1. **Title of the module**

LAWS5920 / LAWS5921 (LW592): Public Law 2

1. **School or partner institution which will be responsible for management of the module**

Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 6

1. **The number of credits and the ECTS value which the module represents**

15 credits (7.5 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring

1. **Prerequisite and co-requisite modules**

Prerequisite - Public Law 1 (LAWS5880) and Co-requisite - European Union Law (LAWS5930)

1. **The programmes of study to which the module contributes**

All single and joint honours undergraduate law programmes.

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to:**
2. Identify complex contemporary problems in public law through the application of concepts such as governance, regulation, risk, state, sovereignty and globalisation.
3. Appreciate, in detail, that contemporary economic and political developments have transformed the ambit of public law and the technologies and practices of governance.
4. Appreciate, in detail, that a vast amount of public power is exercised without direct legislative authorisation or judicial scrutiny, and thus consider strategies for strengthening accountability.
5. Appreciate, in detail, that the distinction between public and private power has broken down, and that the field of constitutional and administrative law (public law) needs to respond to the ensuing challenges.
6. Demonstrate the conceptual tools necessary to navigate the changing landscape of public law.
7. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
8. Conduct independent research which informs a sustained and complex argument.
9. Appreciate that legal problems can only be fully understood through interdisciplinary research.
10. Use electronic databases for research.
11. Demonstrate advanced research skills in law and related disciplines.
12. Explore critically and in-depth a particular topic with the help of theoretical tools.

1. **A synopsis of the curriculum**

Over the course of the late twentieth century the modern state was transformed in far-reaching ways. The deregulation and privatisation of national economies, the rise of risk governance, the proliferation of administrative agencies and the increasing the involvement of experts in public policy have all profoundly affected the practice of government. At the same time, states responded to global problems cutting across national boundaries (eg, in finance, security and the environment) by governing through transnational networks and global institutions far removed from conventional mechanisms of democratic and legal accountability. These changes have dramatically transformed the landscape of public law - broadly defined as ‘the practices that sustain and regulate the activity of governing’.

This module helps students to navigate this shifting constitutional terrain and grapple with the key legal and political challenges it poses. In Public Law 1 students learned about the core principles of constitutional and administrative law, exploring issues like parliamentary sovereignty, the separation of powers, judicial review, human rights and devolution. In the Law of the European Union students were introduced to the principle of multi-level governance through which the modern state operates. Public Law 2 builds on these insights by analysing the complexity of contemporary governance in detail. The aim is to have students think critically about (i) the changing nature of the state, global governance and regulation; (ii) how globalisation is changing the ways public law problems are governed; (iii) the key challenges these shifts pose for the protection of rights and (iv) the different techniques and processes for holding states and powerful actors to account.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

* Kevin Davis, Angelina Fisher, Benedict Kingsbury and Sally Engle Merry (2012), *Governance by indicators - Global Power through Quantification and Rankings* (Oxford University Press)
* Emilios Christodoulidis and Stephen Tierney (2008), *Public Law and Politics: The Scope and Limits of Constitutionalism* (Ashgate)
* Mitchell Dean (1999), *Governmentality : Power and Rule in Modern Society* (Sage)
* Nico Krisch (2012), *Beyond Constitutionalism: The Pluralist Structure of Postnational Law* (Oxford University Press)
* Martin Loughlin (2004), *The Idea of Public Law* (Oxford University Press)
* Peter Miller and Nikolas Rose (2008), *Governing the Present: Administering Economic, Social and Personal Life* (Wiley)
* Dawn Oliver, Tony Prosser and Richard Rawlings (eds.) *The Regulatory State - Constitutional Implications* (Oxford University Press)
* Saskia Sassen, *Territory, Authority, Rights - From Medieval to Global Assemblages* (Princeton University Press)
* Anne-Marie Slaughter (2005), *A New World Order* (Princeton University Press)

1. **Learning and teaching methods**

Total study hours: 150 hours

Contact hours: 21 hours

Private study: 129 hours

1. **Assessment methods.**

13.1 Main assessment methods

This module will be assessed by 20% coursework and 80% project.

Annotated Bibliography – 1500 words – 20%

Special Study research project – 3500 words – 80%

13.2 Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment. The reassessments will re-test the learning outcomes specified in s.14 of this specification.

1. **Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 9.1 | 9.2 | 9.3 | 9.4 | 9.5 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |
| Lectures | x | x | x | x |  | x | x |  |  |  |
| Seminars |  |  |  |  | x | x | x |  |  |  |
| Private Study | x | x | x | x | x | x | x | x | x | x |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |
| Annotated Bibliography (20%) | x | x | x | x | x | x | x | x | x | x |
| Special Study research project (80%) | x | x | x | x | x | x | x | x | x | x |

1. The School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, lectures will be recorded to assist notetaking unless one or more of the lectures contains sensitive material. The module convenor will notify students in advance of any lectures that will not be recorded.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

The course explicitly engages with current debates on the interface between public law, international law and global governance. Numerous authors from international jurisdictions are incorporated into the core reading. The module equips to engage with the changing landscape of domestic and international regulatory governance.

**FACULTIES SUPPORT OFFICE USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| --- | --- | --- | --- | --- |
| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
| 25/01/2018 | Major | September 2018 | 8-15, 17 | Yes |
|  |  |  |  |  |