

LA9G2-20 Corruption, Law and Development

26/27

Department

School of Law

Level

Taught Postgraduate Level

Module leader

George Meszaros

Credit value

20

Module duration

9 weeks

Assessment

100% coursework

Study location

University of Warwick main campus, Coventry

Description

Introductory description

The module offers a comprehensive, critical, contextual and interdisciplinary analysis to some key questions concerning corruption, law and development and their recent framing as a governance discourse. As well as exploring development, capital accumulation and law in historical perspective (imperialism, primitive accumulation and gilded ages of rapid growth and rampant corruption), the module examines contemporary settings as diverse as Brazil, Russia, India, China and South Africa. As part of its critical approach to development the module also examines financialised accumulation prevalent in Europe and North America and its relationship to so-called 'institutional' and 'legal corruption'.

Module aims

The module aims to provide students with a set of conceptual and practical tools that critically engage with and unpack the key issues of historical and contemporary significance related to corruption and development. Linked aims include:

1. Introducing students to selected features of international and national legal orders governing anti-corruption and the framing of anti-corruption as a governance and development

discourse.

2. Critically engaging with normative assumptions underpinning theories of corruption and anti-corruption, including legal, regulatory and institutional practices.
3. Developing a critical understanding of criminalisation as a strategy for combating corruption and contextual awareness of factors limiting its efficacy.
4. Critically evaluating the value and limitations of global corruption indices and their framing of development discourses.
5. Exploring the complex relationship between anti-corruption and authoritarianism.
6. Developing a more holistic understanding of development and anti-corruption discourses through examination of concepts like 'legal corruption' and 'institutional corruption' prevalent in 'developed' country contexts.
7. Considering the political economy of corruption and development in the context of historical and contemporary processes of capital accumulation.

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.

1. Introduction: thinking about corruption, law and development.
2. Corruption law and development in historical perspective. Applying modern concepts of corruption to varieties of imperialism and primitive accumulation of the past.
3. Revitalising anti-corruption as an economic and governance discourse as well as policy tool. From the World Bank and International Monetary Fund to Transparency International's Corruption Perceptions Index
4. From the Global to the Local: Embedding anti-corruption discourse in international treaties, national laws and institutions.
5. The political economy of corruption and capital accumulation part one: Russia's post-communist and China's ongoing communist transitions.
6. The political economy of corruption and capital accumulation part two: the cases of Brazil, India and South Africa.
7. The negation of the negation: anti-corruption as an authoritarian discourse.
8. Re-imagining the problem of corruption, development and legality: the cases of legal and institutional corruption in the finance and politics of advanced capitalist economies.
9. Module Summary, Conclusions and Discussion

Learning outcomes

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

- 1. Understand how corruption and governance discourses have emerged and evolved over the past 50 years.
- 2. Critically evaluate recent public debate about corruption, governance and development.

- 3. Find and use research materials, drawn from multiple disciplines, to construct a more nuanced contextual understanding of the constitutive elements of corruption, law and development.
- 4. Demonstrate knowledge and understanding of the international and national legal frameworks designed to combat corruption.
- 5. Critically assess the success of anti-corruption frameworks and potential risks arising from anti-corruption discourses.
- 6. Critically assess corruption as a state-centred phenomenon demanding market-based solutions.
- 7. Ability to theorise and understand the practical challenges arising differing country contexts.
- 8. Combine insights from legal, economic, development, sociological and political science literatures.

Indicative reading list

[Reading lists can be found in Talis](#)

Research element

100 per cent of the summative assessment is constituted by a research essay.

Interdisciplinary

The readings are drawn from a wide range of disciplines, methodologies and there is a significant historical as well as contemporary focus. The texts will encourage critical thinking across a range of disciplines.

International

The module examines international treaties directly; encourages consideration of national adherence to treaties; and examines country cases comparatively.

Subject specific skills

Understanding economic and political bases behind conceptual constructions of corruption and legal institutionalisations (international treaties, regulatory and law enforcement agencies) for combatting corruption. Awareness of relevant international treaties as well as legislation and institutions combatting corruption. Awareness of contemporary debates around definitions of corruption and development. Awareness of contextual settings; and efficacy of legal approaches to the issue. Deeper understanding of corruption as a developmental issue.

Transferable skills

Critical reflection, learning adaptability, development of personal worldview.

Identifying, clarifying, questioning, interpreting, analysing, contextualising and synthesising issues, data and arguments.

Creating discourse, including appropriate research and writing skills, and presentation of findings, public speaking to peers. Ability to articulate arguments orally and in writing.

Study

Study time

Type	Required
Seminars	9 sessions of 3 hours (14%)
Private study	133 hours (66%)
Assessment	40 hours (20%)
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.

Assessment group A

	Weighting	Study time	Eligible for self-certification
Assessment component			
4000 word essay	100%	40 hours	Yes (extension)
Students will write 4000 words on one from a selection of titles given			

Reassessment component is the same

Feedback on assessment

Availability

Courses

This module is Optional for:

- Year 1 of TLAS-M1M2 LLM International Development Law and Human Rights
- Year 1 of TLAA-M3PJ Postgraduate Taught Advanced Legal Studies
- Year 1 of TLAS-M3P7 Postgraduate Taught International Economic Law
- Year 1 of TLAS-M221 Postgraduate Taught LLM in International Corporate Governance and Financial Regulation

This module is Core option list A for:

- Year 1 of TLAA-M223 Postgraduate Taught International Commercial Law

This module is Option list A for:

- TLAS-M1M2 LLM International Development Law and Human Rights
 - Year 1 of M1M2 International Development Law and Human Rights
 - Year 3 of M1M2 International Development Law and Human Rights
- TLAA-M3PJ Postgraduate Taught Advanced Legal Studies
 - Year 1 of M3PJ Advanced Legal Studies
 - Year 3 of M3PJ Advanced Legal Studies
- TLAA-M223 Postgraduate Taught International Commercial Law
 - Year 1 of M223 International Commercial Law
 - Year 3 of M223 International Commercial Law
- Year 1 of TLAS-M3P7 Postgraduate Taught International Economic Law
- Year 1 of TLAS-M221 Postgraduate Taught LLM in International Corporate Governance and Financial Regulation