

LAW AND DEVELOPMENT
(LAW-LW.10295.001)
Fall 2014
Tuesday 2:00-3:15 and Thursday 12-1:15
FH 215

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INTRODUCTION TO THE COURSE

Please purchase William Easterly, *The Elusive Quest for Growth: Economists' Adventures and Misadventures in the Tropics* (MIT Press, 2002). Otherwise, there is no text for the course. Reading materials will be available on NYU Classes (NYUC) or a link will be provided where you can access the materials online.

The class meets Tuesday 2:00-3:15 and Thursday 12-1:15 IN FH 215. We may use the remaining 45 minutes in these blocks for make-up classes, guest lectures, and film showings, so please keep it free to the extent possible.

My administrative assistant is Michael Chenkin. His phone is 212-992-8848; his email is michael.chenkin@nyu.edu; and his desk is located on the fifth floor outside my office.

My office hours are 4-6 Tuesdays, at least initially. You do not need an appointment during office hours, but if you know that you will be coming, an appointment will ensure that you get precedence over those just dropping by. You can also make an appointment to see me at other times or just stop by. All appointments should be made through Michael.

I am also available to meet informally with groups of students out of class. If you are interested, please email my assistant or mention it to me after class.

Summary of the Course

The best guide to the course is the initial syllabus available on NYUC. There will be changes as the semester goes along. For one thing, I hope to get some outside speakers on particular topics, but the first half of the course is pretty set.

Law and development as an academic subject is relatively new, and there is no consensus on the content of the course. My emphasis is on the role of domestic law and legal institutions in the process of social and economic development rather than the international law or trade perspectives. In that sense the course is more comparative law than international law. My approach is fundamental and broad. By the former, I mean that I begin with the definitions of "development" and "law" and questions such as whether development as normally conceived is a good thing. By broad I mean that I include economic and cultural theories of development as well as legal ones. This approach inevitably means that we spend less time on specific legal topics than I would

like. It also means, however, that the course can serve as a framework for more focused courses or independent research. To put theories of development in context, we pay more attention to the experience of specific countries in specific circumstances than we do evaluating the same issues using aggregate quantitative data, although you will be exposed to both perspectives. My own experience is in land law and the legal systems of East Asia, but I try to give other topics and regions equal weight and I welcome those of you with experience to help compensate (gently) for my biases.

Requirements, Credits, etc.

Students will be expected to do the reading and participate actively in class. I call on people at random for their reactions to the reading or class discussion.

The exam will consist of a take-home exam, for which you will have the entire exam period and which will count for 80% of the grade, and a one hour in-class exam, which will count for 20%. The latter will be closed book and short answer. It will focus on the reading materials and class discussion and is intended to reward those who have done the reading and attended class regularly.

A limited number of students may be able to write a research paper in lieu of the exam, but only after getting my permission. If you write a paper, you will not have to do the take-home exam, but you will still be required to take the in-class exam. Students writing a paper will still receive three credits for the course. There is no four credit option for the course. Students who want to do a paper should see me as soon as they are sure that they want to do so. Selection of students will depend not only on timing, but also on the nature of the topic and my suitability as advisor.

If you are a JD student who wishes to use the paper to satisfy your “substantial writing” requirement, you should register for the “writing credit” for the course. (Despite the term “writing credit,” you will receive only three credits total.) LLM students and JD students not concerned with satisfying the “substantial writing” requirement don’t have to worry about this bureaucratic formality. Just make sure that you have my permission and that my assistant and I know that you are writing a paper and will not be doing the take-home exam. The deadline for the paper will be individually determined and need not be at the end of the fall semester. Please note, however, that a later deadline may require the filing of an incomplete for the course.