1. **Title of the module**

LAWS5070 (LW507): Critical Legal Theory

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**

30 credits (15 ECTS Credits)

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

Autumn and Spring

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

The module is only available to final-year students

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

All undergraduate single and joint honours law programs. Available as a wild module to all Social Science and Humanities students.

1. **The intended subject specific learning outcomes.  
   On successfully completing the module, students will be able to:**
   1. Understand the special value of theoretical inquiry to critical approaches to law
   2. Demonstrate familiarity with the central concepts, motivations, principles, traditions and debates of contemporary critical legal theory
   3. Interrogate the relationship between normative and critical legal theories
   4. Critically analyse legal concepts, practices, techniques, phenomena and events
   5. Critically reflect on the nature of law in modernity, modern law’s particular configuration of the relationship between law and life, and the way modern law shapes contemporary legal, political and cultural relations
   6. Understand the political and ethical relationship between critique and justice, and the distinctive role of critical legal theory in relation to law, legal practices, and contemporary political and legal problems
   7. Demonstrate the ability to critically reflect on the separation of law from other academic disciplines, practices and concepts
   8. Appreciate the importance to the contemporary critique of law of perspectives developed in other disciplines, such as political theory, aesthetic theory, visual culture, rhetoric, film studies, critical philosophy, theology, political theology, literature and literary studies, linguistics, historical studies, psychoanalysis, sociology and economics
   9. Critically reflect on the relationship between theory and practice in a legal context
2. **The intended generic learning outcomes.  
   On successfully completing the module, students will be able to:**
   1. Demonstrate close reading of texts, including sophisticated theoretical material
   2. Critically analyse texts, including legal texts, and of legal and juridical problems as they arise in texts from multiple disciplines
   3. Demonstrate conceptual synthesis of a variety of sources, textual and non-textual, from multiple disciplines
   4. Demonstrate a reflective, self-directed and independent approach to learning
   5. Demonstrate a coherent and sustained written argument
   6. Formulate critical legal research questions within a theoretical field, or drawing substantially on a theoretical field
3. **A synopsis of the curriculum**

This module is intended to introduce students to the major debates, questions, concepts and theoretical approaches in the critique of law. It offers a grounding in several key aspects of legal theory, and some major ways of characterising law in Modernity. Students completing this module will develop a greater precision, articulacy and rigour in all of their considerations of law. The module is also intended as training in the making of well-considered and supported critical arguments.

After an introduction addressing the nature and practise of legal critique, the module has two main parts. In the first part, students will be introduced to key topics in critical legal theory, such as sovereignty and the legal subject, jurisdiction, legal interpretation, judgment, and justice. These topics will be considered with an eye to the overarching question of the relation between law and political authority. In the second part of the course, this conceptual vocabulary will be applied to a range of contemporary issues. Examples might include issues in biotechnology, facebook and social media, political protest, films and other popular cultural forms, social equality, terrorism and counter-terrorism, torture, the casualized workforce, and the plight of the refugee; and any other issues as relevant from time to time. In addition to the critical legal perspectives developed in the first part of the course, the module will draw on appropriate specialist theoretical material from other disciplines relevant to the contemporary issues selected for analysis.

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

Constable, M., 2005. Just Silences: The Limits and Possibilities of Modern Law. Princeton: Princeton University Press.

Dorsett, S. & McVeigh, S., 2012. Jurisdiction. Abingdon: Routledge.

Douzinas, C. & Geary, A. 2005. Critical Jurisprudence: The Political Philosophy of Justice. Oxford: Hart.

Esposito, R., 2012. Third Person: The Politics of Life and Philosophy of the Impersonal. Cambridge: Polity.

Goodrich, P., 1990. The Languages of Law. London: Weidenfeld.

Pottage, A. and Mundy, M. 2004. Law, Anthropology and the Constitution of the Social. Cambridge: Cambridge University Press.

1. **Learning and teaching methods**

Total study hours: 300

Contact hours: 40

Private study hours: 260

1. **Assessment methods.**

13.1 Main assessment methods

The module will be assessed by 100% coursework as follows:

Class participation (10 %)

Essay, 1500-word (10%).

Research essay (project), 6000 words (80%).

13.2 Reassessment methods

The module will be reassessed by a reassessment instrument of a research essay (project). The reassessment will test all of the learning outcomes as indicated in the mapping of the research essay (project) below.

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 | 8.6 | 8.7 | 8.8 | 8.9 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |
| Seminars | x | x | x | x | x | x | x | x | X |
| Private Study | x | x | x | x | x | x |  | x | x |
| **Assessment method** |  |  |  |  |  |  |  |  |  |
| Class Participation (10%) | x | x | x | x | x | x | x | x | x |
| Essay (10%) | x | x | x | x | x | x | x | x | x |
| Research Essay- Project (80%) | x | x | x | x | x | x | x | x | x |
| **Module learning outcome** | 9.1 | 9.2 | 9.3 | 9.4 | 9.5 | 9.6 |  |  |  |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |
| Seminars | x | x | x | x | x | x |  |  |  |
| Private Study | x | x | x | x | x | x |  |  |  |
| **Assessment method** |  |  |  |  |  |  |  |  |  |
| Class Participation (10%) |  |  |  |  |  |  |  |  |  |
| Essay (10%) | x | x | x | x | x | x |  |  |  |
| Research Essay- Project (80%) | 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. Since there are no lectures the lecture capture policy does not apply

**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**

This module equips students to understand major approaches to the critique of law and legal power, which are relevant throughout the world wherever modern lawful systems of governance are to be found. It also considers some elements of international legal problems of law and force. Theoretical approaches are drawn from global postcolonial studies. Further, students are able to propose curriculum items, and are required to devise their own dissertation research topic, and in doing so they may choose to address international issues, themes, and theoretical perspectives.

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**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) |
| 01/02/2018 | Major | September 2018 | 7-9, 11, 13-15, 17 | No |
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