primary connection outside the faculty will participate, and provides a list of suitable persons.

4.4. Individual Plan of Study and Annual Review

An individual plan of study is approved by the committee on doctoral education following consultation with the doctoral student, the main supervisor, and the supervisor. This should normally take place at the same time, or within two months following the doctoral student's start of his/her doctoral program. The doctoral student, supervisors, and the head of the department must provide written confirmation that they have reviewed the individual plan of study and any changes made to it.

The individual plan of study must contain a time plan for the doctoral student's programme of study, a description of the obligations of the doctoral student and the committee on doctoral education during the period of study, and any other prerequisite conditions for the efficient implementation of the programme of study. The individual plan of study is expected to be an effective and dynamic instrument in the doctoral student's studies. The doctoral student and the supervisors must document the scientific problems and progress of the research project, as well as the developments and changes in planning of the project. The individual plan of study must be updated electronically on a regular basis, according to the regulations established by the committee on doctoral education.

The individual plan of study and the doctoral student's dissertation work are reviewed at least once a year by the committee on doctoral education. For this review, the doctoral student and the supervisors must report to the committee on doctoral education on the work done in the project, and how the doctoral student's programme of study is progressing in general. At this time or when otherwise necessary, the committee on doctoral education can amend the plan of study appropriately. Prior to any changes being made, the student and the supervisors are given an opportunity to comment.

The head of the department decides whether a doctoral student's term of employment will be extended, and the results of the committee on doctoral education's annual review of the individual plan of study serves as part of the basis for this decision.

4.5. Teaching

Doctoral studies for the degree of Doctor of Laws are presumed to require four years of full-time study. Those employed as doctoral students at the Faculty of Law are normally required, within the scope of their position, to teach 20 % of full-time employment, thus allowing them to be employed for five years.

Doctoral studies for the degree Licentiate of Laws are presumed to require two years of full-time study. Those employed as doctoral students at the Faculty of Law are normally required, within the scope of their position, to teach 20 % of full-time employment, thus allowing them to be employed for two and one-half years.

5. Supervision

Supervision and guidance within the programme must be qualified and provided in a professional, knowledgeable, and contemplative manner. In connection with a student's admission to the doctoral programme, the committee on doctoral education must appoint a supervisor and associate supervisor for the student. The supervisor must be a member of the faculty competent to perform supervisory duties, and bears the primary responsibility for providing support and assistance the student requires to perform and complete dissertation work. Senior lecturers who have completed the necessary supervision courses are considered qualified to supervise.

Both the supervisor and the associate supervisor shall possess sufficient expertise to provide the student with guidance, and must have sufficient time, knowledge, experience, and dedication to provide the student with sufficient support. Each student has the right to continuous supervision, on at least six occasions during each academic year. The supervisor and student are expected to work together to provide a documented, written plan for supervision.

The doctoral student has the right to supervision during the five years (four years of full-time study) that the programme is normally expected to take. Doctoral students studying for the degree Licentiate of Laws have the right to supervision during two years of full-time study. The right to supervision applies unless the Vice-Chancellor, pursuant to Chapter 6, Section 30 of the Higher Education Ordinance determine otherwise.

6. Examination

6.1 Doctoral Degree

Degree title: juris doktor (Doctor of Laws, LL.D.)

To obtain a doctoral degree, it is necessary both for the doctoral student to have had a scientific dissertation (doctoral thesis) passed at the Faculty of Law, and for the doctoral student to have passed the various examinations which may be included in the programme. A doctoral thesis is to be defended orally at a public defense. The public defense is to be announced at least three weeks in advance. At the time of the announcement, the doctoral thesis shall be available at the Faculty of Law. Other examinations which may be included in the programme are to be evaluated by means determined by the committee on doctoral education.

At the public defense, there shall be an opponent. The opponent shall be admitted as reader (docent), and may not be working at the Faculty of Law at Lund University, unless special conditions prevail. The public defense shall be presided over by a chair. The chair and the opponent are appointed by the committee on doctoral education.

A doctoral thesis is to be given one of the grades pass or fail. The grade will take into account the contents and the defense of the doctoral thesis. If the doctoral thesis is given the grade "fail", the reasons for this decision must be justified in writing. The grade is determined by an examining board specially appointed for each doctoral thesis. The examining board consists of three or five members. At least one of the members shall not be working at the Faculty of Law at Lund University. Each of the members shall be admitted as reader (docent) unless special conditions prevail. The composition of the examining board is determined by the committee on doctoral education.

The credit obtained by an individual, who has obtained a licentiate degree within a specific subject, may be included as part of the credit requirements of a doctoral degree.

6.2 Licentiate degree

Degree title: juris licentiatexamen (Licentiate of Laws)

To obtain a licentiate degree, it is necessary both for the doctoral student to have had a scientific dissertation (licentiate thesis) passed at the Faculty of Law and for the doctoral student to have passed the various examinations which may be included in the programme. A licentiate thesis is to be defended orally at a public seminar (licentiate seminar). The licentiate thesis is to be made publicly available at the faculty administration, at the latest three weeks prior to the licentiate seminar. Other

examinations which may be included in the programme are to be evaluated in the order determined by the committee on doctoral education.

At the seminar, there shall be an opponent. The opponent shall hold a doctorate, and may not be working at the Faculty of Law at Lund University, unless special conditions prevail. The seminar shall be presided over by a chair. The committee on doctoral education is to appoint the chair and the opponent.

A licentiate thesis is to be given one of the grades pass or fail. The grade will take into account the contents and the defense of the licentiate thesis. If the licentiate thesis is given the grade “fail”, the reasons for this decision must be justified in writing. The grade is determined by an examining board, appointed for each licentiate thesis. The examining board is composed of three members and at least one of them shall not be working at Lund University. Each of the members shall hold a doctorate unless special conditions prevail. The committee on doctoral education is to appoint the members of the examining board for licentiate.

7. Prerequisites and Selection

7.1 Prerequisites for Admission

In order to be accepted to the doctoral programme, the applicant must fulfil both the basic requirements and the special requirements stipulated by the Faculty board. Furthermore, the applicant must possess the necessary capacity required for the completion of the programme (see grounds for selection in 7.2).

In order to be accepted to the doctoral programme, the applicant must be employed as a doctoral student or deemed to have sufficient long-term financing to complete the programme.

A doctoral student may be employed in order to complete either a doctor degree or a licentiate degree.

The basic requirements are fulfilled by those who have completed a university degree on an advanced level, with at least 240 uc of which at least 60 uc from courses on an advanced level, or who have, in some other manner, in Sweden or abroad, obtained in principle equivalent knowledge.

The special requirements are fulfilled by those who have completed a law programme and obtained the degree Master of Laws (*juris kandidatexamen/juristexamen*). The special requirements may also be fulfilled by those who can demonstrate other educational or particular professional experience where this is judged to provide the necessary qualification for doctoral studies comparable to that provided by the degree of Master of Laws (*juris kandidatexamen/juristexamen*) regarding both the subject for doctoral study and general legal education of importance for that subject.

Applicants with Swedish *juristexamen/juris kandidatexamen* degrees must have attained a grade average of Ba in the compulsory courses of the undergraduate programme. Applicants holding other degrees must have attained in principle an equivalent grade average in comparable portions of the degree programme. Only where very special circumstances apply may the Faculty board approve exemption from this rule.

7.2 Selection

If the number of applicants exceeds the number of vacant doctoral fellowships, a selection shall be made based on an examination of the applicants' qualifications. In accordance with the regulations of the Higher Education Ordinance and the decision regarding admission arrangements relating to graduate level education at Lund University, the selection is based primarily on an assessment of the applicants' ability to succeed in the programme. To demonstrate this ability, the application for admission should contain a project description, curriculum vitae and a master's thesis or other written work as well as an indication of at least one or maximum two referees. The project description must not exceed five pages, and must be written in English, Swedish, Danish, or Norwegian.

The capacity of each applicant to succeed in the doctoral programme is determined primarily on the following grounds, which are given in no particular order of importance:

Applicant's general competence:

- quality and content of the applicant's previous written work, such as a master's thesis
- ability to participate actively in the faculty's research environment
- relevant educational background and grades/grade average
- relevant work experience

Scientific quality of the project description:

- ability to describe, question and discuss the current state of research
- sufficient clarity and logical coherence in the formulation of the aim and the research questions
- stringency of legal reasoning and analysis
- adequate selection of theory and methods
- capacity for creativity and innovation in the formulation of the research questions and approaches
- clear expression and sufficient detail

The committee on doctoral education is also free to consider available resources and competence in the Faculty for supervision during the selection process.

An applicant's earlier education (for example, previously completed courses) can be counted as equivalent for certain portions of the doctoral programme, but such earlier education does not give the applicant priority over other applicants in the selection process.

The Faculty must strive for equal opportunity and diversity in active recruitment and selection of applicants to the doctoral programme. Recruitment and selection processes must follow Lund University policies on discrimination, equal treatment, and diversity. An applicant of an underrepresented gender will be given preferential treatment if the applicant has equivalent qualifications in other respects, unless very special conditions require otherwise.

8. Application and Admission

Application for admission is to be made using a form adopted by the committee on doctoral education, available through the Faculty's web page (www.jur.lu.se) or by

post upon request from for the Office of the committee on doctoral education, Box 207, 221 00 Lund.

After being admitted to the doctoral programme for the degree Licentiate of Laws and obtaining that degree, a doctoral student may, in competition with other applicants, apply for admission to doctoral studies for another two years in order to obtain the degree Doctor of Laws (two years of full-time study). Upon admission for continuation of the doctoral programme after obtaining the Licentiate of Laws degree, the time for obtaining this degree will be subtracted from the total allowed term of employment as a doctoral student.

Notification of vacant fellowships including employment as a doctoral student is normally made public. Such notification is usually done once a year, and the committee on doctoral education determines the specific date of notification. Exceptions to the notification requirement may be made, for example, because of contractual arrangements related to external financing.

Admissions matters are dealt with by the Faculty's committee on doctoral education, normally in connection with the decision regarding the employment of new doctoral students.

In judging the applicant's qualifications, the committee first evaluates the applicant's fulfilment of formal requirements for admission. For those who fulfil these formal requirements, eligibility in other respects and overall ability to successfully complete the programme will be assessed by the committee on doctoral education.

Before the committee on doctoral education makes its decision on admission, the case is normally prepared by an admissions committee appointed by the committee on doctoral education. The admissions committee consists of the director of studies or assistant director of studies, the chairperson or vice-chairperson of the committee on doctoral education, an researcher who is a member or deputy member of the committee on doctoral education, and a doctoral representative or a deputy for the doctoral students in the committee on doctoral education. Members of the admissions committee must be selected prior to announcement of open doctoral student positions.

Based on a proposal from the admissions committee, the committee on doctoral education invites a small number of the applicants to interviews. In this activity, the committee on doctoral education can choose to disregard the admissions committee's proposal, either in part or as a whole. Contact between invited applicants and suitable supervisors should be established at this point, if contact has not been made earlier.

Someone in an administrative function will gather references regarding the applicants before the interviews. Invited applicants are to be interviewed in a personal meeting or by streaming media. The interview should be based on the application and is intended to provide the committee on doctoral education with deeper understanding of the applicant and his or her ability to succeed in the programme. After the interviews, the committee on doctoral education ranks the applicants and presents a proposal for admission of applicants to the doctoral programme. Applicants are normally informed of this proposal at least two weeks before the decision on admission is made and should contain information on the possibility of lodging an objection to the admission proposal to the committee on

doctoral education within a designated period of time. The committee on doctoral education's decision is made in accordance with the proposal if the applicant's objection does not lead to another conclusion.

9. Doctoral Studies Financed Externally or Jointly with another Faculty/Equivalent

On admission of a doctoral student to the programme with an employment within a predetermined subject or admission of a doctoral student with external financing or co-financing (with another faculty), and decisions on employment as a doctoral student in a similar case, a representative of the research subject or project manager (often the potential supervisor) is given the right to attend and speak at all stages during the admission process. The representative of the research subject or the project manager's perception of the applicant's ability to succeed in the programme is considered in the committee's assessment which is the base for the committee's decision on admission and employment.

The committee on doctoral education may, in individual cases involving doctoral studies – employments within a predetermined subject, financed externally by a foundation, authority or organisation, or jointly with another faculty or equivalent - grant exemptions from this syllabus. However, the applicant's capacity and ability to succeed in the doctoral programme must be assessed according to the criteria described in 7.2. If the number of applicants exceeds the number of vacant, jointly financed doctoral fellowships, the selection procedure described in 7.2 and 8 will be used where applicable. A starting point for the assessment is the announcement of the current position and the admission and the research context of the announcement.

10. Special Procedures for Certain Doctoral Students

Students who wish to present a dissertation for public defense without having followed the doctoral programme at the Faculty may request that the committee on doctoral education organise a final seminar. Such requests are to be approved if they are supported by a professor or another member of the Faculty qualified as a supervisor, who has reviewed the manuscript. Following the final seminar, the committee on doctoral education may decide whether to admit the author of the dissertation to the doctoral programme. If admission is approved, the committee on doctoral education is to appoint a supervisor and an associate supervisor and, in consultation with these supervisors and the doctoral student, approve an individual plan of study and the necessary remaining elements of the doctoral student's study.

Individuals who wish to present a licentiate thesis without having followed the doctoral programme at the faculty may request that the committee on doctoral education organise a licentiate seminar. The corresponding procedure applies as for the presentation of a doctoral dissertation for public defense.

11. Provisional Rules

In the case of provisional rules, refer to the regulations for provisional in the Ordinance (2006:1053) for Amendment to the Ordinance for Higher Education (1993:100), Appendix 2 of this general syllabus.