1. **Title of the module**

LAWS6090 (LW609): Advanced Topics in Property Law: The Politics of Ownership

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**

LAWS3160 Introduction to Property Law or LAWS5316 Introduction to Property Law is a prerequisite

LAWS5990 Land Law as either a pre-requisite or co-requisite

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

All single and joint honours law programmes

1. **The intended subject specific learning outcomes.**

Students will

* 1. Demonstrate a deep understanding of property law by examining various theoretical understandings of what constitutes ownership and justifies property rights
  2. Demonstrate an awareness of, and sensitivity to, the economic, political and/or social implications that arise from differently constituted ownership practices in local, national and international contexts
  3. Critically analyse property as a juridical relation and institution, which can be contested, challenged, and remade
  4. Critically evaluate current debates over property rights, access to housing, and land rights within different historical, socio-economic, geographical, jurisdictional and theoretical contexts
  5. Demonstrate a thorough knowledge of key texts in the field of property law and theories of ownership.
  6. Articulate a sound theoretical and practical understanding of key legal/political debates and issues in the UK and elsewhere.

1. **The intended generic learning outcomes.**

Students will

* 1. Apply critical methods for understanding and evaluating legal knowledge in specific situations. Undertake guided and independent legal research by taking into account a variety of sources of information.
  2. Research carefully and efficiently using both legal and non-legal texts.
  3. Demonstrate argumentation skills.
  4. Engage critically with legal and non-legal sources.

1. **A synopsis of the curriculum**

This module moves away from the focus of traditional property law modules to look at property in its many different contemporary forms, exploring the nature of property as a legal institution and its economic, political and cultural importance in a variety of contexts. It will seek to question the common sense understandings of property as privately owned 'things' in relation to which the role of law is essentially passive and protective. This module builds on the subject matter covered in both LAWS3160 Introduction to Property Law in Stage 1 and LAWS5990 Land Law in Stage 2. This module will explore the active, constructive and political role of law in actually constituting property and property rights. One of the module's themes will be the complex relationship between property and power. During the course of the module, in a series of case studies and theoretical readings, a wide range of different topics in which issues of property and property rights are central will be examined: from the issues surrounding corporate rights and power to land rights (especially in the colonial context); from the construction and protection of property rights to those surrounding housing and access to housing. The module will also explore the cultural dimension of property and examine the role played by property and property rights in the recent financial crisis.

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

* Alexander, Gregory S, Penalver Eduardo M *An introduction to Property Theory* ( Cambridge University Press 2012)
* Callon, Michel eds., *Laws of the Market* (Oxford: Blackwell Publishers, 1998)
* Davies, Margaret, *Property: Meanings, Histories, Theories* (Oxford Routledge Cavendish 2010)
* Maurer, Bill and Gabrielle Schwab eds., *Accelerating Possession: Global Futures of Property and Personhood* (New York: Columbia University Press, 2006)
* Pottage, Alain, *“The Measure of Land”* in Modern Law Review, 1994, Vol 57, p361
* Rose, Carol *Property and Persuasion: Essays on the History, Theory and Rhetoric of Ownership* Colorado Westview Press, 1994)
* Strathern, Marilyn Kinship, *Law and the Unexpected: Relatives are Always a Surprise* (Cambridge: CUP, 2005)

1. **Learning and teaching methods**

Contact Hours: 40

Private Study Hours: 260

Total Study Hours: 300

1. **Assessment methods.**

13.1 Main assessment methods

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

1. An oral presentation (50%)

2. A research paper (4000 words) – (50%)

13.2 Reassessment methods

Reassessment instrument: 100% coursework

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

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 9.1 | 9.2 | 9.3 | 9.4 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |
| Seminar / workshop | X | X | X | X | X | X | X |  | X | X |
| Private Study | X | X | X | X |  |  | X | X |  |  |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |
| Oral presentation (50%) | X | X | X | X | X | X | X | X | X | X |
| Research paper (50%) | 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. Workshop/seminar slides/outlines will be made available in electronic format, however this will be after the seminar/workshop in some cases as students are responsible for creating these.
  5. This module does not have lectures therefore lecture capture will not be used.

**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**

Internationalisation is actively incorporated into the module in a number of ways (see subject specific learning outcomes 2, 4 and 6)

1. Progressive property theory is a key theoretical lens through which the module is delivered. Progressive property theory has been developed in the United States as a distinct alternative to neo-utilitarian and libertarian property theory
2. Students are actively required to consider property practices in a range of jurisdictions, for instance condominium law in contrast with English and Welsh leasehold law, and the emergence of property rights in colonial and post-colonial regimes.

**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 | No |
| 02/12/19 | Minor | September 2020 (CMA update) | 12,13 | No |