



Boston University Study Abroad
London

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Current British Legal Issues
CAS PO 388 (*Elective B*)
Spring 2013

Instructor Information

A. Name Paul Cousins and Terry Sullivan

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.**

Attendance Policy

Classes

All Boston University London Programme students are expected to attend each and every class session, tutorial, and field trip in order to fulfill the required course contact hours and receive course credit. Any student that has been absent from two class sessions (whether authorised or unauthorised) will need to meet with the Directors to discuss their continued participation on the programme.

Authorised Absence:

Students who expect to be absent from any class should notify a member of Academic Affairs and complete an Authorized Absence Approval Form 10 working days in advance of the class date (except in the case of absence due to illness, for which students should submit the Authorised Absence Approval Form with the required doctor's note as soon as possible). **Please note: Submitting an Authorised Absence Approval Form does not guarantee an authorised absence**

Students may apply for an authorised absence only under the following circumstances:

- Illness, supported by a local London doctor's note (submitted with Authorised Absence Approval Form).
- Important placement event that clashes with a class (verified by internship supervisor)
- Special circumstances which have been approved by the Directors (see note below).

The Directors will only in the most extreme cases (for example, death in close family) allow students to leave the programme early or for a significant break.

Unauthorised Absence:

Any student to miss a class due to an unauthorised absence will receive a **4% grade penalty** to their final grade for the course whose class was missed. This grade penalty will be applied by the Academic Affairs office to the final grade at the end of the course. As stated above, any student that has missed two classes will need to meet with the Directors to discuss their participation on the programme as excessive absences may result in a 'Fail' in the class and therefore expulsion from the programme.

Lateness

Students arriving more than 15 minutes after the posted class start time will be marked as late. Any student with irregular class attendance (more than two late arrivals to class) will require a meeting with the Assistant Director of Academic Affairs and if the lateness continues, may have his/her final grade penalised.

Programme Topics

- March 1:** 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 8:** 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 Suer: '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 15:** The Right to Know in Britain: The Freedom of Information Act 2000
Reading: Barnett Chapter 22
Other Reading: H Brook: 'Your Right to Know'
Kavanagh & Oberdick: Chapter 23
- March 22:** Visit to the Parliamentary Archives, Details to be given in class
- 29th March:** **No Class (Good Friday)**
- April 5:** Ethical Controversies and the Law
Readings to follow
- April 12:** International aspects to British law. **Guest speaker:** Dr James Ker-Lindsay
- April 18 (Thursday):** The impact of the European Union on UK law.
Reading: H Barnett Chapter 9
Other Reading: A Kaczorowska: European Law
A Briggs: Conflict of Laws
- April 19 (Friday):** Just War and Recent Conflicts
Reading: Lafollette 'Ethics in Practice' pp704-734
- April 23 (Tuesday):** Presentations, Review and Revision.
- April 25 (Thursday):** **Final Examination**
Exam times and locations will be posted on the BU London website and in the Student Newsletter two weeks before exam dates.

Methodology

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.edu/london/current-semester>

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: <https://lms.bu.edu> (you must be logged in to view materials).

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

Paul Cousins
Terry Sullivan