



## SOCIAL INTEGRATION IN THE EUROPEAN UNION

**Lecturer:** Sara Hungler, PhD habil, Labour and Social Law Department ([hungler@ajk.elte.hu](mailto:hungler@ajk.elte.hu))

### **Brief description**

The founding Treaties pursued a dual aim of 'economic and Social integration', usually analysed from the perspective of the Member States and the European institutions and their bargaining. However, social integration in the European Union is a societal phenomenon requiring analysis beyond legal science. This course aims to combine law, economics and social studies to understand the complexity of the social face of the European Union. This course will provide a general introduction to EU constitutionalism, Member States' interests, the role of fundamental rights, and an overview of related secondary law and the European Court of Justice case law.

The course is designed to involve students in the discussions, meaning you will be required to do the readings in advance. Please consider how much time you could devote to preparation every week.

### **Assessment/Exam**

The exam will be unusual for a course in legal studies: creating a poster. Students will have to take a photo that symbolises social integration in the EU and write a one-page description of why they chose this picture and what integration achievements or (legislative) hiatus characterise the chosen field. Students will present their posters during class. The best 20 posters will be combined into a brochure.<sup>1</sup>

### **Weekly schedule**

Week	Theme	Readings
1	The Evolution of Social Integration in the EU	- Brian Bercusson: The Lisbon Treaty and Social Europe, ERA Forum (2009) 10: 87–105, DOI 10.1007/s12027-009-0104-9 - Dorte Sindbjerg Martinsen, A Social Policy for the European Union; In: An Ever More Powerful Court? Dorte Sindbjerg Martinsen, Oxford University Press 2015. Published 2015 by Oxford University Press.
2	Divergent Member State Interests &	- Varju, Márton: Member States' Interest and EU Law; in: Varju, M: Member State Interests and European Union Law: Revisiting The Foundations Of Member State Obligations, Routledge, 2019

<sup>1</sup> Based on the quality of the submissions, the amount of selected pictures will be subject to alteration.



	Varieties of Capitalism	<ul style="list-style-type: none"> <li>- Dorothee Bohle and Béla Greskovits: Neoliberalism, Embedded Neoliberalism, and Neocorporatism: Paths towards Transnational Capitalism in Central-Eastern Europe, West European Politics May 2007</li> <li>- Scharpf, Fritz W.: The European Social Model: Coping with the challenges of diversity MPIfG working paper, No. 02/8</li> </ul>
3	Social Rights in the European Area	<ul style="list-style-type: none"> <li>- OLIVIER DE SCHUTTER: Anchoring the European Union to the European Social Charter: The Case for Accession</li> <li>- MARIE-ANGE MOREAU: European Fundamental Social Rights in the Context of Economic Globalization</li> </ul>

4-5	Social Constitution	<ul style="list-style-type: none"> <li>- Dagmar Schiek, The EU Constitution of Social Governance in an Economic Crisis: In Defence of a Transnational Dimension to Social Europe, 20 MAASTRICHT J. EUR. &amp; COMP. L. 185 (2013).</li> <li>- Koen Lenaerts: Exploring the Limits of the EU Charter of Fundamental Rights Fundamental Rights and Democratic</li> <li>- Oliver Gerstenberg: Sovereignty in the EU: The Role of the Charter of Fundamental Rights of the EU (CFREU) in Regulating the European Social Market Economy</li> </ul>
6-7	Solidarity, Identity and Crises	<ul style="list-style-type: none"> <li>- Monika Eigmüller: Beyond the crisis: The societal effects of the European transformation</li> <li>- Veronica Anghel &amp; Erik Jones (2022): Is Europe really forged through crisis? Pandemic EU and the Russia – Ukraine war, Journal of European Public Policy,</li> <li>- Malcolm Ross: Solidarity—A New Constitutional Paradigm for the EU?. Oxford University Press 2010.</li> <li>- Catherine Barnard: Solidarity and the Commission’s ‘Renewed Social Agenda’. Oxford University Press 2010.</li> </ul>
8	The Role of the Court in Social Integration	<ul style="list-style-type: none"> <li>- de Vries, S. A., (2013) Balancing Fundamental Rights with Economic Freedoms According to the European Court of Justice. Utrecht Law Review 9 (1), 169-192.</li> <li>- Van Cleynenbreugel, Pieter, and Xavier Miny. "The Fundamental Economic Freedoms: Constitutionalizing the Internal Market." <i>The Idea of Economic Constitution in Europe</i>. Brill Nijhoff, 2022. 263-297</li> <li>- Gráinne de Búrca. AFTER THE EU CHARTER OF FUNDAMENTAL RIGHTS: THE COURT OF JUSTICE AS A HUMAN RIGHTS ADJUDICATOR?</li> </ul>
9	A Success Story: Anti-Discrimination	<ul style="list-style-type: none"> <li>- Case 43/75 Defrenne and related analysis</li> <li>- Dagmar Schiek: Discrimination Grounds and intersectionality: a reappraisal. Ashgate, 2011</li> </ul>



10	Moderate Achievements: Posting of Workers	Dorte Sindbjerg Martinsen : Regulating the Posting of Workers: Rejecting and Modifying Court Influence, ; In: An Ever More Powerful Court? Dorte Sindbjerg Martinsen, Oxford University Press 2015. Published 2015 by Oxford University Press. - Rocca, Marco. "Stepping stones over troubled waters. Recent legal evolutions and the reform of the posting of workers directive." <i>Posted Work in the European Union</i> . Routledge, 2019. 167-184.
11	Close to Failure: Working time	Dorte Sindbjerg Martinsen: Battles on Working Time: Rejecting Court Influence; In: An Ever More Powerful Court? Dorte Sindbjerg Martinsen, Oxford University Press 2015. Published 2015 by Oxford University Press.
12	New Challenges	Georgiou, Despoina. "The new EU Directive on Transparent and Predictable Working Conditions in the context of new forms of employment." <i>European Journal of Industrial Relations</i> 28.2 (2022): 193-210
13-15	Students' Presentations	