

have difficulty relating to contingent remainders, covenants, easements, the doctrine of tenure, executory interests and the rule in *Shelley's* case.

What should lawyers know about economics?

R Whaples, A P Morriss & J C Moorhouse

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Law and Economics is now part of the curriculum at many American law schools. Because law schools inexplicably do not generally require a background in economics, such courses usually must teach some principles of economic analysis before applying those principles to legal questions. Law-and-economics scholars and economists were asked in this study what they thought lawyers should know about economics. Teachers and students of torts, property and contracts felt the impact of the first wave of law-and-economics scholarship, but every area of law from admiralty to procedure is increasingly subject to economic reasoning.

To find out what law-and-economics scholars and economists think lawyers should know about economics, surveys were conducted of random samples of members of the American Law and Economics Association and the American Economic Association.

Four concepts ranked well ahead of the others as those which students ought to know: opportunity cost; the Coase theorem; marginal analysis; and market equilibrium. Missing from the top tier are concepts at the centre of modern microeconomics, such as principal-agent theory and property rights economics. Macroeconomic topics are also noticeably absent. This suggests that the respondents were satisfied with exposing

law students to an abbreviated introductory microeconomics course, rather than familiarising them with recent cutting-edge law-and-economics scholarship.

A similar focus is apparent in the suggested readings. For the most part, the readings suggested are relatively non-technical articles comprehensible to most law students. The desire to choose materials within the competence of law students may have led to the selection of older articles—articles written before the mathematization of economics.

Teachers can use the suggested articles to introduce students to concepts. The non-Coase readings come from a variety of areas, from torts to property rights to finance. The wide range of subject areas suggest materials that could be used in substantive courses to provide a law-and-economics perspective, particularly for students who have mastered basic economic principles either in their undergraduate course work or in a law-and-economics course.

Education law: the chrysalis in the undergraduate law curriculum

A Ruff

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Do parents have a legal right to choose the school that their child will attend? Must a local education authority name a school in a child's statement of special educational needs? If a pupil at school receives a poor education, is the legal education authority liable in tort to pay damages to the pupil? These are just a few of the current issues arising in Education Law. In spite of its dynamism, topicality and growth, Education Law has been virtually ignored as an academic discipline for law students, even though it has formed a framework for students of educa-

tional administration. It has been regarded as an arcane aspect of administrative law, chiefly of interest to lawyers working or practising in the area of local government law.

This is no longer the case. Education Law has gone beyond the boundaries of administrative law. Although the structures and process of educational provision are central to the subject, education law is also concerned with aspects of family law, the law of tort and human rights.

Detention and other forms of punishment by teachers have been subject to the law of tort. However, the tort of negligence has recently been extended to the quality of the educational support provided. In the context of human rights, religious freedom, for example, is normally regarded as a fundamental human right which may in future form the basis of litigation in other courts by parents or others who wish to challenge the religious education provided by a particular school.

The second reason why Education Law is no longer merely an arcane aspect of administrative law is that it has emerged as a specialist area of law for practitioners because of resort to the law by parents, students and teachers. It is also becoming part of the undergraduate curriculum for an increasing number of law students, as well as being taught on postgraduate programs. Education Law should now be offered to more law undergraduates.

Education law is now demonstrably a subject in its own right for the following reasons. First, there is a set of coherent legal principles, which have been developed in considerable detail and have acquired distinctive features. Secondly, there are distinct complaint procedures. Thirdly, Education Law applies to identifiable