



Boston University Study Abroad London

Boston University Study Abroad London British Law and Current Issues CAS PO 388 (pending approval) (*Elective B*)

Instructor Information

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| A. Name | Paul Cousins and Terry Sullivan |
| B. Day and Time | Fridays, 9am-1pm, plus Tuesday 19 April |
| C. Location | George & Peto room, 43 Harrington Gardens, SW7 4JU |
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| G. Office hours | By appointment |

Course Overview

This course will discuss some of the most important and controversial issues in contemporary British law. It is not a law course as such, but rather seeks to place the issues in their social, political and ethical context. Comparisons will be made throughout with wider European legal issues and those of the USA. It will focus on the origins of these issues and will analyse the diverse methodological and theoretical positions taken in explaining and understanding them. It will also draw on empirical illustration of the various issues from the current events. Furthermore, it will investigate the main agents and actors involved in the chosen topics.

The choice of topics has been based on issues that raise interesting and topical concerns. Despite the diversity of topics, the course is designed to enable students to achieve a critical understanding of different approaches to the study of law together with knowledge of, and sensitivity to, the complexity and diversity of law in different societies.

On successful completion of the course students should be able to demonstrate a good knowledge and understanding of some of the vocabulary of British law and the languages of jurisprudential debate and confrontation. They should be able to analyse critically a range of theories, concepts, and methods employed in the legal and associated disciplines and evidence judged by these perspectives. They should, in addition, be able to engage in an informed assessment and criticism of these positions. Above all, they should be able to adopt an independent, critical and reflective approach to a number of important current issues confronting contemporary societies.

Programme Topics

- February 25** An overview of the sources of law in Britain, analysis of the courts system; introduction to visit to Parliamentary Archives.
Reading: Slapper & Kelly, 'The English Legal System', Chapter 1
- March 4** The Constitutional Reform Act 2005 and its consequences.
Reading: NB as the Supreme Court only came into existence on 1 October 2009, there is little published on it as yet.
Kavanagh & Oberdick: 'Arguing about Law' Chapters 23 and 24
Other Reading: A Le Sueur: 'Building the new UK Supreme Court'
J Andenas & D Fairgrieve (eds): 'Tom Bingham and the Transformation of the Law'
K Hall: 'The Magic Mirror'
H Barnett: 'Constitutional and Administrative Law'
- March 11** The Question of Judges and Theories of Punishment.
Reading: to be issued in class.
- March 18** The Impact of the European Union on UK Law
Guest Speaker: Dr James Ker-Lindsay, London School of Economics
Reading: Barnett, Chapter 9
Recommended Reading: A Kaczorowska: European Law
A Briggs: 'Conflict of Laws'
- March 25** **Visit to Parliamentary Archives.** Details to be given in class
- April 1** Ethical Controversies and the Law: Legalising Drugs
Readings to follow
- April 8** Just War and Recent Conflicts
Reading: Lafollette 'Ethics in Practice' pp704-734
- April 15** The Right to Know in Britain: The Freedom of Information Act 2000
Reading: Barnett Chapter 22
Recommended Reading: H Brook: 'Your Right to Know'
Kavanagh & Oberdick: Chapter 23
- April 19** Presentations, Review and Revision.
- * Contingency Class Date: Wednesday 20 April.** Students are obligated to keep this date free to attend class should any class dates need to be rescheduled.
- April 21** **Final Examination**
Exam times and locations will be posted on the BU London website and in the Student Newsletter two weeks before exam dates.

Format

There will be lectures, short documentary films and specialist talks by expert guest lecturers. Students will be encouraged to participate in interactive discussions during lectures as well as delivering a formal presentation. In most lectures detailed handouts will be distributed so that more time can be devoted to listening and discussing and less to writing.

Assessment

There are three elements to the assessment. Each student will be required to write a 3000-word paper on an agreed subject, worth 40% of the final grade. Each student will be asked to give a presentation in the final class prior to finalising the paper. The presentation is not part of the assessment but does count towards the participation mark. There will be a two-hour final examination worth 50% and 10% will be allocated for participation and attendance.

Your grades will be based on the following criteria: the relevance of your answer to the topic chosen, clarity of expression and continuity, explicit evidence of having read the main information and arguments in the required and supplementary reading. In addition, extra credit will be given for the strategic use of up-to-date illustrative material from the press or other media that you may have gathered during the course.

Grading

Please refer to the Academic Handbook for detailed grading criteria, attendance requirements and policies on plagiarism:

<http://www.bu-london.co.uk/files/images/ACADEMICHANDBOOKSP11.pdf>

Readings

The readings for each topic will be indicated weekly from the following texts:

Barnett, Hilaire. *Constitutional and Administrative Law*. London: Cavendish Publishing Ltd, 2004.

Kavanagh, Aileen & Oberdiek, John. *Arguing About Law*. Abingdon: Routledge, 2009.

LaFollette, Hugh (Ed). *Ethics in Practice: An Anthology*. Oxford: Blackwell Publishing, 2007.

Slapper, Gary & Kelly, David. *The English Legal System*. Abingdon: Routledge-Cavendish, 2006.

Other useful reference works are:

Bradley, A. W. And Ewing, K. D. *Constitutional and Administrative Law*. UK: Longman, 1998.

Coxall, Bill; et al. *Contemporary British Politics*. Basingstoke: Palgrave Macmillan, 2003.

Dunleavy, Patrick (ed). *Developments in British Politics 8*. Basingstoke: Palgrave Macmillan, 2006.

Hall, Kermit L. *The Magic Mirror: Law in American History*. New York: Oxford University Press, 1989.

Weir, Stuart. *Unequal Britain: Human Rights as a Route to Social Justice*. London: Politico's Publishing Ltd, 2006.

All students should read a 'serious' newspaper regularly (i.e. The Times, Guardian or Independent etc.), and be aware of current issues in the other media.

Additional readings may be posted on the course webpage:

<http://www.bu-london.co.uk/academic/ip440> (you must be logged in to view materials).

We hope that you find the course both stimulating and interesting.

Paul Cousins

Terry Sullivan