

**FACULTY OF LAW, UNIVERSITY OF VICTORIA
2010-11 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION¹**

COURSE	Law 364 Law, Governance and Development
UNIT VALUE	1.5 Units (3 hours per week)
INSTRUCTOR	Andrew Harding
TERM OFFERED	Spring 2011
CLASS TIMES	See Schedule
PREREQUISITES/CO-REQUISITES	None

COURSE DESCRIPTION

I have sometimes described this course in seven words: 'comparative public law meets law and development'. Here is what I mean by this.

In the era of globalization issues of law and governance are major ones for the developing world and for everyone, even if we are in agreement as to the definitions and priorities. There have been dramatic developments in democratic and legal reform in recent years in all 'developing' or 'emerging' regions of the world. Constitutional reconstruction is also under way in a number of post-conflict societies. The spread of general principles of human rights and constitutional, representative government based on the rule of law, as either spurs for development or desirable outcomes of development, seems both possible and urgently necessary. But how can, and precisely why should, constitutional and legal systems in developing and emerging democracies continue to follow a colonial constitution or develop along Western lines, embracing the 'good-governance' principles of democratic representation, international human rights, transparency and accountability? How can they deal effectively with corruption and abuse of power, and establish political stability and sustainable development? This course examines the nature, fate and prospects for law and governance in developing democracies on a broad comparative canvas, using case studies drawn from different parts of the 'developing world'. The focus will be on the problems of emerging constitutional systems and on the processes of law reform and constitution-making. The course will deal with law, and governance and development at the state level rather than in international or private organizations.

Many students taking this course have subsequently worked on law and development issues in different parts of the world. The course is designed to explore the global diffusion of rule-of-law-related principles and to provide students with law and development literacy. Students are also encouraged to 'adopt' a developing country and study its governance system in detail.

METHOD OF EVALUATION

The course is evaluated by a choice of either i) a research essay of at least 7,500 words, or ii) a written take-home examination over a 24-hour period.

March 29, 2010

¹ The information in this document is provided for course registration purposes only and is *subject to change*. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaass@uvic.ca).