

# LA951-60 Theory and Practice of International Development Law and Human Rights

**22/23**

**Department**

School of Law

**Level**

Taught Postgraduate Level

**Module leader**

Jayan Nayar

**Credit value**

60

**Module duration**

16 weeks

**Assessment**

100% coursework

**Study location**

University of Warwick main campus, Coventry

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## Description

### Introductory description

This module provides an overview of the main contemporary issues in international development law and human rights. It provides an introduction to topics that all students are expected to have an understanding of and thus provides the background for all modules and the dissertation. Students who read and understand the module materials are more likely to achieve higher grades. Group work is an important part of the module as experience shows that participatory study is a successful pedagogical method.

[Module web page](#)

### Module aims

To provide students with contextual knowledge and understanding of the main theories relating to development, international law, globalisation, gender, and human rights, and their inter-relationships.

To understand the histories and legacies of colonialism and racism, patriarchy and

anthropocentrism in contemporary social and developmental issues.

To facilitate the development of critical thinking.

To develop analytical skills and an understanding of their application in interrogating the relationships between theory and practice.

To develop the skills of critical reading and the ability to distil, synthesise and apply the insights gained.

To familiarise students with a range of research and writing skills used by academics, lawyers and development practitioners.

To develop oral and advocacy skills appropriate to legal and developmental practice.

To facilitate independent and collective learning and to foster the ethos of cooperation and group work.

## **Outline syllabus**

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

Please note that the below are indicative topics subject to modification and revision.

(Term 1)

**Session 1: Basic Concepts of International Development Law and Human Rights** The aim of this session is to explore some underlying assumptions regarding the idea and actualities of development from your own experiences.

**Session 2: Development, In Theory?** In this session we will discuss various conceptions and theories of development as they have evolved. We will examine these in light of the discussion on real world experiences.

**Session 3: Colonial Legacies?** This session will focus on the historical antecedents and continuities of the theory and practice of development. Particular focus will be on the pasts and presents of the coloniality of race/gender/nature.

**Session 4: Development in/and International Law?** In this session we examine the relationship of international law to development. We examine the scope and content (if any) of the International Law of Development and the emergence and implications of a TWAILian perspective and practice.

**Session 5: 'Post-Colonial' Predicaments?** What challenges confront the 'Third World' state in the 'post-colonial' times? Our focus in this session is to examine the nature of the State in the present contexts of 'globalised', 'neoliberal' development.

**Session 6: Global Governance?** In this session we focus on the various means by which 'global governance' - the regulation of territories and bodies - is enforced under contemporary global conditions and motivations.

**Session 7: The Politics of/for 'Human Rights'?** In this session, we turn our attention to the theory and practice of Human Rights. We explore the foundational tenets, historical contestations and real-world operations of Human Rights as a technology of governmentality/resistance.

**Session 8: Project Work**

(Term 2)

## Topic 1: Understanding Law in Context

Laying the ground for the core module and the wider IDHLR programme, this session will introduce the concept of 'Law in Context' and discuss the importance of approaching law, state & governance institutions in their wider socio-economic, political and global contexts.

## Topic 2: Plurality of Law and Legal Pluralism

Building on the previous topic, the session will discuss some key perspectives that emphasise the linkage of law with society. The session will also introduce the strengths and weaknesses of the idea of legal pluralism that has emerged as a prominent theme within socio-legal studies.

## Topic 3: Right to Development

In this session, we will begin to critically examine the idea(s) of development and question what this term entails. The discussion will also focus on whether a 'right to development' can be said to exist and the issues and possibilities associated with it.

## Topic 4: Development and the Rule of Law

'Rule of Law' has become one of the more recognised terms within legal academia. The session will focus on the politics surrounding this topic and, building on the previous session, discuss the challenges that this term faces from within the development discourse.

## Topic 5: Sovereignty and Global Governance

Expanding upon the notion of 'context' of law, this session will introduce some debates about the phenomena of globalisation and sovereignty, and link them to the preceding discussions on rule of law and development.

## Topic 6: Social Justice and Gender Justice

With the issues of social justice and gender equality being key themes within the overall IDHLR programme, this session will highlight the significance of focussing on these issues within legal discourse, as well as the politics surrounding these themes.

## Topic 7: Human Rights: Politics and Concepts

In this session, we will discuss the dominant perspective on human rights as well as the voices that challenge it. It will be discussed how the various notions and politics of human rights affect the realities of the marginalised sections of the global populace.

## Topic 8: Southern Epistemologies

Taking leads from preceding discussions, this session will question whether our understanding of law, justice, rights, development and so on, is generally linked with a few hegemonic perspectives. We will also discuss some effective critiques and alternatives that emerge from diverse geographical, temporal and epistemological locations.

## **Learning outcomes**

By the end of the module, students should be able to:

- Demonstrate an understanding of the nature of the relevant issues and contested theories relevant to International Development Law and Human Rights.
- Demonstrate ability to critically engage with critical theoretical resources and to apply these to context-based analysis of real world issues.
- Demonstrate the ability to formulate and present research proposals.
- Develop critical reading skills and effective research and writing skills.
- Develop group work, presentation and advocacy skills.

## Indicative reading list

[View reading list on Talis Aspire](#)

## Research element

This module includes the dissertation for IDLHR students. Students are expected to formulate their dissertation topics based on independent research from the thematics covered in the course.

## Interdisciplinary

The module is substantively interdisciplinary, utilising literature and analysis derived from diverse social science perspectives.

## International

The module is by definition, design and intent substantively focussed on international issues, specifically with a focus on the global south.

## Subject specific skills

No subject specific skills defined for this module.

## Transferable skills

No transferable skills defined for this module.

## Study

### Study time

Type	Required
Lectures	8 sessions of 1 hour (1%)
Seminars	8 sessions of 2 hours (3%)
Total	600 hours

<b>Type</b>	<b>Required</b>
Private study	576 hours (96%)
Total	600 hours

### **Private study description**

No private study requirements defined for this module.

### **Costs**

No further costs have been identified for this module.

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### **Assessment**

You do not need to pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

### **Assessment group A2**

	<b>Weighting</b>	<b>Study time</b>
Dissertation	100%	

### **Feedback on assessment**

Feedback via Tabula

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### **Availability**

#### **Courses**

This module is Core for:

- Year 1 of TLAS-M1M2 LLM International Development Law and Human Rights

This module is Core optional for:

- Year 1 of TLAS-M1M2 LLM International Development Law and Human Rights