# Programme Specification

<table>
<thead>
<tr>
<th></th>
<th>Awarding body</th>
<th>University of London</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Teaching Institution</td>
<td>Birkbeck College</td>
</tr>
</tbody>
</table>
| 3 | Programme Title(s) | LLM Constitutional Politics, Law and Theory  
LLM Constitutional Politics, Law and Theory (Intensive) |
| 4 | Programme Code(s) | TMLCPLTH_C  
TMLCPLTI_C (Intensive version) |
| 5 | UCAS code (if applicable) | N/A |
| 6 | Home Department | LAW |
| 7 | Exit Award(s) | PGDip Constitutional Politics, Law and Theory  
PG Cert Constitutional Politics, Law and Theory |
| 8 | Duration of Study (number of years) | Full Time - 1 year; Part Time - 2 years |
| 9 | Mode of Study | FT x  
PT x  
DL |
| 10 | Level of Award (FHEQ) | 7 |
| 11 | Other teaching depts or institution (or not applicable) | N/A |
| 12 | Professional, Statutory Regulatory Body (PSRB) details (or not applicable) | N/A |
| 13 | QAA Benchmark Group (or not applicable) | N/A |

## Programme Rationale & Aims

This programme is designed to provide a critical and contextual engagement with key aspects of both historical and contemporary debates on constitutionalism both to students with a law and a non-law background. The distinctive focus of the programme is on approaches to the role of law in modern states that are theoretically informed, multidisciplinary and grounded on contemporary constitutional practices in a variety of countries.

The programme emphasises two parallel realities: In the UK, given the absence of a codified constitution, there has been historically little interest in constitutional law and theory. Thus, to date, while ‘constitutional law’- or ‘public law’- forms part of all Qualified Law Degree syllabi, there are only a few courses offered at LLM level and there is no other Master’s degree in constitutional law and theory in London. A variety of other MA programmes on modern governance exist, none of which focuses on constitutional law and theory even if these remain privileged sites for the manifestation and legitimisation of political power. On the other hand, global developments in the last decades are rapidly reversing this situation: ‘Constitutionalisation’ is increasingly considered a requirement for democracy and good governance; in the UK calls for a codified constitution and more stringent judicial review have never been more persistent; these calls also refer to the enactment of various Acts (inter alia, on Devolution, Human Rights, Constitutional Reform), combined with increased worries about the legality and moral propriety of political initiatives (i.e. war against Iraq, anti-terrorist measures, suspension of prosecution in political corruption cases) and increasing activism by the judiciary (e.g. the common law now affords special protection to so-called ‘constitutional statutes’; a number of high profile judicial review decisions against the government).
Students are introduced to the history of key ideas of constitutionalism, a wide range of contemporary theoretical frameworks for the study of the relation of politics and public law, as well as a range of practical examples drawn from diverse jurisdictions.

Teaching is undertaken by a range of academics who are experts in the topics covered, including invited British and international non-faculty.

In view of the above and due to its flexibility (evening-taught, pt/ft) the programme is equally attractive to legal professionals with an interest in public law but also to non-lawyers: government officials, professionals working for NGOs in the fields of good governance, democracy, the rule of law or human rights, and political activists.

The programme attracts students from the UK and overseas in equal measure.

### Entry Criteria

A good undergraduate degree (2ii or equivalent) and/or relevant experience in related fields.

### Prospectus Entry

**Overview**

This is a unique programme in London, a situation that reflects the traditional neglect of constitutionalist approaches to politics in Britain – something which is now changing fast. As the utopia of the ‘end of history’ falters, the rhetoric of security and risk, of crisis in the relation between financial markets and sovereign states, of perpetual war, and of corruption in politics brings about a relentless desire for law and constitutional reform. These expectations, however, are often at odds with the way contemporary social and political theories, and a growing number of constitutional law specialists, conceptualise the sphere of the political. The focus is on two related but distinct processes: the crisis of law and the shift towards exceptional modes of state power; and the demand that law mitigates manifold crises. Questions are raised about law as solution, about its role in the violent imposition of liberal social and market relations, and whether or not we may be able to imagine a different sort of crisis, a different relation between law and the future.

This programme is distinctive in three respects: it adopts a critical, interdisciplinary approach; it gives equal weight to theory and comparative case studies from across the world with the possibility for you to write a specialist Research Project; and it is available either part- or full-time and delivered through face-to-face evening classes.

**Find out more about studying law at Birkbeck.**

Why study this course at Birkbeck? • Studying the interrelation of law and politics requires, by definition, an interdisciplinary and critical approach – the Birkbeck School of Law specialises in this kind of approach.

• Our academic staff have valuable experience of constitutionalist politics in regions across the globe.

• Watch our video: studying law at Birkbeck

**Course structure**

There are two compulsory modules:

• Introduction to the History, Theory and Politics of Constitutional Law
• Constitutional Law and Practice – Regional Perspectives.

You also choose four option modules, one of which may be a specialist Research Project. Other options may include:

• Crime and Control
• Futures: the Globalisation of Human Rights
• Human Rights in Britain
• International Rights of Minorities
• Post-Apartheid Jurisprudence
• Social Justice.

Please note: not all options will be available every year.

Study resources

The Birkbeck School of Law is an internationally recognised centre for critical and interdisciplinary legal research. It provides an exciting and innovative environment for a wide range of research with a strong theoretical and policy focus. The School is the home of Birkbeck Law Press and publishes Law and Critique: The International Journal of Critical Legal Thought.

We use technology, such as electronic learning environments, to enhance teaching and learning. Birkbeck Library has an extensive collection of books, journals and electronic resources in law and related disciplines such as economics, politics and sociology. Students can also take advantage of the rich research collections nearby, including those of the Institute of Advanced Legal Studies, Senate House Library, the British Library of Political and Economic Science (LSE Library) and the British Library.

Further study opportunities

If you are interested in further research, we offer a PhD/MPhil in Law.

Careers information

Graduates can use the degree to get a job or enhance their career in local or national governments, in an international organisation or in a research institute, to conduct public interest advocacy, or simply to enhance their political activism.

Learning Outcomes

Generic skills related to law:
- An ability to place public law in its historical, philosophical, ethical, social, political, cultural and economic context. In particular we aim to interrogate the interface between the theory and practice of public law i.e. the 'law of politics.'
- Knowledge of current theoretical debates on the role of judges in a democracy.
- Skills training in planning and undertaking independent research.
- Opportunities for students to explore advanced legal research in the context of existing knowledge and competing intellectual approaches to the study of law.

- An understanding of interdisciplinary and comparative research within legal scholarship which enables students to make informed and creative use of bodies of literature developed in law, the humanities and social sciences.

Subject-specific skills:

- An ability to place the theory and practice of constitutional law in its historical, philosophical and socio-political contexts; in particular to understand constitutionalism’s claims to universality in contrast with its cultural and geographical occidental origins.

- An appreciation of the theoretical rethinking of politics in our times from its classic philosophical conception as one among many objects of knowledge to acknowledging it as a condition of thought.

- An ability to identify key critiques of constitutionalism and to critically examine the contemporary meaning and function of constitutional law in relation to politics, both, within states and globally, drawing from a range of contemporary theories.

- Comparative knowledge of constitutional history and current practice in selected countries, regions and supra-state entities.

- An appreciation of the limitation of law in relation to sustaining democracy, resolving intractable political conflicts as well as preventing abuses of public power and an appreciation of alternative strategies.

Transferrable skills

- The ability to collect and collate materials and effectively communicate them to both specialist and non-specialist audiences.

- The ability to work independently and in a group.

- Language and communication skills.

- Computing and internet skills.

<table>
<thead>
<tr>
<th>Learning, teaching and assessment methods</th>
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</thead>
<tbody>
<tr>
<td>Learning takes place in 90 minute-long seminars in which tutors use a variety of teaching methods, maximising student interaction and critical engagement. All materials and texts are made available before the seminar takes place using Moodle.</td>
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<tr>
<td>Assessment methods vary by module but in the case of the two compulsory modules and almost in all other cases it is by means of 4,000 word research essay.</td>
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**Intensive LLM Constitutional Politics, Law and Theory:**

Intensive face-to-face with five additional face-to-face hours

Study period
Formal study period for modules will commence at 31st January of the year of enrolment. By 31st January of the year of enrolment, students will receive access to module guides and materials via Moodle. Face-to-face teaching occurs in two cycles in March and June each year.

Intensity of Study
Students can take the whole programme in one year, covering the classroom aspect of the programme between March and July and submitting all assessments by 16 September. Part-time students will take modules over 2 year.

Classroom contact
Intensively taught students will receive 5 hours more of teaching per module than will students on the conventional programme (120 hours per programme, as contrasted to 90 hours per programme) this must be factored into any demands for additional teaching support, including E learning. Formal classes will take place between 9am and 9pm, Monday – Friday from March 2019

Timetable (approximate dates)
31st January – 1st March – first period class preparation – students will work on study materials for all modules offered in March. The programme guide would have guided students to the appropriate level of study, but basically they must complete the core reading and prepare any exercise for classroom study – just the same as any other LLM student, with minimal or no support.
March – Intensive classes – first occurrence – students must participate in classes (full attendance) to be permitted to engage assessments.
June/July – second period class preparation and/or first period assessments. Students will work on study materials for modules offered between 16-27 July and/or prepare assessments for some or all modules studied in the first period.
16-27 July – intensive classes – 2nd occurrence
16 July – assessment submission – first opportunity (non-compulsory, but strongly advised for those enrolled for one year only)
16th September – assessment submission – compulsory for progression/graduation at the November examinations board.

<table>
<thead>
<tr>
<th>Programme Description</th>
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<tbody>
<tr>
<td>Two compulsory modules (one term each):</td>
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<tr>
<td>- Introduction to the History, Theory and Politics of Constitutional Law</td>
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<tr>
<td>- Constitutional Law in Practice – Regional Perspectives.</td>
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<tr>
<td>Plus:</td>
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<tr>
<td>- Four optional modules (one each term), one of which may be a Research Project. Options may include:</td>
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<tr>
<td>- Introduction to International Economic Law, Justice and Development</td>
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<tr>
<td>- Advanced International Economic Law, Justice and Developments</td>
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<tr>
<td>- Cultures of Human Rights</td>
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<tr>
<td>- Equality and the Law</td>
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<tr>
<td>- Futures: The Globalisation of Human Rights</td>
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<tr>
<td>- Globalisation of Land Markets</td>
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</tbody>
</table>
- Human Rights in Britain (Clinical course)
- International Criminal Justice
- International Economic Constitution
- International Rights of Minorities
- International Financial Institutions
- Post apartheid Jurisprudence
- Post-Conflict State Building, Law and Justice
- Refugee Law
- Social Justice
- The W.T.O. & the Environment

## Programme Structure

### Full Time programme

<table>
<thead>
<tr>
<th>Year 1</th>
<th>Level</th>
<th>Module Code</th>
<th>Module Title</th>
<th>Credits</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>LADD066S7*</td>
<td>Introduction to the History, Theory and Politics of Constitutional Law</td>
<td>30</td>
<td>Compulsory</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>LADD067S7*</td>
<td>Constitutional Law in Practice: Regional Perspectives</td>
<td>30</td>
<td>Compulsory</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td>Four options chosen by student</td>
<td>4 x30</td>
<td>Option</td>
<td></td>
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</tbody>
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### Part Time programme

<table>
<thead>
<tr>
<th>Year 1</th>
<th>Level</th>
<th>Module Code</th>
<th>Module Title</th>
<th>Credits</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>LADD066S7*</td>
<td>Introduction to the History, Theory and Politics of Constitutional Law</td>
<td>30</td>
<td>Compulsory</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td>Option chosen by student</td>
<td>30</td>
<td>Option</td>
<td></td>
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<tr>
<td>7</td>
<td></td>
<td>Option chosen by student</td>
<td>30</td>
<td>Option</td>
<td></td>
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</tbody>
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<table>
<thead>
<tr>
<th>Year 2</th>
<th>Level</th>
<th>Module Code</th>
<th>Module Title</th>
<th>Credits</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>LADD067S7*</td>
<td>Constitutional Law in Practice: Regional Perspectives</td>
<td>30</td>
<td>Compulsory</td>
<td></td>
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<tr>
<td>7</td>
<td></td>
<td>Option chosen by student</td>
<td>30</td>
<td>Option</td>
<td></td>
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<tr>
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<td></td>
<td>Option chosen by student</td>
<td>30</td>
<td>Option</td>
<td></td>
</tr>
</tbody>
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Note: students taking the intensive version of the programme on a part-time basis would normally take their two Compulsory modules and one option in Year 1 and then three options in Year 2.

*Students on the intensive version take LALW022S7 Constitutional Law in Practice: Regional Perspectives (Intensive) and LALW023S7 Introduction to the History, Theory and Politics of Constitutional Law (Intensive) as the Compulsory modules, which are intensive versions of the same modules.

## Regulations

- **Admissions**
  
  This programme adheres to the College Admissions Policy: [http://www.bbk.ac.uk/mybirkbeck/services/rules/AdmissionsPolicy.pdf](http://www.bbk.ac.uk/mybirkbeck/services/rules/AdmissionsPolicy.pdf)

  Good second-class honours degree in law or a related discipline.

  Degrees from overseas institutions must be equivalent to a UK second-class degree.
Other relevant qualifications and appropriate professional training and experience welcome. Excellent English language skills are essential.

- **Credit Transfer**
  Accredited Prior Learning will be considered in line with the College Policy on Accredited Prior Learning
  [http://www.bbk.ac.uk/mybirkbeck/services/rules/AccreditedPriorLearning.pdf](http://www.bbk.ac.uk/mybirkbeck/services/rules/AccreditedPriorLearning.pdf)

- **Programme Regulations**
  This programme adheres to the College Common Awards Scheme
  [http://www.bbk.ac.uk/registry/policies/regulations](http://www.bbk.ac.uk/registry/policies/regulations)

- **Programme Specific Regulations (or not applicable)** N/A

### 22 Student Attendance Framework – in brief

The full version of the ‘Student Attendance Framework’ is available [here](http://www.bbk.ac.uk/mybirkbeck/services/rules/Attendance-Framework.pdf).

**Principle**
Consistent and regular student attendance in class (or equivalent) promotes and affords student success. Inconsistent and irregular attendance is less likely to result in student success and is consistent with lower marks and degree classifications being achieved and awarded.

**Attendance expectation**
Birkbeck, University of London expects you to consistently attend all timetabled sessions, including lectures, seminars, group and individual tutorials, learning support sessions, workshops, laboratories, field trips, inductions and demonstrations.

**E-Registers**
All Birkbeck students are issued with student cards. Students are expected to take them to classes and to assessment venues and to present them to a member of staff if requested. This is for the purpose of identifying Birkbeck students.

### 23 Student Support and Guidance

All Birkbeck students have access to a range of student support services, details can be found on our website here: [http://www.bbk.ac.uk/mybirkbeck/services/facilities](http://www.bbk.ac.uk/mybirkbeck/services/facilities).

### 24 Methods of Enhancing Quality and Standards

The College has rigorous procedures in place for the monitoring and enhancing its educational provision. This includes regular monitoring of programmes drawing on feedback from various sources including external examiner’s reports, student feedback, student achievement and progression data. In addition, departments are reviewed every four to five years through the internal review process that includes external input.

For more information please see the Academic Standards and Quality website [http://www.bbk.ac.uk/registry/about-us/operations-and-quality](http://www.bbk.ac.uk/registry/about-us/operations-and-quality).

### 25 Programme Director
Dr Marinos Diamantides, Reader in Law

### 26 Start Date (term/year)
Autumn 2011

### 27 Date approved by TQEC
October 2008

### 28 Date approved by Academic Board
Summer 2008

### 29 Date(s) updated/amended
July 2018