

# Course information Transnational Course Law and Governance

[The purpose of this course information is to support students with the processing of what they have to learn.]

## 1. Prerequisites

At the start of this course the student should have acquired the following competences:

- an active knowledge of
  - English
- general knowledge of the use of a PC and the Internet
- specific prerequisites for this course: Bachelor in Law

## 2. Learning outcomes

At the end of this course the student will be able to:

- to understand the transnational aspects of the subject matters dealt with;
- to critically reflect on the spatial and temporal relativity of law in the subject matters dealt with;
- to demonstrate insight in aspects of border-crossing legal problem solving, such as identification and legal qualification of relevant facts, selection and interpretation of the applicable law and identification of interests involved;
- to demonstrate insight in the development of law across the traditional national boundaries of legal systems;
- to be able to understand societal challenges posed by contemporary transnational problems in a global world.

## 3. Course contents

### • Sovereign Resolvency - Christoph G. Paulus (Humboldt-Universität Berlin)

This module deals with a non-existing law – the treatment of insolvency of sovereigns such as Argentina, Greece and many many more countries – including Germany in the last century. The official sector still refuses to introduce a procedure and tries to cope with these catastrophies on a more or less ad hoc-basis. Efforts from NGOs (including the churches), the IMF, and some economists and lawyers (including myself) to submit acceptable proposals have failed so far. The course is built around five themes: economic and political background; history; solutions applied so far; collective action clauses; and proposed solutions.

### • Law and Governance in Contemporary China - Cong-rui Qiao (VU Amsterdam)

This module will offer a comprehensive breakdown of major legal and governance issues in contemporary China. This is relevant given the emergence of questions by decision-makers and opinion leaders across Europe and beyond about the role of executive power, the rule of law and the regulation of public powers in China. It will consist of opposing theories and important cases for conceptualising the making of China's legal and governance systems as they are today. It will provide the knowledge necessary to understand and explain how China's governance system operates, in particular, how its legal system works in addressing the violation of individual rights and the regulation of government powers.

- **Comparing Legal Pathways of Decarbonization - Giuseppe Bellantuono (University of Trento)**

The module will provide a deep understanding of the legal transformations taking place in the wake of the low—carbon transition. The concept of legal pathways is connected to the climate science concept of decarbonisation pathways in order to identify the barriers and the opportunities to adapt legal systems. A comparative and interdisciplinary methodology is employed to underscore the divergent decarbonisation pathways of developed and developing countries. How such pathways are linked to the debates on sustainable development, energy justice and just transition will also be discussed. Four themes will be covered: introduction to theories of the low-carbon transition and their legal underpinnings; the role of carbon markets and carbon taxes; decarbonizing global value chains; and decarbonizing with energy communities.

- **The Interplay of Transnational Law and International Relations (Theory) - Raphael Oidtmann (University of Mannheim)**

This module attempts to delineate the interplay between transnational law and international relations (theory). In this context, transnational law is perceived as ‘all law which regulates actions or events that transcend national frontiers’. A brief overview of pertinent theoretical concepts characterizing transnational law (focussing on its public international law dimension) will be given, including notions such as legal positivism, before then contextualizing these constituent pillars vis-à-vis relevant theoretical schools in international relations theory (i.e., realism, liberalism and constructivism). The foundational interplay between both disciplines is further explained by briefly addressing the shared historiography of transnational law and international relations, hence elucidating on the frequently employed notion that both disciplinary exegeses are intrinsically interlinked

#### **4. International dimension**

- The course has an international dimension.
  - The lecturer teaches in a language other than Dutch
  - The lecturer uses course materials in a foreign language
  - Students learn to write papers in another language
  - The lecturer invites international and/or foreign language speaking guest lecturers
  - The lecturer teaches the subject of the course mainly as an internationally oriented comparison
  - The lecturer gives information about his own cultural frame of reference in relation to other perspectives

#### **5. Teaching method and planned learning activities**

##### **5.1. Teaching method**

###### **- Class contact teaching**

- **Lectures**

## 5.2. planned learning activities and teaching methods

[the planning presented below is indicative and aims to give the student a chronological overview of his/her lessons and/or assignments.]

Prof. Paulus	Monday 15 March, 13:00-16:00	Thursday 18 March, 13:00-15:00	Friday 19 March, 16:00-19:00
Prof. Qiao	Monday 22 March, 16:00-19:00	Thursday 25 March, 13:00-15:00	Friday 26 March, 16:00-19:00
Prof. Bellantuono	Monday 19 April, 13:00-16:00	Thursday 22 April, 13:00-15:00	Friday 23 April, 16:00-19:00
Prof. Oidtmann	Monday 3 May, 13:00-16:00	Thursday 6 May, 13:00-15:00	Friday 7 May, 16:00-19:00

## 6. Assessment method and criteria

### 6.1. Used assessment methods

- Examination
  - o Written without oral presentation
- Written assignment
  - o Without oral presentation

### 6.2. Assessment criteria

Assessment per module will be by a written exam (open questions and/or multiple choice) or by a written assignment on a pass/fail basis. Students must obtain a pass on the three modules to obtain a pass for the course. A resit is organised for modules where no pass has been obtained.”

## 7. Study material

### 7.1. required reading

All necessary reading material will be made available via Blackboard.

## 8. Contact information

All questions concerning the transnational law courses can be directed to the International Office Law <InternationalOffice.Law@uantwerpen.be>.

## 10. Use of Blackboard

- o Information
- o Communication