



OLLSCOIL NA  
GAILLIMHÉ  
UNIVERSITY  
OF GALWAY

Coláiste an Ghnó,  
an Bheartais Phoiblí & an Dlí  
College of Business,  
Public Policy & Law

# Structured *PhD*

University  
of Galway.ie



## Overview

The goal of doctoral education is to cultivate a research mindset, to nurture flexibility of thought and intellectual autonomy through an original, concrete research project. It is the practice of research that creates this mindset. The core component of the structured PhD programme is the advancement of knowledge through original research.

The purpose of structuring the doctoral programme is to provide the support and skills that students need to help achieve their academic and professional goals. The structured PhD is a formalized, integrated programme of education, training, research, personal and professional development activities. It enables the development of discipline-specific knowledge and research skills as well as generic transferable skills.

Supervision is by a principal supervisor who is responsible for providing guidance on the research carried out by the student and manages the student's training. The student and supervisor are supported by a Graduate Research Committee (GRC). The GRC formally monitors student progress through an annual review process in line with national and international best practice. (Students whose progress towards a PhD is unsatisfactory may be recommended to submit an MPhil.)

The Structured PhD is available as a 4-year Full Time programme or a 6-year Part Time programme (360 ECTS).

Each student must obtain a total of **30 ECTS** through **structured modules** having a taught or skills component, over the course of the PhD and the remaining 330 ECTS are awarded for the Dissertation.

The thesis remains central to the award of the PhD. The remaining ECTS are derived from the research component.

**Part Time:** The traditional research only PhD also remains available for those wishing to complete on a part time basis.

## Induction and Orientation

**Induction** is organized by the College of Business Public Policy & Law through its constituent Schools (the School of Business and Economics and the School of Law), and is mandatory for all first year research students. Research process, regulations and ethics, research finances, information/library resources and other general information on the University will be provided to students at Induction. **Orientation** is a separate event, also mandatory for all research students, which is organized by Graduate Studies and normally takes place prior to induction.

## Governance

The student's Graduate Research Committee is responsible for confirming that modules have been taken and assessed.<sup>1</sup> Module assessment is the responsibility of the student's supervisor or the lecturer delivering the module, as appropriate. The student should provide the GRC, in advance of the annual review, with details of modules taken, results achieved and copies of their assessment as part of their annual progress review. This should include a signed declaration to the effect that the student has not taken these modules previously, either as part of the structured PhD or as part of a master's degree in this or any other institution. The GRC, once satisfied that modules have been taken and assessed, will sign off on the modules in the annual GRC report. This information is passed to the College office where it is recorded on the student's Yearly Progress Report. The Dean and the College office have responsibility for oversight of this process.

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<sup>1</sup> See University Guidelines for Research Degree Programmes, section 4.2 and section 5.8 [University Guidelines for Research Degree Programmes \(universityofgalway.ie\)](http://www.universityofgalway.ie)

### **Formal Registration for ECTS credits**

All students must register for (i) thesis code (programme/discipline identifier) plus (ii) any generic GS modules approved by their supervisor plus (iii) any other modules approved by their supervisor (and module owner in the case of a taught module) plus (iv) a research component RM\*\*\* :

#### **(i) Thesis Codes (choose one only) – ECTS 0**

AY650 Accounting  
EC650 Economics  
MG650 Management  
MK650 Marketing  
MS650 Business Information Systems

LW650 Law  
LW610 Disability Law and Policy  
LW651 Human Rights

#### **(ii) Generic<sup>2</sup> (Graduate Studies) Modules (5 ECTS each)**

*(A full list with details of the syllabus and learning outcomes for each module is available at: [GS Modules - University of Galway](#))*

GS modules that may be of particular interest are:

GS501 Seminar Programme  
GS506 Teaching & Learning  
GS507 Statistical Methods for Research  
GS508 Formulating a Research Project Proposal  
GS509 Participation in Workshops/Courses  
GS515 Research Paper Publication  
GS530 Graduate Research Information Skills  
GS5103 Conference organisation  
GS5104 Intensive Writing Workshop

**(iii) Modules available within the College** (see overleaf for full module list):

#### **Students must register on line for their selected modules.**

1. Go to Online Registration <https://www.universityofgalway.ie/registration/>
2. Login to Online Registration
3. Select My Courses

#### **Blackboard 1GST1**

All students will be registered for the Blackboard module 1GST1 Graduate Studies Training, where general information on Graduate Studies at University of Galway is provided:

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<sup>2</sup> Note that many GS modules should be evaluated by your Supervisor. Please ensure that they provide an evaluation for this module in their annual GRC report (GS40) or you may not receive ECTS credits.

### Modules available in the School of Business and Economics

Module	Description	Semester	ECTS	
EC374	Advanced Econometrics	2	10	
EC506	Econometrics	1	10	
EC5143	Research Methods for Health Economics and Policy Analysis	1	10	*
EC556	Philosophy of Social Science	1	10	*
EC660	Research Seminar I (Advanced Microeconomics)	1	10	
EC661	Research Seminar II (Advanced Macroeconomics)	2	10	
EC572	Health Systems and Policy Analysis	2	10	
EC5120	Economics of Health and Health Care	1	10	
MG5117	Innovation & Entrepreneurship	1	10	
MG6103	Employment Relations and Law	1	10	
MS5101	Research Skills	1/2	10	
MK5118	Social Marketing & Sustainability	2	5	

### Those in bold will not run in 2023/24

*Not all modules will run every year, please check with the relevant discipline before registering.*

*\* Modules particularly recommended for Yr 1 PhD students, subject to consultation with your supervisor.*

## **Module descriptors**

### **EC374 Advanced Econometrics**

The objective of this course is to help students understand standard econometric tools and several important advanced econometrics techniques in cross-sections, panel data and time-series models and how they can be used in empirical research and practical applications. Emphasis will be placed on appreciating its scope, understanding the essentials underlying the various methods, and developing the ability to relate the methods to important issues faced by a researcher. On successful completion of this module, students will be able to use computer based statistical packages to analyze data, will understand how to interpret the output and will be confident to drive the analysis process. Emphasis is on being able to use the methods effectively, and on understanding the methods, their appropriateness and their limitations.

### **EC515 Data Management and Survey Techniques**

The objective of this course is to familiarise students with fundamental knowledge of statistics and data management upon completion of this course you will be able to:

- Understand basic statistical measures such as mean median, variance etc.
- Understand probability distributions and be familiar with those that are commonly applied in econometrics
- Conduct one and two-tailed tests of hypotheses
- Conduct hypotheses tests in paired samples and independent samples
- Apply non-parametric approaches to hypothesis testing
- Conduct statistical analyses using SPSS
- Create and interpret commonly used indices such as the Laspeyres and Paasche indices

### **EC506 Econometrics**

The principal aim of this module is to provide students with a thorough understanding of the core techniques of econometrics and their application, in order to test economic theories and measure magnitudes relevant for economic policy and other decisions. These skills will provide a foundation for subsequent study of quantitative topics in economics and are one of the key elements in the professional training of an economist. The module differs from the standard approach taken in traditional econometrics courses in that it focuses mainly on the issues and challenges that empirical researchers address when they apply econometric methods. Weekly lab sessions form an integral part of the module and will help to develop students' applied econometric skills and their understanding of the methods presented in lectures.

### **EC661 Advanced Macroeconomic**

This theory module begins with a treatment of modern growth theory and empirics. Topics include the neoclassical growth model, cross-country convergence, and theories of endogenous growth. We then consider theories of business cycle fluctuations, including both real business cycle and new Keynesian approaches. We then develop dynamic treatments of monetary, fiscal and exchange rate policies, with applications to the Irish and euro zone economies. The module concludes with an exploration of political economy models of macroeconomic policy. On successful completion of this module, students should:

- Be able to explain and critically evaluate theories of endogenous growth, neoclassical growth model.
- Use computer based macroeconomic modelling software to analyse and interpret data.

### **EC660 Advanced Microeconomic Theory**

Advanced Microeconomics is intended to introduce students to topics at the frontiers of research in microeconomic theory. Topics may vary from year to year, but it is expected that they will include:

social choice theory, game theory, the economics of information, networks, contract theory and political economy. The objective of the course is to write a research paper in microeconomic theory.

### **EC556 Philosophy of Social Science**

Philosophy and Social Science: A Conceptual Framework; Major System of Thought in Philosophy: From Rationalism to Post-Positivism; The Social Sciences: Emergence and Philosophical Foundations; Major Developments in Contemporary Philosophy of Science and Social Sciences; Neo-Positivism: Dominance and Decline; Hermeneutics: The Philosophy of Interpretation and Understanding; Critical Theory; Post-Positivist Philosophies; Critical Realism; Causal Holism; and Social Constructivism. On successful completion of this module, students should be able to critically evaluate major systems of thought including rationalism and post positivism, the philosophy of interpretation and understanding, Critical Realism; Causal Holism; and Social Constructivism.

### **EC572 Health Systems and Policy Analysis**

This is a module examines the structure, conduct and performance of alternative models of finance and delivery in health care and critically examines the policy approaches developed to tackle key challenges in health and social care. The module builds upon the concept of market failure as it relates specifically to health care; critically appraises methods used to compare system performance and compares alternative systems in terms of performance. The objective of the module is to describe the key aspects of alternative health care systems; explore the evolution of a particular set of systems; examine how system structure relates to its operation and what light this sheds on the performance of those systems.

**EC5120: Economics of Health and Health Care** Health economics is the study of how scarce healthcare resources are allocated among competing interventions and among groups in society. This course introduces basic concepts and practical issues faced by decision makers at all levels in the health system in allocating scarce resources so that the choices they make maximise health benefits to the population. The course will introduce some key concepts in health economics (e.g. opportunity costs) and explore how better choices in resource allocation might be made. There will be an introduction to the demand for and supply of health services, the fundamentals of markets and the challenges we face in allocating resources for healthcare. We will also reflect on equity in healthcare.

### **MG5117 Innovation and Entrepreneurship**

This module provides students with an understanding of the management and strategy of innovation and innovation driven entrepreneurship.

**Indicative Content:** Introduction to innovation; Theories of Innovation; Sources of Innovation; Building the innovative organization; Innovation Strategy; Innovation contexts; Models of technology entrepreneurship; Entrepreneurial finance; Design thinking; Emerging issues in innovation and entrepreneurship

*On successful completion of this module the learner will be able to:*

- Explain the central importance of effective innovation and technology management for success and growth.
- Identify the role of innovation capabilities in the development and implementation of innovation strategy.
- Critically assess the key processes for the effective organisation of innovation and technology within firms.
- Evaluate and validate unmet needs.
- Develop and validate a business model to deliver and capture value from identified opportunities.
- Appraise and select winning approaches in the domains of Strategy, Innovation and People Management and/or their integration.

**MG6103 Employment Relations and Law**

The foundation of all HRM activity is the employment relationship. Employment law provides a legal framework for the conduct of this relationship. This module will present a critical perspective on the legal aspects of employment relations policy and practice. Learners will be able to assess the impact of employment law on employment relations and HR practice and gain insights into the creation and implementation of effective people management procedures and policies. The module requires students to reflect critically on theory and practice from an ethical and professional standpoint and provides opportunities for applied learning and continuous professional development.

**MS5101 Research Skills**

This online course provides students with research skills for business research dissertations. Topics may include: research design; research philosophies; formulating research questions; conducting a literature review; academic writing and citing skills; quantitative and qualitative research approaches; research philosophies and methodologies; measurement concepts and research instruments; collecting and analysing data; constructing and writing a dissertation.

**MK5118 Social Marketing & Sustainability**

This course challenges you to consider and critically reflect upon the scope for marketing principals, tools and techniques for social change, innovation and societal challenges. Marketing's insights, concepts and techniques can be applied equally well outside the commercial marketplace in different exchange systems to tackle behaviourally driven social inequalities such as obesity and climate change and drive sustainable goals as health and wellbeing, sustainable transport and circular economies.

## Modules available in the School of Law

There are three PhD-specific modules available in the School of Law:

Module	Description	ECTS
LW6102	Law Research Skills 1- Preparation, Presentation & Discussion	5
LW6103	Law Research Skills 2- Engaging in Scholarship and Debate	5
LW6101	Legal Opinion or Advice	5

### Module descriptors:

#### Law Research Skills 1: Preparation, Presentation and Discussion (LW6102)

In this module, which you will take in the second year of your structured PhD, you will present your research to date in a seminar to a panel of experts and an audience of your peers, and respond to feedback. The Law Research Skills being assessed in this module include the ability to develop, refine, present and debate your research findings to date at a high level amongst a community of peers and scholars of international standing. Taking feedback, evaluating presentations and refining skills are essential components of this module.

#### Law Research Skills 2: Engaging in Scholarship and Debate (LW6103)

In this module, which you will take in the third year of your structured PhD, having already taken Law Research Skills 1, you will present your advanced research in a seminar to a panel of experts and an audience of your peers, and respond to feedback. You will develop, refine, articulate and debate (to the highest levels) your original research contribution. Engaging with peers and scholars to refine your propositions, identify weaknesses for remediation and develop strategies for future work are the core aspects addressed here, building on earlier skills development.

#### Legal Opinion or Advice (LW6101)

In this module you will be centrally involved in submitting an opinion or advice to a national, regional or international body. The body may be governmental (e.g. the Law Reform Commission), non-governmental (e.g. Amnesty International) or intergovernmental (e.g. Council of Europe, EU or UN). The opinion/advice may include an amicus curiae intervention before a domestic, regional or international court or adjudicative body.

**In addition to the PhD-specific modules, all taught LL.M modules are open to PhD students, subject to the consent of the module owner and provided the student has not taken the course**



**before. The following suite of LL.M modules are available:**

Module	Description	ECTS
LW455	Minority Rights	5
LW471	Introduction to Humanitarian Law	10
LW525	Counter-Terrorism and Human Rights	5
LW530	Procedure Before International Criminal Courts	5
LW538	Transitional Justice	10
LW552	Foundational Theoretical Framework in Disability Law and Policy	10
LW562	Regional Disability Law and Policy	10
LW558	Legal Capacity Law and Policy	10
LW550	Advocacy and Access to Justice	10
LW561	Mental Health Law and Policy	10
LW553	Inclusive Education Law and Policy	10
LW551	Contemporary Challenges in Disability Law and Policy	10
LW483	Advanced Legal Research and Methods	10
LW485	Sentencing and Penal Policy	10
LW486	Theories of Judicial Activism	10
LW439	Advocacy, Activism & Public Interest Law	10
LW5103	Islam and Human Rights Law I	5
LW5104	Islam and Human Rights Law II	10
LW5105	Contemporary Issues in International Migration Law	10
LW5106	Economic Social and Cultural Rights	5
LW5107	International Child Rights	5
LW5109	European Migration Law	5
LW5110	International Human Rights Clinic	10
LW5111	Business & Human Rights II	10
LW5112	Global Governance and Human Rights	5
LW5113	Common European Asylum System	5
LW5114	International Refugee Law	10
LW5116	Gender and Human Rights	10
LW5117	International Human Rights Law	10
LW5118	Public International Law	10
LW5119	The Politics of Law	10
LW5120	ECHR in Times of Crisis	10
LW5121	Transnational Lawyering	10
LW5122	International Criminal Law	10
LW5123	International Peace Operations	10
LW5124	Climate Justice	5
LW5125	International Criminal Law: Issues & Application	10
LW5209	Legal Skills: Commercial Practice, Advocacy and Dispute Resolution	10
LW5205	Advanced Intellectual Property Law and Development	10
LW5213	Law of International Business Transactions	10
LW5203	Advanced Comparative Law	10
LW5206	Global Issues in Contemporary Labour Law	10
LW5208	European Consumer Law and Policy	10
LW5211	EU External Relations	10
LW5212	Vis Moot	10
LW491	Equality Law: Principles & Thematic Application	10
LW575	Crime and Disorder	10
LW5214	Imprisonment and Rights	10
LW5126	Critical Race Theory and Human Rights	5
LW556	Law and Policy on Independent Living	10

**The following LLB modules are also open to PhD students, subject to the consent of the module owner and provided the student has not taken the course before.**

Code	Module	Credits
LW117	Constitutional Law	10
LW118	Contract	10
LW262	Tort	10

LW301	Criminal Law I	5
LW304	Criminal Law II	5
LW427	European Union Law I	5
LW428	European Union Law II	5
LW225	Land Law I	5
LW226	Land Law II	5
LW229	Company Law I	5
LW231	Company Law II	5
LW263	Equity I	5
LW265	Equity II	5
LW513	Evidence I	5
LW514	Evidence II	5
LW337	Administrative Law I	5
LW3119	Jurisprudence	5

### **Module descriptors**

#### **Minority Rights (LW455) – available from 2020**

The aim of this course is to equip students with the knowledge and analytical skills to analyse and evaluate legal and policy arguments relating to the status of minority groups and indigenous peoples in international law and to reflect on the legal, political, and philosophical challenges that arise in practice.

#### **Introduction to Humanitarian Law (LW471)**

The aim of this course is to provide students with an understanding of the different legal regimes of jus in bello and jus ad bellum. To provide students with an appreciation of the general principles and laws that comprise international humanitarian law and to assess how these rules developed over time. To evaluate the application of these rules to case studies and scenarios and to critically analyse how IHL is enforced.

#### **Counter-terrorism and Human Rights (LW525)**

This course introduces students to how the protection of human rights may be affected by counter-terrorism laws, policies and practices. It explores the relevance of – and the relationship between – international human rights law and international humanitarian law in the context of counter-terrorism. Students will also consider contentious debates in the area of counter-terrorism, i.e., the justifiability of the use of torture/the lawfulness of targeted killings/restrictions on freedom of expression.

#### **Procedure before International Criminal Courts (LW530)**

The module introduces students to the laws of procedure and evidence before international criminal courts and tribunals. The module focuses in particular on the law and practice of the International Criminal Court. It explores the rights of the accused in international criminal law and analyses the law of evidence and procedure throughout the various phases of international law cases, at the pre-trial, trial, appeal and sentencing stages.

#### **Transitional Justice (LW538)**

The course introduces post-graduate students to the debates, concepts and dilemmas in the relatively new field of transitional justice, exploring the various accountability mechanisms that exist in addition to international or domestic criminal prosecution. It encourages students to critically evaluate transitional justice mechanisms in light of stated objectives such as justice, truth, peace and reconciliation, and compliance with human rights law

**Foundational Theoretical Framework for Disability Law and Policy (LW552)**

This foundation course will examine the role of law in the formulation and implementation of regulation and policy in various fields of public law. The role of law in facilitating activities, in providing a framework and structure within which they can operate, and in establishing a basis for regulatory norms and practices, will be discussed. The role of regulatory bodies in devising regulation (goal setting, establishing criteria, engaging in consultation processes etc.) and implementing it (monitoring, compliance, adjudicating, advocacy, etc.) will be considered, as will various forms of regulation (regulation, co-regulation, self-regulation, etc.). The focus of the course will range from national to European (EU and Council Of Europe) level and cover a variety of topics, for example law and governance in the context of the EU. Topics may vary from year to year.

**Regional Disability Law and Policy (LW562)** This module will give an overview of various regional approaches to disability law and policy as a way of transposing the UN Convention on the Rights of Persons with Disabilities and as a way of stimulating region-wide reform. While the main focus will be on European disability law & policy reform, (European Union, OECD, Council of Europe), the course will also address regional developments elsewhere such as those occurring in the Asia/Pacific region, the Organisation of American States (OAS), the African Union (AU). Of particular focus will be development aid as a way of underpinning global change. There will therefore be coverage of the World Bank and its related activities.

**Legal Capacity Law and Policy (LW558)**

The focus of this course is on international, regional and national law reform of legal capacity laws. Key issues will include supported decision-making and the assessment of legal capacity.

**Advocacy and Access to Justice (LW550)**

This module will address the broad scope of access to justice for people with disabilities (including access to information, and to the systems and procedures used in the administration of justice). It will highlight how people with disabilities experience barriers in accessing justice, and how these barriers can be redressed, through statutory advocacy services and other innovative rights-enforcement mechanisms.

**Mental Health Law and Policy (LW561)**

The purpose of this course is to explore the key challenges facing mental health law and policy at the international, regional and national level. Based on the inherent equality of all persons, this course will examine the legitimacy of laws and policy priorities that effect the confinement and forcible treatment of persons from a civil and criminal law perspective.

**Inclusive Education Law and Policy (LW553)**

The purpose of this course is to explore the key challenges facing the process of inclusive education reform that is underway worldwide as well as in Ireland. Effectively, this is a law reform process that seeks to accommodate human difference within the education system, and is premised on the inherent equality of all persons and a rejection of the 'separate but equal' segregationist doctrine. This move towards mainstream education, to truly inclusive education is not without its critics, with some championing the necessity for separate provision in certain situations (e.g. deaf community, and parents of children with autism).

**Contemporary Challenges in Disability Law and Policy (LW551)**

The aim of this course is to engage students in the very latest issues and themes of debate in the area of Disability Law and Policy. This course will provide a forum for the discussion of current issues in Disability Law and Policy from the point of view of law, philosophy, economics and sociology from

both a theoretical and practical perspectives. Topics may include: Development Aid, Administration and Management of Disability, Aging and Disability and Family Support and Disability. As the emphasis is on contemporary issues, precise themes addressed may vary from year to year.

### **Advanced Legal Research and Methods (LW483)**

This course will build on the research skills already acquired by students in their primary law degree programmes. It will be closely linked with and designed to facilitate the writing components and the minor thesis requirement of all students on the programme. The emphasis will be on practical exercises which will include elements of the following: textual analysis, database training, literature review, research presentation, abstract writing, report writing, research evaluation.

### **Sentencing and Penal Policy (LW485)**

This course begins with a detailed analysis of the moral justifications for punishment and their current relevance. This will be followed by a study of the historical development of selected penal practices and institutions, including imprisonment, probation and community based sanctions. The latter part of the course will concentrate on judicial sentencing practices, with particular emphasis on the general principles of sentencing developed by courts in common law jurisdictions, and on the strategies more recently adopted by governments and courts in other Western countries to structure sentencing discretion. Sentencing theory and policy has been enriched by contributions from many disciplines including philosophy, social theory, law and history. The reading required for this course will draw on all of those disciplines.

### **Theories of Judicial Activism (LW486)**

This course critically examines the role of the courts as agents of change within society. It explores the phenomenon of 'judicial activism' in Irish Constitutional law from a comparative perspective. Such activism is inherently suspect given the ambiguity of many important constitutional provisions to begin with and especially given the centrality of the legislature as the main democratic forum for addressing profound social and moral issues. The focus of our enquiry will be on competing theories concerning the legitimacy of activism as a process distinct from its result in any given case. The principal comparison will be with the United States and especially with the case law of the Warren Court. It will explore both conservative and liberal theories of activism and the possibility of mediating between the two through the concept of 'public reason'. It will include an assessment of the contribution of various Irish and American judges as well as various theorists such as Oliver Wendell Holmes, Judge Cardozo, Herbert Wechsler, Alexander Bickel, Judge Skelly Wight, Bruce Ackerman, Robert Bork, and Ronald Dworkin among others.

### **Activism, Advocacy and Public Interest Law (LW439)**

This new module will examine the role of advocacy and the dynamics of activism in advancing diverse forms and aspects of "the public interest". In particular it will look at the advancement of the public interest through public interest law and litigation. Selected themes will be used to examine how the public interest, as understood broadly or by sectional interests, is advanced by recourse to public interest law. Practical concerns in the area of public interest litigation - such as *locus standi*, class and derivative actions and protective costs orders - will be discussed with a view to exploring the unrealised potential of public interest litigation in Ireland drawing on comparative experience in other jurisdictions. The module will also focus on the regulatory issues concerning non-governmental organisations, their relationship with the state, and selected themes, such as media reporting of public interest issues. There will be contributions from a diverse range of guest contributors including one or two small panels of speakers who will be invited to debate particular issues with participation by the class.

### **Islam and Human Rights Law (LW5103 and LW5104)**

The course aims at providing students with knowledge of the relationship between Islam and human rights. It explores the relationship between cultural relativism and universalism claims taking Islam as an example. The course introduces students to relevant theories and methodological tools for developing a constructive dialogical attitude with regard to cultural claims. A brief introduction to basic notions of Islamic law is followed by a study and critical analysis of a series of apparent tensions

between Islam and human rights: Islamic criminal justice system and traditional punishments, Islam and political violence, freedom of religion and treatment of minorities and women's rights.

### **Contemporary Issues in International Migration Law (LW5105)**

The aim of this course is to equip students with the knowledge and analytical skills to analyse and evaluate the legal, political, and philosophical issues relevant to contemporary challenges in international migration law, policy and practice.

### **Economic Social & Cultural Rights (IW5106)**

This course aims to help students to understand and analyse the roots and scales of challenges in relation to economic, social and cultural rights, and to develop the tools and thinking necessary to tackle them.

### **International Child Rights (LW5107)**

The area of children's rights is a compelling one. Children, formerly perceived by the law as an extension of their parents, now have an international human rights instrument outlining their rights as individuals – the UN Convention on the Rights of the Child (CRC). But what has changed? Children still lack legal autonomy for most purposes, they are the group most likely to suffer violence and poverty, and whether they enjoy CRC rights is highly dependent on the adults in their lives. In this module, we will take a critical view of the CRC, examining key issues, such as children's rights in court and the rights of working children. We will question the relationship between parent, state and child, looking at how and whether the CRC has influenced law and practice in this area.

### **European Migration Law (LW5109) – available from 2020**

The engagement of European courts and human rights bodies with migration and asylum has spiked over the last twenty years (Baumgartel, 2019), even though they have often come under criticism for adopting certain restrictive decisions vis-à-vis the needs of protection and promotion of the rights of vulnerable migrants (Dembour, 2015). This seminar-based module allows LLM students to learn how the major European legal frameworks regulate the status and the rights of people that move within and across European borders, both regularly and irregularly. Students are expected to pursue individual study and take part in different types of discussions on substantive standards and procedural issues of European Union Law (EU law) and European Human Rights Law (EHRL) around migration. This means navigating the tension that exists between sovereign immigration enforcement and the elaboration of human rights standards for vulnerable collectives like migrants.

### **International Human Rights Clinic (LW5110)**

The Human Rights Law Clinic will involve up to 15 students, focusing on applied human rights research, advocacy and archival research. Students will be provided with an opportunity to engage with external partners, NGOs and law firms, under the supervision of the LLM clinic director. Skills training on human rights research, provision of legal assistance and information and archiving human rights documents will be provided. Projects may include research and advocacy on topics such as adoption rights; Mother and Baby homes; Commissions of Investigation for historic abuse.

### **Business & Human Rights II (LW5111)**

The course engages postgraduate students with the topic of business and human rights, exploring questions regarding State obligations and the extent to which business entities such as multinational corporations have human rights responsibilities. It considers developments at the international and domestic level to promote accountability and ensure compliance with emerging standards.

### **Global Governance and Human Rights (LW5112)**

The module introduces students to the complexities of human rights operationalisation under the conditions of globalisation that leads to dominance of governance over government. After an introduction to issues raised by the growing complexity of interactions at the global level displacing the traditional

role of states as violators and guarantors of human rights, students are familiarised with the idea of globalisation and its multiple consequences in the realm of law. The module specifically focuses on changing actors and changing spaces of law in global governance and their impact on human rights. Migration is utilised as a main case-study. Students are also given opportunity to develop and discuss their own case-studies related to the impact of globalisation on human rights in other areas.

### **Common European Asylum System (LW5113)**

This module examines the evolution of the EU Common European Asylum System (CEAS) from the 1990s to the present, exploring why and how the EU has sought to harmonise the law in this area.

### **International Refugee Law (LW5114)**

This module explores the development of international refugee law and the challenges presented by the current 'refugee crisis'. The course opens with an exploration of the history of international refugee protection both prior to and since the adoption of the seminal 1951 Convention relating to the Status of Refugees. Attention is then turned to the definition of a refugee in the 1951 Convention, focusing on the inclusion, cessation and exclusion clauses of the treaty. The course also explores the strategies that states have adopted to narrow the refugee definition, such as safe country concepts, the internal flight alternative, poor country of origin information practice and negative credibility indicators.

### **International Human Rights Law (LW5117)**

The course seeks to provide post-graduate students with a general introduction to the sources, systems and foundations of international human rights law.

### **Public International Law (LW5118)**

The course is intended for students with little or no knowledge of public international law. The main objective of the course is to provide students with an overview of the fundamental notions and methodology of public international law. The course will equip students with the skills required in order to envisage legal dimensions of human rights issues.

### **The Politics of Law (LW5119)**

Aim: 1. To provide students with a comprehensive understanding of the dynamics of intra-state conflict. 2. To provide an understanding of the legal, political, and structural underpinnings that sustain conflict. 3. To evaluate the emerging issues and challenges confronting HRL and IHL, including challenges posed by the remnants of the 'war on terror' discourse. 4. To focus on two particular conflicts, unpacking the complexities inherent in them, and seeking to provide direction as to the relevant outstanding post-conflict issues: Northern Ireland Israel/Palestine

### **ECHR in Times of Crisis (LW5120)**

This course will critically engage the underpinnings of the Convention and the Strasbourg case law. The course will explore the influence of the Convention as well as the extent to which politics informs the law and law, the politics. Whilst some Convention rights will be dealt with on an article-to-article basis, the methodological leanings of this course will be an examination of rights on an issue-by-issue basis.

### **Transnational Lawyering (LW5121)**

This module introduces students to strategic human rights litigation through the exploration of a selection of cases, actors, strategies in the field of international and transnational public interest lawyering.

### **International Criminal Law (LW5122)**

The course introduces postgraduate students to the subject of international criminal law. During

the course, students will explore the history and development of international criminal law, the established crimes under international law, the mechanisms of international criminal justice and general principles of international criminal law.

#### **International Peace Operations (LW5123)**

Aim: the aim of this course is to critically analyze the principles of peacekeeping and apply these to a number of contemporary and past missions

#### **Climate Justice (LW5124)**

The module engages postgraduate students with the topic of climate justice, exploring and critically assessing the role of human rights in addressing climate change and environmental damage, and the relevant obligations of States and other actors (including business entities). It considers developments at the international and domestic level, including within the United Nations human rights system, international criminal justice, constitutional law and civil litigation.

#### **International Criminal Law: Issues and Application (LW5125)**

This module provides postgraduate students with a critical exploration and analysis of international criminal law, with a focus on procedural, evidentiary, sentencing and fair trial issues. During the course, students will assess key aspects of international investigations, trials and sentences, with a primary focus on the International Criminal Court. Topics covered will include defences and immunities under international law, the roles of various parties and participants in international criminal trials, the application in practice of rules of procedure and evidence, punishment and sentencing. The module will complement International Criminal Law which runs in Semester 1 (although the latter will not be a prerequisite for students wishing to take this module).

#### **LW5209 Legal Skills: Commercial Practice, Advocacy and Dispute Resolution**

The objective of this course is to examine the expanding alternatives to court based litigation in the resolution of disputes. After a review of civil practice and procedure in the Irish courts, the course concentrates on the philosophy and methodologies of alternative dispute resolution (ADR). This includes a detailed analysis of domestic arbitration law.

The course also deals with other forms of binding ADR, e.g. international commercial arbitration, mediation - arbitration (med-arb), and adjudication; as well as non-binding forms such as mediation \ conciliation and collaborative law. An important element of the course is that dealing with the principals of negotiation, in particular the Harvard Negotiation Method.

By the end of this module, the student will be familiar with the arbitration process and its practical use as an alternative to litigation. The student will also be aware of the difference between negotiation, mediation, conciliation, arbitration, collaborative law and litigation. The student will be able to assess the relative advantages and disadvantages of these various forms of alternative dispute resolution when trying to resolve a dispute.

#### **LW5205 Advanced Intellectual Property Law and Development**

This module examines and analyses international laws and rules in relation to intellectual property which impact on economies and livelihoods in least developed, developing and developed countries. The module will scrutinise the roles played in international intellectual property/trade law by institutes such as the WTO, WIPO and the WHO. The module will also consider the activities of international NGOs and their influence over the enforcement of intellectual property rights. This module will consider the groundswell of political participation in developing countries, its extension in the developed world and its potential for reform of international institutions. The module adopts a critical approach to the current status quo and examines participatory and deliberative models of democracy. It is a holistic approach to the subject(s) and is, of its nature, interdisciplinary (crossing boundaries between law, economics, political science, sociology and philosophy).

#### **LW5213 Law of International Business Transactions**

The objective of this module is to examine the legal aspects of international business transactions. Students will be exposed to the legal implications of transacting business across national borders.

International business transactions covered include international contracting, international sales, law of exporting-importing, trade finance, and international intellectual property law and licensing. Please note that there is a strong emphasis on the practical application of law to real-world transactions. The module is designed to provide students with the ability to 1) understand the different methods and models of doing business internationally; 2) evaluate the risks involved in the different methods of doing business; 3) evaluate the risks related to different types of countries; 4) describe the major legal techniques used to minimize risks in international business transactions; 5) explain the role of international conventions and trade usage in removing obstacles to international trade; and 6) demonstrate an understanding of comparative legal reasoning.

### **LW5203 Advanced Comparative Law**

This module develops a critical perspective on the law through an exploration of the legal traditions, institutions, and cultures of Europe, the US and other countries all around the world. The module is divided into three main phases: The first part will consist of historical introduction. It will begin with the history and debates about the aims and methods of comparative law. The contrasts between the common-law and civil-law traditions will be exposed through an introduction to Roman law, its reception in Continental Europe, and its evolution in the French and German civil codes. Some attention will be paid to the different and evolving understandings of the nature of law and judging reflected in these historical developments. The second part of the module will explore important institutional differences between contemporary American and European legal orders, as manifested in civil procedure, criminal procedure, constitutional review, administrative regulation, the judiciary, and the legal profession. The final part of the semester will be devoted to studying specialized topics in comparative law, selected to illuminate the differences in the regulation of various activities in some domains as well as areas of convergence across legal systems. These cases will concern recent transnational litigation on human rights issues.

### **LW5206 Global Issues in Contemporary Labour Law**

This module examines key issues of global relevance in contemporary labour law, from a theoretical, practical and comparative perspective. Changes in labour market conditions and employment practices present a range of challenges of international relevance, in both developed and developing countries. These challenges include the rise of precarious work and the gig economy, the vindication of the right to work, the recognition of unpaid work, and broad issues of inclusion and worker protection, particularly for historically vulnerable and disadvantaged groups. This module draws on a range of theoretical perspectives to address these issues under four broad headings: the changing face of work and associated regulatory challenges; global trends in labour protection; global approaches to anti-discrimination law; and the inclusive labour market.

### **LW5208 European Consumer Law and Policy**

Consumer law and policy is a significant and rapidly developing area of EU regulation. This module aims to provide a critical understanding of the development of EU Consumer policy including its legal basis in the EU treaties. It will explore the various theories of regulation that underlie EU legislative measures and will examine and discuss methods of regulation. The module will then focus on specific areas of consumer protection regulation such as unfair terms, unfair commercial practices, and consumer rights in the digital environment. The module will examine the activity of the European Community legislature, the case law of the European Court of Justice and the relationship between the European Community system and domestic legal regimes. The module will also examine the theory and practice of enforcement of consumer rights and consumer redress.

### **LW5211 EU External Relations**

The purpose of this module is to explore the principal elements and legal foundations of the EU's external action. This is an area that has expanded greatly in recent years, not least since the Lisbon Treaty, and questions around the EU's participation in international organizations, its contribution to and reception of international law in the EU legal order, as well as relations with its near neighbours, have given rise to a number of important legal developments, often of constitutional significance. As well as addressing the interaction between EU and international law, the module will address the EU's external competences and objectives, and its capacity to project its own norms, through an exploration of a number of key substantive policy areas, including international trade, security and defence policy, development cooperation, and enlargement and neighbourhood policy.

### **LW5212 Vis Moot**

The module is a clinical legal education module where participating students compete as a team in the prestigious Vis Arbitration Moot. The module enables students to develop their knowledge and skills in international commercial arbitration. This includes: developing their knowledge of the substantive and



procedural rules of international commercial arbitration, deepening their critical reasoning, research and writing skills, and developing their advocacy, public speaking, and team working skills.

### **LW491 Equality Law: Principles & Thematic Application**

This module will examine the theoretical foundations of non-discrimination and equality law, evaluating the strengths and weaknesses of particular equality paradigms. It will trace the evolution of equality principles in International Human Rights Law, Regional Law and comparative national laws. The focus of the module is on the practical utility of equality concepts in addressing disadvantage, particularly in the context of disability. Seminars will provide a detailed examination of equality theory, including the historical origins and development of equality principles and legal discrimination concepts. Seminars will include an analysis of the strengths and limitations of various equality approaches, and the intersection between equality and human rights. These concepts will then be applied to topics of relevance in the context of disability, such as reasonable accommodation, universal design or positive measures.

Please note that there is a strong emphasis on theory during the first part of this module, and we will spend a lot of time discussing and comparing different ideas of equality, their ideological significance, and their consequences, including their practical advantages and disadvantages. The module does not focus on the equality law of any particular jurisdiction but will draw on regional examples and the CRPD for practical illustrations. In addition, cases from different jurisdictions will be discussed from an equality angle.

### **LW575 Crime and Disorder**

The Crime and Disorder module offers students the opportunity to engage with debates on contemporary issues of crime and justice in Ireland. The aim of this module is to examine trends in crime and disorder and to analyse these in the context of broader societal values. The modules will specifically focus on the lived experiences of stakeholders in the Irish criminal justice system. These lived experiences provide an insight into the impact of legal instruments and criminal justice decision-making on individuals subject to the process.

### **LW5214 Imprisonment and Rights**

The Imprisonment and Rights module will provide postgraduate students interested in rights, punishment and imprisonment with insights into how international and regional law and policy govern the rights of prisoners. It will analyse the legal grounds for the improvement and reform of prison regimes as well as critical scholarship on the ability of rights law to contribute towards penal harm. Throughout the course, students will engage with substantive rights, judicial decisions, principles and recommendations from international and regional systems relevant to imprisonment and the protection of the rights of prisoners. Students will critically examine how rights apply to particular types of prisoners (such as women, children and foreigners) and how prison and rights law permit and regulate the use of intrusive, degrading and potentially lethal means of control (solitary confinement and the use of force for example). Students will explore how standards have evolved over time and how successful independent oversight bodies are in fulfilling their mandate to prevent torture, inhuman and degrading treatment, and punishment within prisons. The course will also explore emerging scholarship and standards pertaining to contemporary issues such as infectious disease, deaths in prison and escape.

### **LW5126 Critical Race Theory and Human Rights**

Critical Race Theory recognises that race strongly affects power and privilege. It also acknowledges that our socio-legal systems are built on histories of profound racial discrimination and prejudice that continue to disadvantage racial minorities. The theory arose in the USA; however, it is relevant for socio-legal structures around the world because they have all been impacted by colonialism and other forms of racial discrimination and prejudice. Human Rights Law is the most powerful international tool for regulating social justice issues such as discrimination and prejudice. However, there has been relatively little discussion of Critical Race Theory in human rights scholarship and jurisprudence. This module will explore the overlap between Critical Race Theory and Human Rights Law. It will identify the tensions between them, as well as the potential for human rights law to be a tool for creating solutions to the social justice issues identified by Critical Race Theory.

### **LW556 Law and Policy on Independent Living**

History of the Independent Living Movement International Human Rights and Independent Living EU provisions and Independent Living Transitioning to Community Living International Perspectives on Independent Living Irish Independent Living Laws and Policies Independent Living for adults with intellectual disabilities in Ireland.

## **Article-based PhD: Guidelines for the College of Business, Public Policy, and Law**

### **Article-based PhD: Guidelines for the School of Law**

Students in the School of Law wishing to undertake an article-based PhD will be subject to the University guidelines, as outlined in section 6.2.6 and Appendix 1 (section 10) of the University Guidelines for Research Degree Programmes:

[University Guidelines for Research Degree Programmes \(universityofgalway.ie\)](http://universityofgalway.ie)

#### **University Guidelines for Research Degree Programmes (Graduate Studies)**

In this format, a number of research articles written by the student while registered for the PhD, either published or accepted for publication, are presented with an introductory chapter, explanation of the research question, relevant literature and methodology and a concluding chapter. The student's contribution to each article must be made explicit.

An article-based PhD is based on a collection of papers (including published papers or papers submitted and accepted for publication) which describe a coherent programme of research undertaken by the student while registered for the PhD. It also contains an introductory chapter, explanation of the research question, relevant literature and methodology and a concluding chapter.

## **Article-based PhD: Guidelines for the J.E. Cairnes School of Business & Economics**

### **University Guidelines for Research Degree Programmes (Graduate Studies)**

An article-based PhD is based on a collection of papers (including published papers or papers submitted and accepted for publication) which describe a coherent programme of research undertaken by the student while registered for the PhD. It also contains an introductory chapter, explanation of the research question, relevant literature and methodology and a concluding chapter.

### **Specific guidelines (School of Business and Economics)**

Students wishing to undertake and submit an article-based PhD must adhere to the University guidelines and to these guidelines drawn up by the School of Business & Economics.

Entry requirements	As per College Calendar for Structured PhD degrees
Admission process	As per College Calendar for Structured PhD degrees
Submission process	As per University Guidelines for Structured PhD degrees
Examination process	As per University Guidelines for Structured PhD degrees

### **Selection of PhD programme**

The article-based PhD format is available to registered students on full or part-time PhD programmes within the School of Business & Economics.

### **Subject matter of published articles**

It is expected that the articles presented shall deal with the same research question or set of linked questions. A detailed discussion of each paper and the context and relationship of the work described in each, so that the overall research contribution is clear to GRC members and examiners, is expected.

### **Number of peer-reviewed articles required**

A minimum of three original, full-length research papers is required. One of the articles should have been accepted for publication in a respected, international, peer-reviewed journal. The other articles must be suitable for publication in respected, peer-reviewed journals in the discipline field.

In line with University guidelines, only articles which are based on research that has been undertaken by the student while registered for the PhD are admissible.

The PhD candidate should be responsible for the major research contribution of the work. Three joint publications may be included but the candidate must be the primary (first) author on at least two of these.

The candidate must make explicit their contribution relative to that of any co-authors, and make clear the role of the co-author. Where a peer PhD candidate is a co-author the role of each PhD candidate must be clearly distinguished and normally only one may claim primary authorship.

Articles that are accepted for publication are counted towards the minimum provided suitable evidence of acceptance is provided.<sup>3</sup> As conference papers typically describe preliminary research findings and are subject to less rigorous peer review, these may be included in the thesis to show the progression of the research contribution, but do not count to the minimum of three articles. Also, articles that have been published in non peer-reviewed journals or as book chapters may be included in the thesis, but do not count to the minimum of three.

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<sup>3</sup> Suitable evidence would be a formal letter from the editorial board of a Journal, or an online pre-publication or proof document available on the public website of the Journal.

### **Structure of the Article-based PhD**

As per the University Guidelines, in addition to the minimum requirement of three articles, the article-based PhD must also contain an introductory chapter, explanation of the research question, relevant literature and methodology and a concluding chapter. A full bibliography is also required.

Subject to discussion with the PhD supervisor and the Graduate Research Committee, the PhD will normally be structured as follows:

- An introductory chapter will locate the candidate's work within the existing scholarship. This chapter will explicitly articulate the key research question(s) addressed by the candidate and the chosen methodological/theoretical framework, as appropriate;
- A literature review chapter may be included if a thorough critical review of previous scholarship and literature on the topic is not comprehensively addressed in the three articles;
- A chapter corresponding to each of the three articles;
- A concluding chapter, which draws the substantive material in the articles together so as to demonstrate their coherence and the full extent of their contribution to knowledge;
- A full bibliography.

### **Process and time limit on PhD format selection**

The format of thesis presentation (monograph or article-based) will be decided jointly between the primary supervisor and student and as advised by the GRC. Selection of format can be at any stage of the PhD and the student can revert back to the traditional monograph at any time.

Note that the decision to opt for a published article-based PhD should be not be based solely on meeting the minimum criteria. A monograph has the advantage of more readily supporting the development of a sustained argument, with the synthesis of the relevant literature and an integrated discussion of the methodology to clearly demonstrate the candidate's *contribution to knowledge in their field*. The articles and supplementary chapters incorporated into an article-based PhD *must achieve the same end*.

### **Role of the GRC**

To advise the student/supervisor.

### **The PhD examination process**

The article-based PhD is examined in the usual way as per University Guidelines. Irrespective of publication, the University examination process is the ultimate assessment of the quality of the article-based thesis.

The candidate must demonstrate that in pursuance of the Article-based PhD, he/she has met all of the following criteria:

- Has made a significant contribution to knowledge and scholarship
- Has demonstrated a capacity for original and critical thought
- Can display an appropriate depth and breadth of knowledge and understanding of the relevant field(s) of study in the thesis and at the viva examination
- Has gained significant expertise with respect to basic and advanced methodologies and techniques
- Has presented a thesis with the appropriate structure and written style
- Has completed work that is suitable for publication.

Evidence as to whether or not these criteria are met is found in the thesis, but the oral examination or viva is critical to confirmation that the required standards have been achieved.