1. **Title of the module**

LAWS8850 / LAWS8851 (LW885) Law and Development

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 7

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

20 credits (10 ECTS Credits)

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

Autumn term (Brussels)

Autumn or Spring (Canterbury)

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

None

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

LLM (Specialisation); LLM Law; PGDip (Specialisation); PGCert in Law; PGDip/LLM in (Specialisation) - Brussels

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to demonstrate:**
   1. Detailed knowledge and understanding of the theoretical debates and academic controversies surrounding the relationship between law and economic development.
   2. Detailed knowledge and understanding of the theoretical debates and academic controversies surrounding the relationship between law and democratization.
   3. Critical understanding and awareness of the major doctrines and policies directing current international and regional efforts in the field.
   4. A critical understanding of the advantages and drawbacks of ‘conditionality’ in development policy, particularly as it applies to demands for good governance and the observance of human rights.
   5. Critical knowledge and understanding of the place and role of law and legal institutions in efforts directed at the reconstruction of war-torn territories.
   6. The ability to place issues of law and development in their proper political, economic and social contexts.
   7. A critical awareness of the historical and ideological underpinnings of Western legal thought and international policy in the field of law and development.
2. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Present relevant knowledge and understanding in the form of reasoned and supported argument;
   2. Develop and apply their knowledge and understanding in the form of reasoned supported argument;
   3. Carry out thorough research analysing various points of view and using wide sources.
   4. Express themselves to a high standard in a coherent form, with appropriate use of citation, and by the use of computer word processing.
   5. Find relevant primary and secondary material for research in hard copy and through electronic sources.
   6. Undertake further appropriate further training or research in the field.
3. **A synopsis of the curriculum**

The module will deal with three main interrelated clusters of topics. The first topic is the relationship between law and economic development. This will involve a thorough examination of material ranging from classic sociology (Max Weber, notably) up to modern assertions of the economic superiority of the common law over civil law traditions. The second topic is the relationship between law and development understood in a wider sense than mere economic growth. This will involve, inter alia, an investigation of the relationship between law, human rights and democratisation, an examination of theories of the centrality of ‘good governance’ in effective development policies, and an introduction to the topic of ‘legal transplants’ and the associated concerns of comparative law scholarship. These two theoretical topics will be underpinned by an emphasis on the historical and ideological frameworks that have informed much of dominant legal thought on the subject. The third part of the module will deal with selected case studies, to provide students the opportunity to apply the theoretical and conceptual basis they have acquired in the first part of the course. These case studies could range from issues related to specific projects (for example, indigenous rights policies as relevant to a major infrastructure project financed by the World Bank), specific regions (for example, Afghanistan, the Balkans), and specific legal instruments (for example, the imposition of standard Bilateral Investment Treaties in North-South relations).

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

* Philip Alston and Mary Robinson (eds.), Human Rights and Development- Towards Mutual Enforcement (OUP 2005).
* Kenneth W. Dam, The Law-Growth Nexus- The Rule of Law and Economic Development
* (Brookings 2006).
* Mark Goodale and Sally Engle Merry (eds.), The Practice of Human Rights- Tracking law between the Global and the Local (CUP 2007).
* Michael Likosky, Law, Infrastructure, and Human Rights (CUP 2006).
* Ugo Mattei and Laura Nader, Plunder- When the Rule of Law is Illegal (Blackwell 2008)
* Curtis J. Milhaupt and Katharina Pistor, Law & Capitalism- What Corporate Crises Reveal about Legal Systems and Economic Development around the World (University of Chicago Press 2008).
* Balakrishnan Rajagopal, International Law from Below- Development, Social Movements and Third World Resistance (CUP 2003).
* Jane Stromseth, David Wippman and Rosa Brooks, Can Might make Rights? Building the Rule of Law after Military Interventions (CUP 2006)
* Michael Trebilcock and Ronald Daniels, Rule of Law Reform and Development (Edward Elgar 2008)
* David M Trubek and Alvaro Santos (eds.), The New Law and Economic Development- A Critical Appraisal (CUP 2006)
* Ngaire Woods, The Globalizers- The IMF, the World bank, and their Borrowers (Cornell UP 2007).

1. **Learning and Teaching methods**

Contact hours: 22

Private study hours: 178

Total study hours: 200

1. **Assessment methods.**
2. 13.1 Main assessment methods

This module is assessed by 100% coursework and offers 2 patterns of assessment A & B, the pattern applied will be at the discretion of the convenor at the delivery campus.  
  
Assessment Pattern A  
  
1000 word answer to an assigned question (10%)   
5000 word essay (90%)  
  
Assessment Pattern B  
  
5000 word essay (100%).

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)**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 9.1 | 9.2 | 9.3 | 9.4 | 9.5 | 9.6 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Lectures | X | X | X | X | X | X | X |  |  |  |  |  | X |
| Seminars |  |  |  |  |  |  |  | X | X | X | X | X |  |
| Private Study | X | X | X | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Pattern A and B |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Essay (s) | X | X | X | 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, in Canterbury, teaching sessions will not be recorded to assist notetaking as they are heavily discussion-based and may contain sensitive material. However, the module convenor will notify students in advance of any lectures that will be recorded. In Brussels, recording will be at the discretion of the module convenor.

**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 and Brussels

1. **Internationalisation**

The module will provide students with a critical understanding and awareness of the major doctrines and policies directing current international and regional efforts in the field of economic development. To aid in the application of the theoretical and conceptual foundations, the module will examine case studies which could range from issues related to specific projects (for example, indigenous rights policies as relevant to a major infrastructure project financed by the World Bank), specific regions (for example, Afghanistan, the Balkans), and specific legal instruments (for example, the imposition of standard Bilateral Investment Treaties in North-South relations). The module is supported by a variety of reading materials written by both domestic and international authors.

**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.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
| 23/09/2016 | Minor | September 2016 | 7, 12, 13, 14 |  |
| 06/01/2020 | Minor | September 2020 | 15 | No |