

LAW AND DEVELOPMENT EDUCATION PROGRAM

Overview

The Law and Development Institute (LDI) is pleased to offer the Law and Development Education Program (LDEP), an online course leading to the Certificate or the Diploma in Law and Development at the election of registrants.

This LDEP is designed for government officials, professionals, lawyers, consultants, and students interested in learning about the role of law, legal frameworks and institutions (LFIs) in economic development.

The United Nations has prioritized the rule of law in its Sustainable Development Goals, highlighting its importance in economic development.

Further, businesses are increasingly conducted on an international scale, and the

domestic and international law relating to economic development have tremendous effect on business. As a result, there is a great demand for experts who understand LFIs and their impacts on economic development and global commerce.

The LDEP provides timely instruction on these topics to help participants meet this demand. More specifically, the course covers key areas such as property rights, business transactions, and industrial promotion, with guidance for pro-development legislation in each. Prior knowledge in any of these fields is helpful but not required for participation.

Path to Certificate / Diploma

1. Listen to the recorded lectures online and study the accompanying materials at your own convenience. You may also attend an optional, live introductory lecture (date and venue to be announced).
2. For the Certificate in Law and Development (CLD), you are required to pass an online oral examination (to last from 10 to 15 minutes) on the key topics or successfully complete a fellowship with the Law and Development Institute.
3. For the Diploma in Law and Development (DLD), write and submit an academic paper (7,000 to 10,000 words) on an approved topic, within twelve months from the registration ([Professor Y.S. Lee](#) will personally supervise and approve the paper, and revision may be required.)

Supervision

[Professor Y.S. Lee](#), Director and Professorial Fellow of the Law and Development Institute deliver insightful lectures on the key topics described below.

Key Topics

Introduction – The Importance of LFIs for Economic Development (lecture recordings #1 and 2)

The rule of law, and LFIs more generally, constitute essential elements for economic development—the only viable solution to the problem of poverty affecting a majority of the world’s population today. For example, a law effectively securing individual property rights may incentivize economic endeavors. With respect to frameworks, the impact of a law can be different if it were implemented as a stand-alone statute with its own monitoring and enforcement mechanism as opposed to being implemented as a part of a regulation subject to the control of a higher-level statute. Institutions that administer and enforce law, such as administrative agencies, judicial and extra-judicial dispute settlement forums, and state police powers, also determine the effectiveness of law. As such, the impact of law cannot be assessed in isolation from legal frameworks and institutions, and LFIs together constitute an inseparable amalgam that needs to be assessed as a whole. This introductory lecture will cover the introduction of law and development, its history, the importance of LFIs on economic development, and present new analytical frameworks for the study of this field such as the [General Theory of Law and Development](#).

Property Rights and Economic Development (lecture recording #3)

Property rights have been identified as an important prerequisite to economic development. A legal right to property ownership motivates economic players to engage in economic activities when these activities yield property interests, and this activity, in turn, contributes to economic development. All OECD countries today protect individual property rights. At the same time, there are historical instances in which the absence of property rights did not lead to economic stagnation, but instead led to significant economic growth. The lecture will examine the way in which (and the extent to which) individual property rights promote economic development needs and assess the balance between individual property rights and public interest in property.

Legal Frameworks for Business Transactions and Economic Development (lecture recording #4)

Freedom of contract and laws that effectively enforce contracts have long been considered important for economic development. However, there is equally strong support for the proposition that contracts are not particularly relevant to business transactions and that the issues and difficulties arising from business transactions are often resolved informally, without reference to contractual terms. This lecture will explore the balance between freedom of contract and the public interest in intervening based on an imbalance in bargaining power, a balance which may indeed be different for different stages of economic development. The lecture will also address additional issues, including secured transactions and the regulatory control of business transactions.

Additional optional topics include law and governance, taxation and economic development, competition law and economic development, banking and financing for economic development, labor protection and economic development, corruption and economic development, criminalization and economic development, international trading system and development

Law and Industrial Promotion as Tools for Economic Development (lecture recording #5)

Economists have argued since the 18th century over the economic efficiency of government involvement in the economy. While state-led development policies in some development cases, such as those involving the East Asian countries, have been successful, many doubt the wisdom of government involvement in the economy. However, the adoption and management of industrial promotion policies are hallmarks of developmental states, where the availability of information is limited and the financial market is imperfect. This lecture will examine the conditions for successful state industrial promotion as well as the institutions and legal frameworks that enable the government to provide effective assistance to meet development needs, which may vary in different stages of economic development.

Tuition and Enrollment

The tuition is \$2,500 for the Certificate and \$10,000 for the Diploma.

For enrollment

1) pay fees online at

https://www.paypal.com/donate?business=info%40lawanddevelopment.net¤cy_code=USD

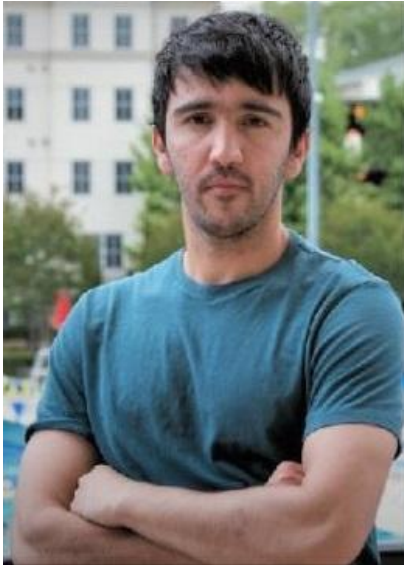
(click one-time donation button and use your credit card)

2) email us at info@lawanddevelopment.net and provide your full legal name, affiliation, and specify whether you apply for the CLD or DLD. For the DLD applicants, you must also provide a sample of your academic writing in English, at least 7,000 words.

Assigned reading material and links to lecture recordings:

www.lawanddevelopment.net/ldep/ldep2.pdf

Testimonials from Participants



Jalalzai Maiwand

Former Judge, Supreme
Court of Afghanistan

LL.M. student, Emory
University School of Law

“I had a very instructive experience from attending the lectures. For me, the relation between law and economics became interesting; depending on the way you regulate the economic relations, it is going to produce a quite different result. From the collapse of Soviet Union to the rise of an impoverished nation, South Korea, it was all the result of following an economical model and regulating economic relations in a specific way. I came to know that economics has no room for clear-cut rules. Any economic policy should accommodate changes in variables such as time, technology and geography. Having come from an impoverished and underdeveloped country, I got a clear image about what economical models my country should follow.”

“Through a generous scholarship, I completed the Law and Development Program, and participating in this program was a great experience for me. Through the LDP, I learned how legal frameworks and institutions affect economic development in important legal areas such as property rights, business transactions, and industrial promotion. I also obtained a general understanding about how international and domestic law can impact economic development and how we can develop a legal regime to promote economic development. Most importantly, this program exposed me to many issues that I had never noticed or considered, and it provided me with many new perspectives and legal concepts. It has been quite helpful both to my academic research and to my practice of law.”



Jingchen Xu

JSD student, Tulane
University School of Law

Further Information

The Law and Development Institute:

www.lawanddevelopment.net

For inquiries, email info@lawanddevelopment.net



LAW AND DEVELOPMENT CONSULTING PROGRAM

Overview

Successful economic development requires effective laws, legal frameworks, and institutional arrangements (LFIs) that support the design and implementation of economic development policies. Every country and territory that has achieved substantial economic development since World War II—including South Korea, Taiwan, Singapore, Hong Kong, and, more recently, China—has adopted effective LFIs that have enabled the successful implementation of development policies.

The Law and Development Consulting Program (LDCP) offers comprehensive diagnostic reviews of LFIs to assess their effectiveness in promoting economic development.

Based on this assessment, LDCP provides specific recommendations for regulatory adjustment and reform that are feasible within the economic, social, political, and cultural conditions of the client jurisdiction. LDCP also offers consulting and representation services in international trade disputes and related matters.

The Law and Development Institute (LDI) an incorporated international network dedicated to advancing law and development research and projects, has a successful track record of providing LDCP in multiple countries. For example, the LDI has advised on the establishment of special economic zones in a developing country and on the coordination of LFIs between countries pursuing economic cooperation.

LDCP

LDCP offers a diagnostic review of a country's and/or region's LFIs relevant to specific development projects and provides recommendations for targeted regulatory adjustments and reforms.

Alternatively, LDCP may undertake a comprehensive review of a country's LFIs across several key areas in order to support broader economic development objectives. These areas include:

Industrial promotion

Business transactions (contract formation and enforcement)

Administrative and constitutional law

Corporate governance / Competition law / Banking and financing

Labor law

Environmental law

Corruption issues and criminalization of economic offenses

International rules applicable to trade and investment

LDCP (cont.)

Various entities, including national and regional governments, international organizations, non-governmental organizations, and foundations seeking to develop effective LFIs to promote economic development, may benefit from LDCP. The LDI, currently headed by Professor Y.S. Lee and supported by leading scholars and experts from around the world, serves as the manager of LDCP. Current LDI members include the distinguished scholars and experts listed below. Additional experts may be engaged as necessary to meet the specific needs of particular projects.

- David Kennedy (advisory role), Professor of Law and Director of the Institute for Global Law and Policy, Harvard Law School
- Susan Rose-Ackerman (advisory role), Henry R. Luce Professor of Jurisprudence, Law School and Department of Political Science, Yale University
- Gary Horlick, former U.S. Deputy Secretary of Commerce
- Colin Crawford, Dean and Professor of Law, University of Louisville School of Law
- Mariana Prado, Associate Professor of Law, University of Toronto School of Law
- Frank Stephen, Emeritus Professor, University of Manchester School of Law
- Raj Bhala, Rice Distinguished Professor, University of Kansas School of Law
- Moshe Hirsch, Professor of Law, Hebrew University of Jerusalem Faculty of Law
- David Gantz, Samuel M. Fegtly Professor of Law, University of Arizona School of Law
- Maureen Irish, Professor of Law, University of Windsor School of Law
- Junji Nakagawa, Professor of Law, University of Tokyo Institute of Social Science
- Y.S. Lee, Director, Law and Development Institute
- Mitsuo Matsushita, Professor Emeritus, University of Tokyo Faculty of Law and former Member of the World Trade Organization Appellate Body
- Salim Farrar, Associate Professor of Law, University of Sydney Faculty of Law
- Andrew Mitchell, Professor of Law, University of Melbourne School of Law
- Won-Mog Choi, Professor of Law, Ewha Womans University School of Law
- Jiangyu Wang, Associate Professor of Law, National University of Singapore
- Tomer Broude, Associate Professor of Law, Hebrew University of Jerusalem
- Colin Picker, Dean and Professor of Law, University of Wollongong School of Law
- H.S. Mun, former faculty member, Chiba University School of Medicine
- Daein Kim, Professor of Law, Ewha Womans University School of Law
- Jaemin Lee, Professor of Law, Seoul National University School of Law
- Michael McKenzie, Principal Legal Officer, AusAID
- Bashar H. Malkawi, Professor of Law, University of Sharjah College of Law, UAE

LDCP (cont.)

LDCP is implemented in three stages.

Stage One: Identification of the LFIs relevant to a specific development project or broader economic development objective.

Stage Two: A comprehensive diagnostic review of the identified LFIs, taking into account the relevant socio-economic conditions on the ground, and an assessment of their impact on the development project or economic development objective under consideration.

Stage Three: Based on the findings of the first two stages, formulation of recommendations for targeted regulatory adjustments and broader legal and institutional reforms.

Duration and Cost

The duration of LDCP varies from several months to multiple years, depending on the scope and complexity of the required analysis. Typically, LDCP conducted for specific development projects requires a shorter period than LDCP undertaken to support broader economic development objectives, as the latter entails a comprehensive review of LFIs across multiple areas affecting economic development.

The cost of conducting LDCP is determined based on the amount of time required for the research and analysis, as well as the number and expertise of the specialists involved. An estimated budget will be provided prior to the commencement of the project. External funding, including donations and financial assistance from third parties, may be accepted to cover all or part of the project costs.

Deliverables

The deliverables under the LDCP will consist of written reports. Upon completion of each of the three project stages described above, LDI will submit a separate report to the client.

The client will retain proprietary rights to all reports prepared under the LDCP. LDI will maintain the confidentiality of the reports and all related information. LDI will not release, publish, or cite any portion of the reports or related materials without the client's prior written consent.

For further information, please contact LDI Director Y.S. Lee at info@lawanddevelopment.net