

TEACHING LAW USING A SHORT-TERM LEARNING ABROAD MODEL:
AN EXAMPLE FROM A COURSE IN LEGAL HISTORY

by

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Introduction

Have you looked lately at a legal environment of business textbook? It is hard to find one that does not include the words “global” or “international” in the title or somewhere in the introduction.¹ While, it was not always this way, today is different. The changes in texts, titles, and teaching are demonstrable. Global is in, and the reasons for it being “in” are abundant.

This global focus in business education has been given significant lift by the agencies that accredit schools of business. Both the Association to Advance Collegiate Schools of Business (AACSB International) and the European Quality Improvement System (EQUIS) include specific requirements relating to global education in their accreditation criteria. For example, in its Assurance of Learning Standards for undergraduate degree programs, AACSB International identifies both the dynamics of the global economy and multicultural understanding as important components of an undergraduate program.² Further, the standards encourage “learning experiences”³ in both these areas.

The European Quality Improvement System (EQUIS), in its standards and criteria for accreditation, identifies the “international dimension” of a school of business as “one of the overarching dimensions of the EQUIS framework.”⁴ Thus, the international dimension as defined by EQUIS includes requirements beyond the curriculum, such as a university’s links with the international corporate world and relationships with international organizations.⁵ Regarding the curriculum specifically, however, in the same vein as AACSB International, EQUIS identifies as evidence of a university’s international dimension “teaching which focuses on the European and global business environments...internships and study abroad as an integral part of programmes...[and] international case studies and learning materials.”⁶

Of the evidence that EQUIS considers in assessing a university’s international dimension, the piece that intrigues many educators is “study abroad.” Incorporating the “abroad” element into one’s teaching is an exciting proposition, but it has its challenges. Not only are there the very practical issues of arranging travel, budgeting, and marketing the program or course, there is fundamentally the matter of tying the abroad experience to the course curriculum, that is, using a travel component to enhance the substantive course material.

Despite these practical issues, however, and in addition to the incentive given to universities and their faculties by the accrediting organizations, students themselves are playing a significant role in encouraging universities to adopt study or “learning”⁷ abroad programs. The statistics show that “if you build it, they will come.” In its 2011 Open Doors Report on International Student Exchange, the Institute of International Education (IIE) documented that the number of U.S. students studying abroad for academic credit stood at more than 270,000 annually.⁸ This number is more than triple the number of students who studied abroad just 20 years ago.⁹ Perhaps even more interesting is the fact that the greatest proportional increase since 2000 has been amongst business students. Today, more than 20% of all learning abroad students are studying business or management.¹⁰

While this paper does not propose to cover all aspects or answer all questions about incorporating a learning abroad component within an undergraduate law course, it does propose offering some basic information and practical guidance for educators who are intrigued by the idea and willing to meet the challenge. To do so, the paper includes a brief review of the literature regarding the student outcomes that result from learning abroad, a curricular model for developing a learning abroad course using a legal history offering as an example, and a discussion of several practical issues related to scheduling and travel. The paper also includes a student reflection and the results of a survey assessing the learning outcomes of students who took the legal history course between 2007 and 2010. In the end the hope is that this paper will provide faculty with something of a road map for meeting the challenge of planning and implementing learning abroad in their courses.

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The Learning Abroad Experience: Student Outcomes

The literature consistently posits several important outcomes for students who engage in learning abroad. Typically, these outcomes are categorized as cognitive, personal, and relational. In other words, they relate to a student's academic achievement, personal development, and intercultural sensitivity. In their pilot study on short-term learning abroad programs,¹¹ Anderson, Lawton, Rexeisen, and Hubbard defined these outcomes as follows. The cognitive or academic outcome includes "problem solving and language skills, geographical and historical knowledge, etc."¹² These outcomes will, of course, vary depending upon the discipline and the specific academic content of the course at issue. Personal outcomes relate to a student's "confidence, personal identity, flexibility, creativity..."¹³ Additionally, amongst these personal outcomes the authors include a student's sense of direction for future career choices. The relational or intercultural outcome includes "interest in other cultures, diminished ethnocentrism, language skills, cultural sensitivity..."¹⁴

While sometimes using different identifiers, other researchers and educators agree that cognitive, personal, and relational outcomes are the elements of a learning abroad experience. For instance, Doyle in his holistic assessment of learning abroad identifies "the three dimensions of student growth" as cognitive, intrapersonal, and interpersonal.¹⁵ Dwyer in her study of the impacts of duration in learning abroad programs speaks of "academic attainment, intercultural development, career impact and personal growth."¹⁶ Williams, more specifically referencing the intercultural or relational element, identifies "open-mindedness" and "cultural empathy"¹⁷ as important outcomes.

These beneficial globally-related outcomes apply generally across the student spectrum. All students, business and non-business students alike, benefit from positive cognitive, personal, and relational outcomes. Indeed, for business students they are critical. Business today by definition is global. Events in one part of the world affect product pricing, stock market performance, and access to resources in other parts. No one would question the impact of the Fukushima earthquake on Toyota dealerships in Ohio or California, and no one would question the impact of the Greek debt crisis on stock prices and dividends in New York, London, or Mumbai. Thus, as businesses in the United States are enmeshed willingly or not in a web of global proportions, the "demand for cross culturally competent employees is expected to rise."¹⁸ Preparing business students to work in this global environment requires, therefore, that they especially be provided with some exposure to the wider world. For them, at least as much as for the general body of undergraduate students, learning abroad is key. As Toncar, Reid, and Anderson confirm in their paper on business student needs in the global environment, "The increasingly global face of business highlights the importance of providing business students with a global perspective as part of their education."¹⁹

Providing business students with this global perspective seems also to serve a secondary purpose for them—getting a job. Not to overstate the matter, employability is on everyone's mind. Business students and non-business students alike want to put their education to work in areas that relate to their studies. For both, learning abroad offers an opportunity to develop marketable skills. Yet, a few studies have found that business students "felt more strongly that studying abroad would enhance their job prospects."²⁰ This finding resulted from a series of focus group sessions conducted at Youngstown University involving both business and non-business student perceptions of the learning abroad experience. Additional findings from these focus groups confirmed that business students were more practical generally in approaching learning abroad than were their non-business student colleagues.²¹

The results of the Youngstown study are echoed in an Indiana University (IU) study.²² That study asked former business students from IU's Kelley School of Business if they thought that their study abroad experience had provided them with marketable skills in their job search. The answer was a clear "yes." Study results showed that 94% of respondents listed their international experiences on their resumes and 79% mentioned their experiences in job interviews.²³

This business student interest in connecting a learning abroad experience to the job search may have something to do with employer perceptions about learning abroad. Several researchers report that employers value the learning abroad experience of their future hires. A study sponsored by the Council for International Educational Exchange (CIEE) concluded that while "...studying abroad is not, in and of itself, a way to get a job.... [e]mployers clearly value many of the qualities, and especially the skills, that international educators associate with study abroad."²⁴ The IU research referenced above confirms the CIEE finding when it says: "Qualitative data suggests listing a study abroad experience on a resume is advantageous, and furthermore, having a study abroad experience is beneficial in increasing one's career opportunities."²⁵

As educators, however, while we are hopeful that our teaching enhances student abilities to obtain worthy employment, we are unquestionably focused on our students learning the course content and being able to apply it meaningfully in their personal and professional lives. To accomplish this objective using a short-term learning

abroad model requires that our model engage students in meaningful learning activities abroad during a period of short duration.

The Learning Abroad Experience: A Short-Term Model

The short term model presented here is one that embeds a learning abroad experience within a 14-week semester course that is taught on an American university campus. Traditional learning abroad formats, such as, “semester abroad,” clearly fall outside these parameters. What is required rather is a learning abroad component of much shorter duration.²⁶ The model presented here meets this requirement by embedding an 8-day abroad experience within the 14-week period. Understandably, some have questioned whether shorter duration programs can deliver the level of cognitive and intercultural learning that longer programs do,²⁷ but enough statistical analysis has been done to demonstrate that shorter term programs can have valuable learning outcomes for students.²⁸

The statistical analysis on these shorter-term programs has been motivated in part by the fact that universities are moving in the direction of shorter programs, which the Institute of International Education (IIE) categorizes as being of an eight week or less duration. In fact, IIE reports that the number of university students engaged in shorter duration learning abroad programs has increased faster than any other type of learning abroad program and now embraces approximately 12% of all learning abroad students.²⁹ IIE also reports that these shorter programs have registered a 5.5% increase in student numbers during the ten year period from 2000 to 2010, or a real number increase of almost 21,000 annually.³⁰ This has occurred while all other types of learning abroad formats with the exception of summer term programs have experienced percentage declines in student participation or remained stagnant.³¹

An important consideration for universities seeking to accommodate this growth in short-term learning abroad programs is the practical issue of where to fit them within the 14-week semester. Obviously, travel during the semester when classes are in session or during the exam period is not practicable, and travel during the period prior to the start of the class to which the learning abroad component relates, for example, the period in late August or early January, is not likely to be useful. A learning abroad experience requires preparing students for that experience and laying the foundation for the learning to be accomplished. Traveling before a course begins without taking the time to provide the context that preparatory course work provides and without giving the students who will travel and live together as a group the opportunity to get to know each other is unlikely to result in desired learning outcomes and may even create problems. Looking at the standard 14-week calendar, therefore, the week-long semester break presents itself as the most suitable period for a short-term learning abroad experience. During the break students are not usually confronted with competing academic commitments and are free to travel away from campus. Accepting that the break is the period most conducive to an 8-day learning abroad experience, the next objective is to match course content with an appropriate learning destination.

For legal educators the options are rich. Most all undergraduate law courses include some material that has international implications. Considering courses commonly offered within a law curriculum, the one that immediately presents itself as most suited to a learning abroad experience is international business law, a course where by definition the material is international. Contemplating a destination for such a course is not difficult. For example, if one is teaching a unit or chapter on international trade organizations generally or on the European Union in particular, a week-long learning experience in Brussels or Strasbourg can be an effective way of reinforcing course content while also providing students with a valuable personal and intercultural experience.

Europe can also be a rich study abroad location for courses in labor law, alternative dispute resolution, securities regulation, discrimination, and others. Most texts in these subject areas include some international material. Where a course does not include such material, it would not take much for the instructor to develop a comparative law component for the course and travel to a European or some other destination to make the comparison. For instance, students studying securities regulation in the United States would enhance their understanding of securities regulation generally by learning how securities are regulated in the United Kingdom. A visit to London, Europe’s largest financial center, with meetings at the Bank of England, at the London Stock Exchange, and with a member of the House of Commons’ Treasury Committee,³² which is tasked with examining the administration and policy of the Bank of England and the UK Financial Services Authority, would make for powerful outcomes for students. My own experience in arranging meetings with members of Parliament and barristers in chambers teaches that arranging such meetings is not as difficult as it may at first seem. The best approach is to use the internet or some other resource, identify an appropriate individual or office within the relevant organization, make a direct contact via email or telephone, and request a meeting. These types of arrangements made directly by the faculty member teaching the course allow for a program focused specifically on the needs of the course and controlled by the faculty member directly.

While some courses like those already mentioned may readily invite a learning abroad experience, other courses at first blush may not seem suitable. Yet the fact is that all courses with a little thought can become vehicles for learning abroad. For instance, the course that inspired this paper is a course in legal history entitled “The English Origins of American Law” (hereinafter “English Origins”). The course is a study of the formation of the common law between the Norman Conquest (1066) and Magna Carta (1215). It has been offered successfully since the early 1990s as a 3-credit course taught on campus with an 8-day abroad component.

The Course Curriculum of the English Origins Course

English Origins grew out of my interest in English legal and political history and my study experience in London during the 1970s. From this interest and experience developed the idea of introducing students to the origins of the common law system and sharing those origins through a learning abroad experience. In addition to this personal interest, however, the course made curricular sense. The common law is fundamental to most everything we teach. Legal environment texts uniformly in the first chapter invoke the common law heritage of the American legal system. The Miller and Cross text is but one example: “Eventually, the common law tradition became part of the heritage of all nations that were once British colonies, including the United States.”³³ For all subsequent law courses in the undergraduate curriculum from product liability and contracts to agency and real estate, common law is foundational.

Of course, today the historical context and meaning of the “common law” are lost on most. The common law stands primarily as a marker for “precedent” and *stare decisis*. During the period of its formation, however, “common” law related more to territory than to precedent.³⁴ Understood historically, the common law was the law that became common throughout the realm through the gradual application of royal justice and procedure. As noted by R.C. Van Caenegem in his treatise on the common law:

Thus it appears again that the rise of centralized justice and the shaping, if not the creation, of a common law came about not by one stroke of genius, a solemn enactment creating a new law court and a new set of rules devised by a group of learned lawyers and provident statesmen, but gradually and along some surprising roads and paths, which are as baffling to the logician as they are delightful to the historian.³⁵

While students are not often confused with logicians, they too are baffled and discomforted by the fact that the common law did not always exist, that it was not simply decreed by the king, and that it was not the exclusive means of resolving disputes within the realm.³⁶ The fact is that while students find comfort in the black and white of fixed law and 21st Century precedent, they are a bit unsettled by the gray of this gradual medieval evolution toward a common law.³⁷ For this reason, I try to help their understanding by centering the course on three major reforms of the 12th Century. These are the institution of the royal itinerant justice in eyre, the development of the jury or “recognition,” and the creation of a system of writs.³⁸ All three of which were together instrumental in the formation of the common law.³⁹ As confirmed by Pollock and Maitland writing in their seminal work on the history of English law and referencing the “most durable and the most fruitful” results of the reign of Henry II:

...we may say that the whole of English law is centralized and unified by the institution of a permanent court of professional judges, by the frequent mission of itinerant judges throughout the land, by the introduction of the ‘inquest’ or ‘recognition’ and the ‘original writ’ as normal parts of the machinery of justice.⁴⁰

The eyre was a mechanism that allowed the king to expand the reach of his justice beyond Westminster. Travel was difficult in the 12th Century both for complainants traveling to the central court in London from the countryside and for the king and his court, the *Curia Regis*,⁴¹ traveling around the realm. Making the king’s justice more accessible to all, getting his justice to the countryside more regularly, required a new formula. Thus was born the itinerant justice who rode the circuit. There were not many such justices. Pollock and Maitland indicate that by 1179, there were only 21 justices riding four circuits,⁴² but they were commissioned by the king to travel to the villages and the hundreds⁴³ with the power “to demand information and receive sworn answers of the people of the vicinity.”⁴⁴

These itinerant justices became the major point of contact between king and people. They inquired as to any wrongdoing by officials, they tried criminal matters, and they heard cases between parties,⁴⁵ resolving matters that might otherwise have had to wait a very long time for the arrival of *Curia Regis* or be brought inconveniently to Westminster Hall in London. Further, and of more significance to the modern understanding of common law as precedent, these itinerant justices, upon returning to Westminster after completing their circuit, would meet together combining their “learning and practical experience and [uniting] the two in their work and their discussions. They produced ever-increasing written records and the first administrative manuals.”⁴⁶ Their discussions furthered the

“regularization and standardization” of law and justice,⁴⁷ moving a common law not only in the direction of larger territorial application, but also in the direction of a more consistent application as well.

In addition to this adjudicatory function, however, the eyre served important political and financial objectives of the king. When the Normans conquered England under William the Conqueror in 1066, they were confronted with an already existing legal framework in the Anglo-Saxon shire and hundred courts, which they did not dismantle.⁴⁸ Further, and more importantly, the courts of the Roman Church, the ecclesiastical courts, also were functioning and exercising significant authority and power in their own areas of jurisdiction,⁴⁹ thereby reinforcing papal and episcopal authority in the realm. Finally, as payment to his barons who were instrumental in the conquest, William gave land and allowed them to establish their own baronial or seigniorial courts to deal with matters among their tenants, creating another power center. By 1154, when Henry II (d. 1189) came to the throne all of these courts still existed, posing impediments to the reach and supremacy of his royal authority⁵⁰ and a law common to the realm. The eyres then were a means of “usurpation of the jurisdiction of the local courts”⁵¹ and generally a reminder to his subjects that the king’s authority was preeminent. Coupled with his political objective, the king had a financial one—raising money for his treasury.⁵² Litigation was made costly; people paid for royal justice. As George Haskins wrote of Henry II and the sons who succeeded him, Richard and John:

They coveted for themselves control of the new feudal jurisdictions, not only as a means of enhancing their own power and obtaining a firmer grip on the entire kingdom, but also for the revenues that poured into the local feudal courts—the fines, amercements, wardships, marriages, reliefs and other payments that passed into the hands of lords from their tenants.⁵³

In addition to the eyre, the second royal reform that led to the creation of a common law was the introduction of the jury, also referred to as the “recognition.” Initially, this jury of twelve sworn men chosen from the locale in which the eyre sat was charged with answering questions put to them by the itinerant justice.⁵⁴ If a cause was brought by one who claimed to have been dispossessed or disseised from his land or if a criminal accusation was before the justice, it was the jury’s duty, as a witnessing jury, to investigate the alleged wrongdoing and tell what it knew. As Pollock and Maitland put it, these 12th Century jurors did not deliver a judgment, rather “they come to ‘recognize,’ to declare the truth....”⁵⁵ This is another one of those gray areas where students are looking for certainty, a jury that gives a verdict, but what they get, at least initially, is a jury that answers questions, a jury more in keeping with what might be considered today as a grand jury or inquest rather than a petit jury rendering a verdict. Nonetheless, with the passage of time and the abolition of the ordeals as means of proof in the early 13th Century, “...the jurors’ decision as to whether they trusted or suspected the accused grew very close to a ‘guilty’ or ‘not guilty’ verdict.”⁵⁶

The important point for our purposes, however, is that the jury system, especially as it developed during Henry II’s time,⁵⁷ and used in his courts, was evolving into an attractive alternative to the means of proof available in the other courts. “The fact that the central courts adopted the jury as their ordinary mode of proof strengthened their popularity, because there was widespread dissatisfaction with the other, more primitive judicial techniques such as unilateral ordeals and trial by battle.”⁵⁸ The jury, therefore, which promised a more thoughtful approach to adjudicating disputes and determining guilt or innocence, suited the royal interests well. It drove business to the royal courts often displacing jurisdiction in the seigniorial courts and expanding the political and financial interests of the king.

Finally, the third reform that contributed to the development of the common law was the system of possessory writs or assizes established by Henry II to protect certain rights to land. These writs allowed matters that might have been heard in the seigniorial courts to move to the royal courts.⁵⁹ Needless to say, the barons were not happy about these new writs not only because the tenants could use the writ to leapfrog the baron’s court and his right to decide matters in his own domain, but also because like the king, the baron too was desirous of collecting the fees that came with a court action.⁶⁰ Nonetheless, the issuance of these royal writs and the usurpation by the king of seigniorial jurisdiction was premised on the simple accepted proposition that “all land was held of the king.”⁶¹ Through these writs the king further increased the reach of royal jurisdiction and “routinized”⁶² the process for claimants by providing a specific writ for a specific type of claim.

Thus, the possessory writs⁶³ were available to those who claimed to have been recently ousted from peaceful possession of land, i.e., disseised;⁶⁴ those who claimed to have been denied a rightful inheritance;⁶⁵ those who claimed to have been denied the right to appoint the parson to a church when a vacancy occurred,⁶⁶ and those who disputed whether land was held in lay fee or in alms, that is, whether the land at issue and all disputes arising from it came under the jurisdiction of the royal courts or the ecclesiastical courts. This last writ, the writ *utrum*, which takes its name from the Latin for the word “whether,” provides an opening for a wider discussion in class about the role of the church in early English society and the clash of interests between the king and the bishops, and more specifically the clash between Henry and Thomas Becket, the Archbishop of Canterbury. That clash, which flowed from

pronouncements made in the Constitutions of Clarendon (1164)⁶⁷ relating to *utrum* and to benefit of clergy, ultimately led to Becket's assassination in 1170 in Canterbury Cathedral at the hands of Henry's henchmen.

Thus, these three significant reforms during Henry's reign, improving access to royal justice through the eyre, providing a more attractive form of proof through the jury, and furnishing a system of writs that extended royal jurisdiction in land cases, laid the foundation for the development of a law common to the realm and also allowed Henry to increase his financial holdings and his authority. This expansion and application of royal power in Henry's hands worked well enough; however, his son and later successor John (1199-1216), who was not as capable as his father, faltered. One writer of the period describes John as "suspicious of all men, jealous of his barons, devious in pursuing his objectives, and calculatingly cruel."⁶⁸ Another draws a direct line from this unsavory John to Magna Carta—"The result of King John's arbitrary interferences with accepted procedures of due process had resulted in Magna Carta, which was a detailed formulation of the jurial relationships between the king and his tenants in chief."⁶⁹

With Magna Carta and the end of John's reign the foundational period of the common law comes to an end. As Richard O'Sullivan notes: "At the beginning of the reign of Edward I [1216] the main outlines of the medieval Common Law will have been drawn for good. The subsequent centuries will be able to do little more than fill in the details of a scheme which is set before them as unalterable."⁷⁰ With Magna Carta also comes the end of the course material. As a document Magna Carta may not be what students had expected at the start of the course with many of its details relating to feudal relationships that have no resonance today. Nevertheless, the Charter is witness to a concept that the students do understand—the principle that all are under the law, even the king.

One final note on course content is in order. While the course is clearly one on legal history, preparing students for the abroad component of their study requires that they be given some background on the United Kingdom today. Each class meeting, therefore, includes a review of selected contemporary issues in the UK. Discussion centers on the news of the day, British politics and the electoral process, the parliamentary system, Britain and the European Union, the Irish question, and other issues and topics raised by student research. These discussions are facilitated by the use of the traditional British press, the internet, and videos, including C-Span's "Prime Ministers Questions."

The Learning Abroad Component of the English Origins Course

Having completed the bulk of the historical study in class meetings on campus, the next phase of the course occurs in England using London as a home base. Considering that the 8-day travel period effectively allows for only seven full days on the ground and considering also that three of those days are given over to jet lag, a day of general orientation and site-seeing in London, and a free day for students toward the end of the trip, four days are left for enhancing the material that students have learned in the course. Again, as with the organization of course content, the idea is to keep the experience simple. Each day is given a theme corresponding to some aspect, past or present, of the course material. Each day also provides students with time to explore and mingle with the natives. Chronologically, the academic themes for the days focus on Henry II and the controversy with the Church, Magna Carta, the British courts and the legal profession, and contemporary British politics.

- Day One—As Pollock and Maitland note, Henry II was the prime mover in the development of the common law.⁷¹ His conflict with Becket over the reach of Church law and ecclesiastical court jurisdiction set the stage for one of history's most tragic denouements—Becket's "murder in the cathedral."⁷² There is no better place to reinforce the lesson of this conflict than a visit to Canterbury Cathedral itself. The Cathedral, which is just under two hours south of London by train, offers two types of guided tours, one led by staff members with the opportunity for a question and answer period and a second self-guided audio tour using a hand-held set. Both Cathedral tours offer not only a history of the building and an explanation of its architecture and stained glass, but also an opportunity to visit the site of Becket's murder and hear an historical account of events leading to it. In addition to the Cathedral and the Becket controversy, Canterbury itself offers other interesting learning opportunities for students. For instance, Canterbury was the site of an early Roman settlement. Highlighting that fact is Canterbury's Roman museum, which displays a number of artifacts from the period. Canterbury also plays prominently in Chaucer's writings and is one of the few remaining walled cities in England. Much of the wall remains intact today with a footpath running along its high point from the railway station to the city center.
- Day Two—One of the few remaining original copies of Magna Carta is on display at the British Library in London. Kept in a small vaulted room open to the public, the display includes not only the Charter, but other related documents of the period including the Articles of the Barons.⁷³ These documents are

written in Latin and are barely legible so the Library provides a useful commentary and other materials that explain their history and significance. Following the visit to the Library, the class travels to Runnymede. Runnymede is the field along the River Thames outside Windsor where in 1215, King John under force of arms was made to sign Magna Carta.⁷⁴ At Runnymede there is a small stone monument to the Charter, which interestingly was donated by the American Bar Association, but little else to commemorate the event. To add a little drama to the journey, however, each student is required to bring a copy of Magna Carta and, standing at the base of the monument, read aloud a selected portion of it. While perhaps over-dramatic to some, the students, some of whom from time to time have tried their British accents while reading, actually enjoy the chance to be part of this history. Being close enough to Windsor, the remainder of the day includes a tour of historic Windsor Castle built originally by William the Conqueror and used later by Henry II, John, and all monarchs down to Elizabeth II.

- Day Three—Like courts in the United States, British courts are open to the public. Without the possibility, however, of observing a proceeding before an itinerant justice in eyre, the class instead visits the Old Bailey and the Court of Appeal in the Strand to observe proceedings. The Old Bailey is London's central criminal court. Each day sees a number of trials being heard simultaneously and prosecuting a full range of illegal activities. About a mile to the west of the Old Bailey sits the Court of Appeal. There, civil appeals from lower court decisions are heard each day. Surprisingly, for most of the students these visits to these English courts constitute their first experience in a courtroom anywhere. Following the visits, students take stock of what they heard and with my help draw comparisons with both trial and appellate proceedings in the United States. In the evening the class visits Middle Temple, one of the four Inns of Court, where English and Welsh students and students from many current and former British possessions train to become barristers. There, they dine in one of Britain most magnificent medieval halls and engage in conversation with the students and professionals at the Temple. To ensure that the students get the most from this opportunity, I separate them from each other and require that each joins a table of strangers. Initially, they experience much anxiety, but discover as the evening progresses that this experience is one of the most interesting of their week.
- Day Four—The best way to get a close-up view of British politics is to visit the British Parliament, which sits at the Palace of Westminster. There are four parts to a visit to Parliament although they may not occur in the exact order presented here. The first is a visit to the “strangers’ gallery” to observe a floor debate. Evening is actually the best time for doing this as there is usually no wait and ready seating. The debate on the floor can be a discussion about something as inconsequential as a post office closing in rural Scotland or it can be something of significance requiring a vote where all members including the Prime Minister are present. A daily schedule is published so it is possible to know in advance the issues for debate on any particular day. The second part of the visit is a guided tour of both the House of Lords and the House of Commons; these tours occur usually in the morning when the Houses are not sitting. Third is a visit to Westminster Hall, which is the oldest part of the palace. The Hall has been the scene of many events important to legal history. During the reign of Henry II, it was the seat of the royal courts in London; later, in the 17th Century, it was the place of the trial, conviction, and sentencing of Charles I, which resulted in his beheading. The fourth part of the visit to Parliament is a meeting with a Member of the House of Commons. These meetings, which I arrange directly through the Member’s office, last about 30 to 40 minutes. The location is usually a room somewhere in the palace reserved for the purpose by the Member’s staff. For the meeting students are required to prepare at least one question on economic, social, or international policy. The meetings are informal and always capture student interest.

In addition to this tightly packed week of meetings and activities relating to course material, there is student down-time each day. Students also are able to enjoy meals together, do additional site-seeing, attend an evening at theatre, and take a famous guided London walk. Altogether the week provides students with valuable learning outcomes.

These outcomes are measured in several ways. Students write and submit reflections, they respond to a survey conducted by the university’s International Center, and they complete the university’s end-of-semester course evaluation. Because these measures are usually general in nature, a more focused survey was developed and conducted for this paper. The results of that survey are discussed following a personal reflection by one of the students who participated in the English Origins course. The student, Ryan Hosie, has since graduated and is currently working in London as a financial analyst for GE Capital..

A Student Reflection on the English Origins Course

As I approached my junior year I began looking for opportunities to study abroad. Given the nature of my academic course work and my decision to graduate from university in three years, a semester long study abroad program was not feasible. During my search, I learned of a course that covered British legal history, the development of common law, and the impact of British common law on the United States' legal system. The course also featured a study abroad component that involved traveling to London over the university's spring break. While I was uncertain on what exactly to expect, the topics and the study abroad component appealed to my interest in history and the law. I quickly obtained an application and enthusiastically applied for the course.

The class was a small group of twelve students meeting every week around a large conference table. The class sessions were structured more as an interactive discussion than a formal lecture. The professor often began by introducing a topic and the students would contribute their thoughts and expand the discussion based upon our knowledge from the course materials. This interaction helped me personally to develop a strong rapport with the other students and the professor. I found this interaction extremely beneficial to facilitate the building of a sense of comradery among the group that would be strengthened on the upcoming study abroad trip.

One aspect of the course I found particularly valuable was how the professor exposed us to British history, government, and culture through a variety of different materials, experiences and interactions. Beyond the typical course readings, we were given assignments such as obtaining a British newspaper and discussing an article with the rest of the class. In another class meeting we watched a portion of Prime Ministers Questions and the State Opening of Parliament. I found these items provided additional context to the course material and prepared me well for the upcoming trip to London.

By the time spring break arrived I was slightly anxious, but mostly I was very excited for the trip to begin. We arrived in London in the morning, and once we were checked into the hotel we began a busy day around the city. While the professor kept a tight schedule, we were given a great deal of independence once we arrived at our destinations. Even though it was a class trip with a uniform schedule, students were able to divide into groups based on what was of greatest interest to them at a given location.

I thought one of the greatest benefits of the trip was that it provided an entirely new perspective to the topics we had discussed in class. For example, we were able to see an original copy of the Magna Carta at the British Library and travel to Runnymede where the Magna Carta was signed. Being able to view and discuss in person the document that was instrumental in the development of common law, and hence the United States own legal system, was a unique experience that cannot be replicated in a classroom. The experience helped increase my appreciation of the importance of the Magna Carta in the development of British and American law.

The experience I most enjoyed from the trip was attending a "Call Night" at Middle Temple, where legal students are initiated into the Inn of Court. Being able to witness a centuries' old tradition was an incredibly unique experience and one that I will likely never have the opportunity to repeat. Following the ceremony I dined with the Inn's students and was able to discuss the legal system in the United Kingdom and the process for becoming a barrister. Being able to have extended conversations with legal students was such an enriching experience. I enjoyed the evening at Middle Temple the most because it was so unique and something I never would have thought to do if I had visited the United Kingdom on my own.

From the trip, I also developed valuable personal and professional skills. Traveling in an unfamiliar place outside of my comfort zone was stressful at times. Yet as the trip progressed, I became more comfortable being in unfamiliar surroundings and was better able to cope with uncertainty. While during much of the trip the professor guided us to our destinations, we were also provided with various opportunities to explore the city in small groups. This helped increase my self-confidence, as I was able to make my own way to destinations throughout London. These experiences increased my comfort with the idea of traveling and living internationally in the future.

These skills I developed on my study abroad program are not only valuable to me—they are also valuable to employers. In my own personal experience I have twice been asked about studying abroad during employment interviews. The interviewers were especially interested in how studying abroad enhanced my ability to cope with uncertainty and function outside of my comfort zone. I feel confident in stating that my study abroad experience gave me an advantage in those interviews and made me a more attractive candidate for the positions. Additionally, I was given the opportunity to return to live in London as part of my first job following graduation. Collectively my experiences and personal growth achieved from the course made me feel comfortable in pursuing the opportunity and I believe it also made my employer more comfortable in sending me.

The benefits and experiences I obtained from taking part in this course were a vital component of my undergraduate education. I would suggest that all students strive to participate in at least one study abroad experience as part of their undergraduate education. While I strongly believe in the benefits of studying abroad, my

opinions are not unique. It is clear from the student survey results which follow that studying abroad had a beneficial impact on a number of my fellow students. While the survey results may indicate that not all students benefited in exactly the same way or to the same extent that I did, they do indicate several similarities both in what students felt about studying abroad and what they took away from it.

Survey Results

The survey was conducted in the spring of 2010. It was an anonymous survey administered electronically and collated by a student. The goal was to measure a mix of cognitive, personal, and relational outcomes for students who participated in the English Origins learning abroad experience. It included 27 statements to which students could answer “strongly agree,” “agree,” “neutral/NA,” “disagree,” or “strongly disagree.” It also included four opportunities for students to add general comments. The survey was sent to all 25 students who had taken the English Origins course between 2007 and 2010 and who had not yet graduated as of April 2010. These students were predominantly business majors. Of the 25 surveyed, 22 students (88%) responded producing results that are highly representative of the whole. Keep in mind, however, that while the results of the survey generally project positive outcomes for students in all three categories, the results are taken from the students’ self-perceptions of their experiences; there is no objective measure. Note also that there was no control group against which to compare results. Without a control group one cannot infer causation, but one can see correlations between the English Origins learning abroad experience and the positive outcomes reported by students. A complete listing of survey questions and results is in the appendix.

The survey included 11 questions that sought to measure the cognitive outcomes of the overall student experience. Questions regarding these outcomes focused on activities related to Magna Carta, the courts, and Parliament. Taken as a whole all 22 students agreed or strongly agreed that their experience in England increased their understanding of the link between English law and American law (question 9) and provided them with a helpful context for topics discussed in class (question 11). Also, all students agreed or strongly agreed that their experience increased their appreciation of the role of history in contemporary life (question 10). Other selected survey results included the following:

- Most students agreed (7 students) or strongly agreed (12 students) that the visit to Runnymede enhanced their understanding of Magna Carta’s historical setting (question 2).
- Most students agreed (7) or strongly agreed (13) that their conversations with English law students at Middle Temple helped their understanding of the English legal system (question 5).
- Most students agreed (4) or strongly agreed (16) that their visit to Parliament enhanced their understanding of the British political system (question 7).
- Only 11 students agreed or strongly agreed that their meeting with the Member of Parliament helped them to understand better at least one important policy issue (question 8). There were nine “neutral or not applicable” responses to this statement. The fact that in 2010, we were unable to meet with a Member likely affected this result.

The survey included 11 questions that sought to measure student personal outcomes. These questions related to issues of student self-confidence, independence, and ability to operate outside their comfort zones. Several questions also focused on employment issues. For example, students were asked whether they included their learning abroad experience on a job or internship application; only 11 of 22 responded affirmatively. In contrast, however, 16 of 22 indicated that they had discussed their experience at a job or internship interview. Other results regarding personal outcomes included the following:

- Most students agreed (8 students) or strongly agreed (13 students) that their experience improved their ability to operate outside their comfort zone (question 13).
- Most students agreed (8) or strongly agreed (10) that their experience confronted them with at least one challenging situation and that they were able to deal with it (question 16).
- Most students agreed (11) or strongly agreed (8) that their level of self-confidence had increased as a result of their experience in England (question 18).
- Most students agreed (10) or strongly agreed (8) that their experience increased their ability to act independently (question 20).

The survey included five questions that sought to measure relational or intercultural outcomes. These questions focused on student open-mindedness and an ability to see beyond a purely American frame of reference. On this point, in a general comment that highlighted the positive intercultural effect of learning abroad, one student stated that because of this experience, “I will now seek international work opportunities with my company at some time in the future, where before I never thought there was a real benefit in going outside the United States.” Responses to specific questions regarding relational outcomes included the following:

- Most students agreed (9 students) or strongly agreed (12 students) that their experience helped them to accept the importance of understanding alternative ways of doing things (question 14).
- Most students agreed (8) or strongly agreed (12) that their experience enhanced their ability to interact with people different from themselves (question 15).
- All 22 students agreed (11) or strongly agreed (11) that the experience increased their appreciation of the global nature of contemporary society (question 19).

In 2012, ten more students enrolled in the English Origins learning abroad course. While they obviously could not have participated in the 2010 survey, on returning from England they did submit personal reflections. One student’s reflection was particularly poignant and spoke directly to the value he took from his 8-day learning abroad experience.

I learned a lot about myself, and about how much I don’t know about this world. Although the United States is exceptionally large in both size and population, we live in a nationalistic bubble. A great example of this was at Middle Temple when I was fortunate enough to have dinner with two women from the Seychelles. To be honest, I’ve never even heard of these islands off the coast of Africa, let alone anything about them. I felt a sense of guilt and ignorance. I asked myself, “How has an educated 21 year old gone all this time without ever hearing of this country?” As a country we don’t know a whole lot about everyone else. Many US residents speak one language, the girls I had dinner with spoke four. They knew about governments in several countries, while many citizens of our country can barely tell you about ours. Sitting on the plane on the way home, reflecting on the week I found my answer. Before this trip, I didn’t really care or take interest in what happened outside the confined borders of our country. This opportunity opened my eyes, and expanded my interests beyond the east and west coast of the US.

Practical Tips on Planning the Learning Abroad Travel Component

While the model presented in this paper is an 8-day learning abroad experience embedded into a 14-week semester course, the issues that arise in planning the travel component are common across the spectrum of learning abroad models. The following tips are, therefore, widely applicable.

- **Budget**—The basic elements of a budget include airfare, hotel, ground transportation on site, food, gratuities, and bank fees. In addition, depending on the program there will likely be other fees, including admission fees for venues. To control best the budget, try making most all arrangements yourself. Deal directly with the hotel in making room arrangements and negotiating a price. Also deal directly with all venues that you will visit. Some can be prearranged and paid for on-line, others at the time of admission. For flight arrangements, however, use an agent. Booking flights online on your own is inadvisable. When planning the budget, preferably six to eight months in advance of travel, consider also currency exchange rates. They will fluctuate and are not always easy to predict so it is advisable to cushion the budget to protect against an adverse exchange rate fluctuation.
- **Marketing**—Marketing the course on campus is relatively easy. If your university has a “study abroad” office, that office can assist in posting information about the course. Do not, however, rely solely on someone else. Use class distribution lists to send email notices to all students, have flyers posted across campus including the dorms, and conduct information sessions. Very often students who participated in the course in previous years will be willing to speak at these sessions. Once the course has run several times, however, and achieved a good reputation, student word of mouth will become the best marketing tool.
- **Student Selection**—Traveling thousands of miles from home where you will likely be the only support system for your students requires that you control student enrollment. Do not travel with students whom you have not interviewed and determined to be trustworthy. Also, limit the number of students you enroll. Experience teaches that 12 students is at the manageable limit for one faculty member. In

selecting students, also remember to keep in mind hotel room arrangements, even numbers of males and females will work best if your plan is two to a room.

- **Trip Rules**—Do not be shy about clearly stating strict rules of etiquette for the travel component. Let students know that you will demand appropriate behavior and timeliness while abroad. One area of concern when traveling to most other countries is the 18-year old drinking age. In my experience it is not possible to keep every student from drinking, but it is possible to take steps that can limit drinking. For instance, plan an itinerary that includes group evening events; this will deter nighttime pub-crawling. Following the event, schedule a group meal. At group meals I do not object to students ordering an alcoholic beverage as long as they pay for it. Also, my presence moderates any inclination students may have to drink too much.
- **Liability**—Students who travel abroad should be required to sign a release of liability. Most universities have developed standard releases for students who participate in extracurricular activities. These can be adapted to a learning abroad experience and should include you as well as the university as a releasee. If the university has an established study abroad office, it will likely have already created a suitable release. If the university has no standard release, then one should be crafted.⁷⁵ It is fair to say, however, that the enforceability of a release is dependent on a variety of factors including whether the public policy in a particular state favors or disfavors the enforceability of releases, the language of the release itself, and the circumstances under which students are made to sign it.
- **Course Schedule**—As already indicated, the English Origins course is scheduled within the regular semester calendar. To make the course available to the largest potential audience, it is offered in the evening when both day students and evening students, many of whom work during the day, can take it. The class meets once a week for 140 minutes during the first half of the semester leading up to semester break. Upon returning to campus from England after the break, there is one wrap-up session that includes both a discussion about the legacy of English common law for the American system and a student reflection on the course including the learning abroad experience. During the remainder of the semester, students meet individually with me as they draft and write their research papers.

Conclusion

Overall, offering a law course with a learning abroad component can be an extremely satisfying pedagogical experience for both instructor and students. In legal education particularly, the opportunities to incorporate an abroad experience are many. As with all teaching, however, planning and organization are critically important. Choose a learning objective of a course you teach that can be enhanced by an experience abroad, choose an international destination that will complement that objective, and build from there. A properly planned and executed, short-term learning abroad experience can achieve important cognitive, personal, and intercultural outcomes for students and ignite a pedagogical spark for faculty.

“Footnotes”

¹ See ROGER LEROY MILLER & FRANK B. CROSS, *THE LEGAL ENVIRONMENT TODAY: BUSINESS IN ITS ETHICAL, REGULATORY, E-COMMERCE, AND GLOBAL SETTING* (6th ed. 2010); MARIANNE M. JENNINGS, *BUSINESS: ITS LEGAL, ETHICAL, AND GLOBAL ENVIRONMENT* (9th ed. 2012).

² *ELIGIBILITY PROCEDURES AND ACCREDITATION STANDARDS FOR BUSINESS ACCREDITATION* (AACSB International, Jan. 31, 2012), Standard 15, at 71.

³ *Id.*

⁴ *EQUIS STANDARDS AND CRITERIA* (European Quality Improvement System, Jan. 2012), Chapter 9, at 61. “The School should have a clearly articulated strategy and policies for internationalisation. It should demonstrate its commitment to educating and preparing students and participants for management in an international environment. This should be underpinned by active collaboration with international partner institutions in fields such as student exchanges, joint programmes, research activity and corporate connections. The School should be able to attract students and faculty from other countries. It should carry out research of international relevance and scope.” *Id.*

⁵ *Id.* at 63.

⁶ *Id.* at 64.

⁷ While the phrase “study abroad” is commonly used to identify programs of study undertaken in other countries, this paper uses the phrase “learning abroad” as a more inclusive means of describing the range of study abroad programs. To clarify, Cheryl Achterberg writing in 2002 stated: “I propose an expanded model for learning abroad. I use the term *learning abroad* instead of *study abroad* to signify opportunities broader than the traditionally defined semester abroad in a foreign institution of higher education, usually during junior year.” Cheryl Achterberg, *Providing a Global Perspective: An Educator’s Duty*, ABOUT CAMPUS, Jan.-Feb. 2002, at 19.

⁸ *Open Doors Report on International Education Exchange: Fall 2011 Snapshot Survey*, INSTITUTE OF INTERNATIONAL EDUCATION (2011), available at <http://www.iie.org/opendoors> (last visited May 11, 2012).

⁹ *Id.*

¹⁰ *Open Doors Report on International Education Exchange: Fields of Study of U.S. Study Abroad Students, 2000/01-2009/10*, INSTITUTE OF INTERNATIONAL EDUCATION (2011), available at <http://www.iie.org/opendoors> (last visited May 11, 2012). The Institute reports that not only has the percentage of business students learning abroad grown faster than any other category of students, but the total real number of business students learning abroad is the second highest of all categories of students, out-ranked only by social science students. Interestingly, more traditional leading subject areas in learning abroad programs, such as foreign language and humanities have experienced a decline in the percentage of overall learning abroad students. *Id.*

¹¹ Philip H. Anderson, Leigh Lawton, Richard J. Rexeisen & Ann C. Hubbard, *Short-term Study Abroad and Intercultural Sensitivity: A Pilot Study*, 30 INT’L J. OF INTERCULTURAL REL. 457 (2005).

¹² *Id.* at 458.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Dennis Doyle, *Holistic Assessment and the Study Abroad Experience*, 18 FRONTIERS: THE INTERDISCIPLINARY J. OF STUDY ABROAD 143, 145-153 (2009).

¹⁶ Mary M. Dwyer, *More Is Better: The Impact of Study Abroad Program Duration*, 10 FRONTIERS: THE INTERDISCIPLINARY J. OF STUDY ABROAD 151, 155 (2004).

¹⁷ Tracy R. Williams, *Exploring the Impact of Study Abroad on Students’ Intercultural Communication Skills: Adaptability and Sensitivity*, 9(4) J. OF STUD. IN INT’L EDUC. 356, 358 (2005).

¹⁸ Tammy Orahood, Larisa Kruze & Denise E. Pearson, *The Impact of Study Abroad on Business Students’ Career Goals*, 10 FRONTIERS: THE INTERDISCIPLINARY J. OF STUDY ABROAD 117 (2004).

¹⁹ Mark F. Toncar, Jane S. Reid & Cynthia E. Anderson, *Perceptions and Preferences of Study Abroad: Do Business Students Have Different Needs*, 17 J. OF TEACHING IN INT’L BUS. 61, 62 (2005).

²⁰ *Id.* at 75.

²¹ *Id.* at 76. For instance, in comparison to non-business students, the Youngstown study found business students more likely to view working overseas as more effective than taking classes, to be more insistent on receiving course credit for study abroad, to feel more strongly that financial aid be provided for study abroad, and to be more concerned that study abroad not delay graduation.

²² Orahood, et al., *supra* note 18.

²³ *Id.* at 124.

²⁴ Stevan Trooboff, Michael Vande Berg & Jack Rayman, *Employer Attitudes toward Study Abroad*, 15 FRONTIERS: THE INTERDISCIPLINARY J. OF STUDY ABROAD 17, 31 (2007-2008). Relevant for short-term abroad programs is the conclusion also reached by the authors of the CIEE study that “...the value that employers place on study abroad grows significantly as program length increases.... This is not an indictment of shorter programs, or of programs that don’t feature experiential learning; it is simply a recognition that in training students to discuss their learning abroad in effective ways, those who have participated in relatively short-term programs...will need to be able to describe their activities in ways that will convince prospective employers that their learning abroad has prepared them in other ways.” *Id.*

²⁵ Orahood, et al., *supra* note 18, at 118.

²⁶ While not the subject of this article, other short-term learning abroad options are available that do not have the time restrictions imposed by the 14-week semester calendar. Intensive courses offered during winter term or during the summer for longer durations may offer opportunities that a 7-10 day mid-semester program cannot. Several studies have been undertaken regarding such programs. *See, e.g.*, Lisa Chieffo & Lesa Griffiths, *Large-Scale Assessment of Student Attitudes after a Short-Term Study Abroad Program*, 10 FRONTIERS: THE INTERDISCIPLINARY J. OF STUDY ABROAD 165 (2004) (discusses a 3-5 week winter term learning abroad program at the University of Delaware); Jacqueline S. McLaughlin & D. Kent Johnson, *Assessing the Field Course Experiential Learning Model:*

Transforming Collegiate Short-term Study Abroad Experiences into Rich Learning Environments, 13 FRONTIERS: THE INTERDISCIPLINARY J. OF STUDY ABROAD 65 (2006) (discusses a 3-week summer learning abroad field course).

²⁷ Several studies have raised concerns about shorter term programs concluding that longer duration programs are more effective in the areas of student development identified in this article—cognitive, personal, and relational. One such study noted: “Long-held beliefs that studying abroad for a full year has more significant and enduring impact on students were supported by the data in [this] study.... While it requires very careful educational planning, expert implementation, and significant resources to achieve these outcomes in a shorter-term length, the results of this study should encourage study abroad educators and should reinforce the value of short-term programming of at least 6 weeks duration. Whether these results would hold for the increasingly popular 1-5 week programs is unknown.” Dwyer, *supra* note 16, at 161. Another study on the impact of semester-long learning abroad programs vis-a-vis programs of an eight-week or less duration found that on the matter of global-mindedness, statistically significant differences occurred that cast doubt on shorter-term programs. The study concluded: “...if colleges and universities have as an objective student growth in global-mindedness, they should promote semester-long programs.” Kevin Kehl & Jason Morris, *Differences in Global-Mindedness between Short-Term and Semester-Long Study Abroad Participants at Selected Private Universities* 15 FRONTIERS: THE INTERDISCIPLINARY J. OF STUDY ABROAD 67, 77 (2007-2008).

²⁸ While this author has not found a study of an 8-day learning abroad program, a study of a 24-day learning abroad program concluded that while more investigation of the impacts of short-term programs on intercultural sensitivity is needed, “Recent research has found empirical evidence of differences in students’ attitudes even after relatively short-term study abroad experiences.” Stephen Deloach, Leila Saliba, Victoria Smith & Thomas Tiemann, *Developing a Global Mindset Through Short-Term Study Abroad: A Group Discussion Approach*, 15(1) J. of TEACHING IN INT’L BUS. 37, 38 (2003). Similarly, another study regarding intercultural sensitivity based on a 28-day learning abroad program found “...preliminary evidence that short-term, non-language based study abroad programs can have a positive impact on intercultural sensitivity.” Anderson et al., *supra* note 11, at 467.

²⁹ *Open Doors Report on International Education Exchange: Duration of U.S. Study Abroad*, INSTITUTE OF INTERNATIONAL EDUCATION (2011), available at <http://www.iie.org/opendoors> (last visited May 11, 2012).

³⁰ *Id.*

³¹ *Id.*

³² For more information about the work of the Treasury Committee, visit the Committee’s website at <http://www.parliament.uk/business/committees/committees-a-z/commons-select/treasury-committee/> (last visited May 22, 2012).

³³ MILLER & CROSS, *supra* note 1, at 11.

³⁴ See JOHN HUDSON, *THE FORMATION OF THE ENGLISH COMMON LAW* 16-17 (1996).

³⁵ R.C. VAN CAENEGEM, *THE BIRTH OF THE COMMON LAW* 28 (2d ed. 1988).

³⁶ In this early period, a number of courts functioned simultaneously often with overlapping jurisdictions and varying standards of proof that were not consistent with the common law as it was developing in the royal courts. For a readable article on the topic of these early courts, see W.J. Brockelbank, *Beginners’ Notes on the History of the English Courts*, 4 ALA. L.J. TUSCALOOSA 249 (1928-1929).

³⁷ Confirming the confusing nature of early common law development, Frank Schechter discourages the view that “...the Crown [is] the fountain, the single source of all medieval justice, and of various local courts...as merely functioning by a delegation of power from the Crown....” It is not a correct view although Schechter admits to its being “doubtless pleasing.” Frank I. Schechter, *Popular Law and Common Law in Medieval England*, 28 COLUM. L. REV 269, 270-271 (1928).

³⁸ Speaking of these reforms and their contribution to the development of the common law, Hudson writes: “The eyre, the returnable writ, and the jury and recognition, would remain at the heart of law and of the royal administration of justice.” HUDSON, *supra* note 34, at 141.

³⁹ In his paper, Brockelbank provides an overview of the institution of itinerant justices and the writ system explaining that they each contributed to extending the reach of the royal courts. Brockelbank, *supra* note 36, at 255-259.

⁴⁰ 1 FREDERICK POLLOCK & FREDERIC WILLIAM MAITLAND, *THE HISTORY OF ENGLISH LAW*, 138 (2d ed. 1968).

⁴¹ For a description of *Curia Regis*, see ARTHUR R. HOGUE, *ORIGINS OF THE COMMON LAW* 150-152 (1966).

⁴² POLLOCK & MAITLAND, *supra* note 40, at 156.

⁴³ The hundred was an administrative unit of local government that existed in the 10th Century. It was a subdivision of the shire (county). J.H. Baker describes the hundreds and shires along with other local units including the tithing,

the village, and the borough. Interestingly Baker indicates that the shire as it existed in the 10th Century remains “substantially the same in name and shape to the present day.” J.H. BAKER, AN INTRODUCTION TO ENGLISH LEGAL HISTORY 6-8 (2d ed. 1979).

⁴⁴ Brockelbank, *supra* note 36, at 256.

⁴⁵ See HUDSON, *supra* note 34, at 123-125.

⁴⁶ *Id.* at 150.

⁴⁷ *Id.* at 151.

⁴⁸ HOGUE, *supra* note 41, at 147. Further, Haskins points out that not only did the Normans not dismantle these Anglo-Saxon courts, but rather they utilized them to the full, “reshaping them for their own benefit but seldom abolishing them.” George L. Haskins, *The Matrix of the Common Law*, 39 CLEV. ST. L. REV. 141, 144 (1991).

⁴⁹ BAKER, *supra* note 43, at 111-112. The ecclesiastical courts had unquestioned jurisdiction in cases involving marriage and divorce, bastardy, wills, succession to personal property, fornication and adultery, defamation, the laying of violent hands on a cleric, and the criminal prosecution of a cleric.

⁵⁰ See generally Haskins, *supra* note 48 (stating that historians generally understand the Norman and their successor Plantagenet kings to have been self-aggrandizing in their quest to centralize government for their own benefit).

⁵¹ Brockelbank, *supra* note 36, at 255.

⁵² Schechter notes that the fees for being heard before the *Curia Regis* were so high that only the very wealthy could afford to be heard there-- fees ranged upwards of 1000 pounds. Schechter, *supra* note 37, at 282.

⁵³ Haskins, *supra* note 48, at 146.

⁵⁴ HUDSON, *supra* note 34, at 141.

⁵⁵ POLLOCK & MAITLAND, *supra* note 40, at 139-140.

⁵⁶ HUDSON, *supra* note 34, at 179.

⁵⁷ The Assize of Clarendon (1166) and the Assize of Northampton (1167) both contributed to the development of the jury. Much of the text of the Clarendon Assize has not been preserved, but that of Northampton has. Van Caenegem notes: “One thing is certain, in the Assize of Northampton there was an article dealing specifically with the repression of novel disseisins and that text has come down to us. The action permitted whoever had been unlawfully disseised of his free tenement to recover it on the basis of a verdict by a jury, within certain time limits before royal judges. R.C. VAN CAENEGEM, *supra* note 35, at 43. Cf. POLLOCK & MAITLAND, *supra* note 40, at 138 (Refraining from using the word “verdict, Pollock and Maitland state: “The essence of the jury—if for a while we use the term ‘jury’ in its widest sense—seems to be this: a body of neighbours is summoned by some public officer to give upon oath a true answer to some question.”)

⁵⁸ R.C. VAN CAENEGEM, *supra* note 35, at 63.

⁵⁹ Brockelbank, *supra* note 36, at 257.

⁶⁰ As a result of the extension of royal authority through the eyre and the writs at the expense of the authority and financial interests of the barons, the barons took the opportunity in Magna Carta to exact a degree of revenge. In chapter 18 of the Charter it was established that the writs of *novel disseisin*, *mort d’ancestor*, and *darrien presentment* “shall not be held elsewhere than in their [the barons] own county courts.” Further, chapter 34 protected the king’s tenants-in-chief from the issuance of the writ *praecipe* in a fashion “whereby a freeman [a tenant-in-chief] may lose his court [i.e., jurisdiction.]” Magna Carta, available at <http://www.constitution.org/eng/magnacar.htm> (last visited May 25, 2012). For an explanation of the writ *praecipe*, see Alison Reppy, *The Development of the Common Law Forms of Action, Part II*, 23 BROOK. L. REV. 38, 47-51 (1956-1957).

⁶¹ Haskins, *supra* note 48, at 144.

⁶² HUDSON, *supra* note 34, at 142.

⁶³ For a detailed discussion of the distinction between proprietary and possessory interests and the early writs that protected them, see R.C. VAN CAENEGEM, *supra* note 35, at 46-50. For the wording of each writ, see Reppy, *supra* note 60.

⁶⁴ Writ of *novel disseisin*.

⁶⁵ Writ of *mort d’ancestor*.

⁶⁶ Writ of *darrein presentment*.

⁶⁷ For an overview of the conflict between Henry and Becket and of the Constitutions of Clarendon generally, see HOGUE, *supra* note 41, at 38-45.

⁶⁸ *Id.* at 46.

⁶⁹ Haskins, *supra* note 48, at 154.

⁷⁰ Richard O’Sullivan, *Natural Law and Common Law*, 11 U. PITT. L. REV. 538, 545 (1949-1950).

⁷¹ Pollock and Maitland begin the chapter entitled “The Age of Glanvill” with the following words on the work of Henry II: “The reign of Henry II is of supreme importance in the history of our law, and its importance is due to the action of the central power, to reforms ordained by the king. Still it was rather as an organizer and governor than as a legislator that Henry was active. He issued no code; we may even doubt whether he published any one new rule which we should call a rule of substantive law; but he was for ever busy with new devices for enforcing the law.” POLLOCK & MAITLAND, *supra* note 40, at 136.

⁷² Both T.S. Eliot and Jean Anouih have written plays on the event. Anouih’s version was used in the making of the film BECKET (Paramount Pictures, 1964).

⁷³ The Articles of the Barons were presented to King John prior to Magna Carta and became the basis of negotiations between the king and the barons. “Magna Carta grew out of a point by point discussion and rephrasing of the Articles of the Barons.” HOGUE, *supra* note 41, at 52.

⁷⁴ Pollock and Maitland characterize Magna Carta in these words: “In form a donation, a grant of franchises freely made by the king, in reality a treaty extorted from him by the confederate estates of the realm...” POLLOCK & MAITLAND, *supra* note 40, at 171.

⁷⁵ A number of articles have been written on the enforceability and drafting of releases of liability. *See generally* Mary Ann Connell & Frederick G. Savage, 29 J.C. & U.L. 579 (2003); Franklyn P. Salimbene, *Releases of Liability for Service-Learning Programs: Effective, Innocuous, or a Waste of Time?* 3(1) J. of CMTY. ENGAGEMENT & HIGHER EDUC. ____ (2011) (while addressing specifically releases used in service-learning programs, the cases and principles cited and the practical suggestions offered are of general application).

“Appendix”

1. Seeing the original copy of Magna Carta at the British Library increased my appreciation of its importance in the development of American law.

#	Answer	Response	%
1	Strongly Agree	8	40%
2	Agree	9	45%
3	Neutral/Not Applicable	1	5%
4	Disagree	2	10%
5	Strongly Disagree	0	0%
	Total	20	100%

2. Visiting Runnymede enhanced my understanding of the historical setting within which Magna Carta was formulated.

#	Answer	Response	%
1	Strongly Agree	12	57%
2	Agree	7	33%
3	Neutral/Not Applicable	2	10%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	21	100%

3. Attending the trial at the Old Bailey in London expanded my awareness of English legal procedure.

#	Answer	Response	%
1	Strongly Agree	15	68%
2	Agree	6	27%
3	Neutral/Not Applicable	1	5%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

4. Attending the trial at the Old Bailey in London expanded my awareness of American legal procedure.

#	Answer	Response	%
1	Strongly Agree	7	32%
2	Agree	11	50%
3	Neutral/Not Applicable	3	14%
4	Disagree	1	5%
5	Strongly Disagree	0	0%
	Total	22	100%

5. My conversation with an English law student at Middle Temple helped my understanding of the English legal system.

#	Answer	Response	%
1	Strongly Agree	13	59%
2	Agree	7	32%
3	Neutral/Not Applicable	1	5%
4	Disagree	1	5%
5	Strongly Disagree	0	0%
	Total	22	100%

6. I learned something about legal education in England that I had not previously known.

#	Answer	Response	%
1	Strongly Agree	17	77%
2	Agree	5	23%
3	Neutral/Not Applicable	0	0%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

7. My visit to Parliament enhanced my understanding of the British political system.

#	Answer	Response	%
1	Strongly Agree	16	73%
2	Agree	4	18%
3	Neutral/Not Applicable	2	9%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

8. The meeting with the Member of Parliament helped me to understand better at least one issue of political/economic/social/international importance.

#	Answer	Response	%
1	Strongly Agree	12	55%
2	Agree	1	5%
3	Neutral/Not Applicable	9	41%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

9. Generally, the travel experience increased my understanding of the link between American law and English law.

#	Answer	Response	%
1	Strongly Agree	14	67%
2	Agree	7	33%
3	Neutral/Not Applicable	0	0%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	21	100%

10. Generally, the travel experience increased my appreciation of the role of history in contemporary life.

#	Answer	Response	%
1	Strongly Agree	19	86%
2	Agree	3	14%
3	Neutral/Not Applicable	0	0%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

11. Generally, the travel experience provided a helpful context for topics discussed in the course.

#	Answer	Response	%
1	Strongly Agree	20	91%
2	Agree	2	9%
3	Neutral/Not Applicable	0	0%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

12. Add any additional comments:

Text Response

This course was by far the most memorable I took while I attended undergrad. The professor brought so much energy to this course and truly enhanced my appreciation for the connections between the US and London. His passion for what he was teaching truly came through in each and every class and throughout the duration of the trip. I loved every minute of it.

The travel component to the course provided useful context for the material presented in class.

Fantastic cultural experience.

ID245 was one of the best weeks of my life and one of the best choices I have made while at college. The prof. knows London better than most of us knew Boston, so seeing the city with him was an amazing experience.

I absolutely loved this trip. Before going, I thought that this would be my trip to England, probably my only one. Now, I definitely plan to go again in my life - I absolutely loved it and now feel comfortable enough to go back to some of the places we visited and explore more, plus go to some of the ones we didn't, without feeling that I'll be missing some of the main ones (since we definitely hit everything important). I think that going there definitely made the points of the course really hit home, from the history of it to how it is felt today.

Thought the trip was extremely beneficial to my learning experience.

The trip did an excellent job of bringing to life many of the things we read and learned about in class. This fact made the class much more significant and real than many other courses I have taken. There is definitely an added benefit that comes with the realization of seeing things first hand, in person.

13. The travel experience helped me improve my abilities to operate outside my personal comfort zone.

#	Answer	Response	%
1	Strongly Agree	13	59%
2	Agree	8	36%
3	Neutral/Not Applicable	1	5%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

14. The travel experience helped me accept the importance of understanding alternative ways of doing or seeing things.

#	Answer	Response	%
1	Strongly Agree	12	55%
2	Agree	9	41%
3	Neutral/Not Applicable	1	5%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

15. The travel experience enhanced my ability to interact with people different from me.

#	Answer	Response	%
1	Strongly Agree	12	55%
2	Agree	8	36%
3	Neutral/Not Applicable	2	9%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

16. During the trip I confronted a challenging situation and was able to deal with it.

#	Answer	Response	%
1	Strongly Agree	10	45%
2	Agree	8	36%
3	Neutral/Not Applicable	3	14%
4	Disagree	1	5%
5	Strongly Disagree	0	0%
	Total	22	100%

17. The travel experience increased my ability to deal effectively with uncertainty.

#	Answer	Response	%
1	Strongly Agree	10	48%
2	Agree	10	48%
3	Neutral/Not Applicable	1	5%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	21	100%

18. The travel experience increased my level of self-confidence.

#	Answer	Response	%
1	Strongly Agree	8	36%
2	Agree	11	50%
3	Neutral/Not Applicable	2	9%
4	Disagree	1	5%
5	Strongly Disagree	0	0%
	Total	22	100%

19. The travel experience increased my appreciation of the global nature of contemporary society.

#	Answer	Response	%
1	Strongly Agree	11	50%
2	Agree	11	50%
3	Neutral/Not Applicable	0	0%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

20. The travel experience increased my ability to act independently.

#	Answer	Response	%
1	Strongly Agree	8	38%
2	Agree	10	48%
3	Neutral/Not Applicable	1	5%
4	Disagree	2	10%
5	Strongly Disagree	0	0%
	Total	21	100%

21. I feel more comfortable traveling abroad because of my travel experience in this course.

#	Answer	Response	%
1	Strongly Agree	15	68%
2	Agree	7	32%
3	Neutral/Not Applicable	0	0%
4	Disagree	0	0%
5	Strongly Disagree	0	0%
	Total	22	100%

22. Add any additional comments:

Text Response

Very little opportunity to exercise independence. Would have liked some more flexibility. Perhaps options of what we see in London. The professor was very hard on students who made slight oversteps in boundaries.

I had never traveled abroad previously, though I have traveled alone within the country before. This experience makes me feel comfortable enough to do other faculty-led abroad programs, as well as travel abroad again without a program (with friends, most likely). I like being put outside of my comfort zone, particularly in order to experience other cultures, so I definitely enjoyed that aspect of the trip.

This was my first international experience and I had an amazing time. The trip made me realize that there is a lot of fun and interesting things to see in the world. In particular, it made me realize that many countries are safer than I expected. In particular, I felt comfortable and safe with the level of security throughout London. This trip has certainly inspired me to seek additional international travel opportunities in the future.

23. The travel experience influenced my decision to change or expand my field of study at Bentley.

#	Answer	Response	%
1	Strongly Agree	2	9%
2	Agree	5	23%
3	Neutral/Not Applicable	10	45%
4	Disagree	4	18%
5	Strongly Disagree	1	5%
	Total	22	100%

24. The travel experience caused me to rethink my career plans.

#	Answer	Response	%
1	Strongly Agree	1	5%
2	Agree	7	32%
3	Neutral/Not Applicable	9	41%
4	Disagree	4	18%
5	Strongly Disagree	1	5%
	Total	22	100%

25. The travel experience increased my interest in a career abroad.

#	Answer	Response	%
1	Strongly Agree	7	32%
2	Agree	12	55%
3	Neutral/Not Applicable	2	9%
4	Disagree	1	5%
5	Strongly Disagree	0	0%
	Total	22	100%

26. The travel experience increased my interest in a legal career.

#	Answer	Response	%
1	Strongly Agree	7	32%
2	Agree	5	23%
3	Neutral/Not Applicable	6	27%
4	Disagree	4	18%
5	Strongly Disagree	0	0%
	Total	22	100%

27. I included my travel experience in this course on my resume.

#	Answer	Response	%
1	Strongly Agree	5	23%
2	Agree	5	23%
3	Neutral/Not Applicable	5	23%
4	Disagree	7	32%
5	Strongly Disagree	0	0%
	Total	22	100%

28. I included my travel experience in this course on an internship or job application.

#	Answer	Response	%
1	Strongly Agree	6	27%
2	Agree	5	23%
3	Neutral/Not Applicable	6	27%
4	Disagree	5	23%
5	Strongly Disagree	0	0%
	Total	22	100%

29. I discussed my travel experience in this course at a job or internship interview.

#	Answer	Response	%
1	Strongly Agree	5	23%
2	Agree	11	50%
3	Neutral/Not Applicable	5	23%
4	Disagree	1	5%
5	Strongly Disagree	0	0%
	Total	22	100%

30. Add any additional comments:

Text Response

I was able to declare a law minor because I took this course

After doing this survey I will add this experience to my resume. Great opportunity!

I put strongly disagree for the change of plans, since I was already intending to go into law. However, I am now looking into a way to work going abroad into my future plans, since I am definitely more interested in that following this course. I definitely intend to use this experience in applications and interviews.

Made me appreciate English history significantly more and as a result, our own USA history. Our roots are in England so by better understanding their culture and past, we can draw connections to our own history here in the States.

I have not had a job or internship interview since my trip nor have I applied to a job, so I responded N/A to those questions. I do believe this could be a great discussion topic during an interview and would certainly reference it during behavioral questions.

31. Please provide any additional observations as to whether and/or how your experience in this course contributed to your personal and/or professional development.

Text Response

Awesome trip. Don't get rid of it. Downsize if necessary to get better personalities on the trip. Some downers/negative attitudes the year I went. Very clique-y groups within the already small group.

I'll never forget the trip!

After the trip to London, I've gained a huge appreciation and respect for the law and the legal system.

It's always better to travel with someone who knows the city well and can teach you some of the smaller details others leave out. I would go back to London with the professor in a heartbeat.

I think the group that we had contributed to the growth, since none of us knew each other, beyond perhaps a name or a passing 'hello' and thus we were able to really bond, even though we had greatly different backgrounds. Going to this and learning throughout the week definitely contributed to my development.

Traveling to London and having the opportunity to see the actual historical sites were things occurred was fascinating. It was extremely beneficial to travel with someone with such experience and knowledge in the locations that we traveled. We were able to see and learn more in the week that I alone would have seen in a month.

This course helped me realize a new level of independence and confidence in myself. Even the simple things like figuring out how to take the tube to my destination helped increase my self confidence. Being in such an amazing city with a tour guide as knowledgeable as the prof was one of the best experiences during my time here at college. Knowing I got to see things that I never would have planned head I traveled to the city for the first time alone is an amazing feeling. The opportunity to participate in things like a tour of Parliament and the dinner at Middle Temple made the trip all the more special.

We traveled with a group of people we were unfamiliar with previous to our trip. The trip allowed us to get to know each other, discover strengths and weaknesses, and adapt. The week trip almost acted as a team building experiment, getting to know each other, working together, and spending time as a group.

I think this was a great trip to take in my final year of college. It allowed me to reassess my education and think back upon how I have matured and grown throughout my time at college. It also made me consider the opportunities related to living and working in a foreign country. I will now seek international work opportunities with my company at some time in the future, where before I never thought there was a real benefit in going outside the United States..