**LAU 12410**

**Introduction to Law B**

**2023-2024**

**Lecturer:** Dr Sarah Arduin (email –arduinsa@tcd.ie)

**Office hours:** Appointment by email

**Class times:** Tuesdays 5 – 6pm

Thursdays 2 – 3pm

 **No tutorials**

**Assessment:** Continuous assessment will consist of a test worth 30% of the final grade. The final exam will count for the remaining 70%.

**The continuous assessment will take place on Tuesday 12th March 2024 at 5pm and will be online (on Blackboard).**

**Methodology**:

* All materials will be posted in advance on blackboard
* Lecture and Socratic dialogue

**Learning Outcomes:**

On completion of this module, students should be able to:

* Identify the nature, purpose, and limits of law.
* Articulate the multiple relationships between law and morality.
* Engage in theoretical analysis and argumentation.
* Explain the key features of the Council of Europe and the World Trade Organization.
* Critically assess the regulation of human rights, in particular the right to privacy and its interaction with freedom of expression.
* Apply legal principles and case law in order to solve a variety of legal problems.

This course builds on Introduction to Law I and continues to introduce junior fresh students to further key features of the study of law. It is specially tailored for non-law students.

Any aspect of this module may be changed during the academic year, subject to the discretion of the module lecturer.

**Theme 1: Introduction to Jurisprudence**

This part involves an introduction to the philosophy of law. We will study different jurisprudential theories with a view to understanding how law becomes reality – i.e., how do we differentiate law from morality or from religion? – and why we, as a society, should obey the law.

NB: This topic will involve students doing more independent background reading and demonstrating an ability to participate in debate.

Examples of jurisprudential theories that will be covered:

* Natural Law v. Legal Positivism
* Command Theory of Law
* Utilitarianism
* Libertarian Paternalism
* Harm theory
* Pragmatism
* Economic Analysis of Law

**Theme 2: Introduction to International Public Law**

The purpose of this part is to enable you to understand the foundations of international law. We will discuss international law and one traditional international law topic, the regulation of human rights with a particular emphasis on privacy. Subjects covered will include:

* A brief introduction to international law
* An example of an international law treaty: the World Trade Organisation
* An overview of the regulation of human rights, in particular the right to privacy, both under Irish Law and the European Convention on Human Rights.

**Challenges of Studying Law**

* Very information dense
* You are required to remember, describe, and explain a range of sources of law including cases
* **No tutorials for this subject – you have to (a) attend lectures and (b) participate**
* Independent reading
* You will need to take charge of your own study – do not wait until April to start looking at this subject. You will be overwhelmed!

**Main textbook:**

Byrne and McCutcheon, *The Irish Legal System*