

730-873 Constitutionalism in Asian Societies

Credit Points:	12.500
Level:	Graduate/Postgraduate
Dates & Locations:	2008, This subject commences in the following study period/s: Semester 2, - Taught on campus.
Time Commitment:	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidate's background and experience.
Prerequisites:	N.A.
Corequisites:	N.A.
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	N.A.
Coordinator:	Dr Li-Ann Thio
Subject Overview:	<p>Objectives:</p> <p>A candidate who has successfully completed the subject should:</p> <ul style="list-style-type: none"> # Understand how the Rule of Law ideal of a government of laws and not of men has been implemented in some Asian contexts where formal laws are not fully developed and there is no tradition of rights-based thinking # Evaluate the so-called Asian Values debate on whether international human rights standards are alien to Asian cultures, including the right to development # Evaluate the adoption of certain norms of constitutional governance, e.g., Separation of Church and State, in multi-ethnic societies # Be able to examine critically international aid programs to assist the developing countries in Asia in legal and judicial reform # Appreciate the distinction between political and economic liberalisation, between democracy and rights-based governance, between constitutions and constitutionalism # Define the role of an independent judiciary vis--vis political institutions, and identify the mechanisms for political accountability. <p>Syllabus:</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # Theoretical perspectives and historical framework of constitutional discourse # Constitutional governance in transition economies in former socialist countries and in emerging democracies # Explicit religiosity in secular states # Case studies on international aid programs on legal and judicial reform # Role of culture in re-shaping constitutional traditions.
Assessment:	Take-home examination (100%) (31 October - 3 November) or Research paper 10,000 words (100%) (18 December) (topic approved by the subject coordinator)
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees

Generic Skills:	Please see the Subject Objectives for this information.
Links to further information:	For the latest information on this subject, please visit: http://www.masters.law.unimelb.edu.au/subject/730873