

LA952-20 Civil Society and Activism

23/24

Department

School of Law

Level

Taught Postgraduate Level

Module leader

George Meszaros

Credit value

20

Module duration

8 weeks

Assessment

100% coursework

Study location

University of Warwick main campus, Coventry

Description

Introductory description

Although the development and implementation of law is most obviously and closely associated with key institutions of the state (executive, legislature, judiciary), many other forces are in fact involved. Among these are private economic actors and markets that set much of the legal (including regulatory agenda) in the run up to the 2008 financial crisis.

This course, however, explores another vitally important series of actors, social movements and NGO's, often grouped under the heading of civil society actors. Historically speaking civil society groups have not simply exerted pressure upon the state, but on many occasions even defined its very contours. Under conditions of constitutional crisis, civil society movements have become decisive and transformative. Anti-colonial struggles are an obvious example. In other areas, ranging from race and the environment, to women's rights, labour rights, human rights, civil liberties, etc., civil society groups have shaped legislative outcomes that are now taken for granted. Their legal strategies, tactics, successes – and failures - are a significant theme in this course.

The aim of this module is to place these forces into theoretical, historical, contemporary and comparative perspective. Using case studies (see below) the module examines civil society and activism in relation to the national states forces of globalisation. The vexed question of the relationship between civil society organisations and law remains present throughout.

Module aims

By the end of the module the student should be able to:

Develop a historical and theoretical perspective regarding the relationship between civil society, the state and law.

Locate the contemporary and historical importance of civil society organisations and activism within processes of legal change.

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.

Conceptualising civil society, exploring its relationship with law and the state

Incorporating feminist, race, labour, human rights and other struggles within state discourse: the historical contribution of civil society and activists to legal change.

Tensions between the state and civil society: legality, legitimacy, social injustice and direct action tactics

Case studies in contemporary mobilisation: the Arab Spring, deglobalisation movements, landless struggles, cyber struggles, sovereign debt struggles, migration struggles

Learning outcomes

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

- Develop a theoretical perspective upon debates about role of civil society and the state
- Locate the historic importance of civil society organisations in processes of legal change
- Demonstrate a critical understanding of the nature and dilemmas associated with activist struggles in a variety of contemporary contexts and relate these to contemporary legal debates
- Demonstrate an ability to work effectively in groups to examine specific topics related to the module
- Demonstrate an advanced ability to deliver effective oral presentation skills
- Demonstrate an advanced ability to assess critically the legal, political and public texts relating to the subject of civil society and activism
- Demonstrate high quality research, interpretation and drafting skills in relation to texts dealing with law and civil society

Indicative reading list

De Sousa Santos, Boaventura and Rodriguez-Garavito, Cesar A. eds. (2005) *Law and Globalization from Below: Toward a Cosmopolitan Legality*, (Cambridge, Cambridge Uni. Press)

Rajagopal, Balakrishnan (2003) International Law From Below: Development, Social Movements and Third World Resistance, (Cambridge, CUP), Chap. 8

Transnational Institute & Corporate Europe Observatory (2005) Reclaiming Public Water: Achievements, Struggles and visions from around the world (Amsterdam, Transnational Institute & Corporate Europe Observatory)

Mayo, Marjorie (2005), Global Citizens: Social Movements and the Challenge of Globalization (London, Zed Books)

Gill, Stephen (2003), Power and Resistance in the New World Order, (Basingstoke, Palgrave), Chapter 11.

Meszaros, George (2013) Social Movements, Law and the Politics of Land Reform: Lessons from Brazil, Abingdon, Routledge

Wenman, Mark (2013) Agonistic Democracy: Constituent Power in the era of Globalisation (Cambridge, Cambridge University Press)

Stammers, Neil (2009) Human Rights and Social Movements (London, Pluto Press)

Boyle, Alan and Chinkin, Christine (2007), The Making of International Law (Oxford, Oxford University Press), Chapter 2 (Participants in International Law-Making)

Keane, John (2003) Global civil society? (Cambridge, Cambridge University Press)

Sarat, Austin and Scheingold, Stuart (2006) Cause Lawyers and Social Movements (Stanford, Stanford University Press)

Law, Cheryl (2000) Suffrage and Power: The women's movement 1918-1928 (London, J.B. Taurus)

Subject specific skills

Demonstrate high quality research, interpretation and drafting skills in relation to texts dealing with law and civil society.

Transferable skills

No transferable skills defined for this module.

Study

Study time

| Type | Required |
|-------------|----------------------------|
| Lectures | 16 sessions of 1 hour (8%) |
| Total | 200 hours |

| Type | Required |
|---------------|---------------------------|
| Seminars | 8 sessions of 1 hour (4%) |
| Private study | 176 hours (88%) |
| Total | 200 hours |

Private study description

No private study requirements defined for this module.

Costs

No further costs have been identified for this module.

Assessment

You must pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

Assessment group A1

| | Weighting | Study time |
|-----------------|-----------|------------|
| 4000 word essay | 100% | |

Feedback on assessment

Formal written feedback via Tabula and informal discussions

Availability

Courses

This module is Optional for:

- Year 1 of TLAS-M1M2 LLM International Development Law and Human Rights
- Year 1 of TIMA-L981 Postgraduate Social Science Research
- Year 1 of TLAA-M3PJ Postgraduate Taught Advanced Legal Studies

This module is Core option list A for:

- Year 1 of TLAS-M1M2 LLM International Development Law and Human Rights
- Year 1 of TLAA-M3PJ Postgraduate Taught Advanced Legal Studies

This module is Option list C for:

- TPOS-M9PE Double MA in Politics and International Studies (with NTU Singapore)
 - Year 1 of M91F Globalisation and Development (Double Degree - NTU)
 - Year 1 of M91L International Development (Double Degree - NTU)
 - Year 1 of M91B International Political Economy (Double Degree - NTU)
 - Year 1 of M91C International Politics and East Asia (Double Degree - NTU)
 - Year 1 of M91G International Security (Double Degree - NTU)
 - Year 1 of M91K Political and Legal Theory (Double Degree - NTU)
 - Year 1 of M91J United States Foreign Policy (Double Degree - NTU)
 - Year 2 of M91L International Development (Double Degree - NTU)
 - Year 2 of M91B International Political Economy (Double Degree - NTU)
 - Year 2 of M91C International Politics and East Asia (Double Degree - NTU)
- TPOS-M9PP Double MA in Politics and International Studies (with Universität Konstanz, Germany)
 - Year 1 of M92L International Development (Double Degree - Konstanz)
 - Year 1 of M92B International Political Economy (Double Degree - Konstanz)
 - Year 1 of M92C International Politics and East Asia (Double Degree - Konstanz)
 - Year 1 of M92D International Politics and Europe (Double Degree - Konstanz)
 - Year 1 of M92E International Relations (Double Degree - Konstanz)
 - Year 1 of M92G International Security (Double Degree - Konstanz)
 - Year 1 of M92K Political and Legal Theory (Double Degree - Konstanz)
 - Year 1 of M92H Public Policy (Double Degree - Konstanz)
 - Year 2 of M92B International Political Economy (Double Degree - Konstanz)
 - Year 2 of M92C International Politics and East Asia (Double Degree - Konstanz)
 - Year 2 of M92D International Politics and Europe (Double Degree - Konstanz)
 - Year 2 of M92E International Relations (Double Degree - Konstanz)
 - Year 2 of M92G International Security (Double Degree - Konstanz)
 - Year 2 of M92K Political and Legal Theory (Double Degree - Konstanz)
- Year 2 of TPOS-M9PT MA in International Development
- Year 2 of TPOS-M1P8 Postgraduate Taught International Politics and East Asia
- Year 2 of TPOS-M9PS Postgraduate Taught Political and Legal Theory
- Year 2 of TPOS-M9PQ Postgraduate Taught United States Foreign Policy