

730-327 Issues in Japanese Law

Credit Points:	12.50
Level:	4 (Undergraduate)
Dates & Locations:	This subject is not offered in 2009. The subject is taught in intensive mode in the summer term
Time Commitment:	Contact Hours: The subject is taught in intensive mode in the summer term Total Time Commitment: 100 hours
Prerequisites:	Legal Method and Reasoning; Principles of Public Law; Torts; Legal Theory or in each case their equivalents. No knowledge of Japan or Japanese Language is assumed.
Corequisites:	None
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	<p><p>For the purposes of considering request for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Student Support and Engagement Policy, academic requirements for this subject are articulated in the Subject Overview, Learning Outcomes, Assessment and Generic Skills sections of this entry.</p> <p>It is University policy to take all reasonable steps to minimise the impact of disability upon academic study, and reasonable adjustments will be made to enhance a student's participation in the University's programs. Students who feel their disability may impact on meeting the requirements of this subject are encouraged to discuss this matter with a Faculty Student Adviser and Student Equity and Disability Support: http://services.unimelb.edu.au/disability</p></p>
Subject Overview:	<p>Japan is a large creditor nation and its legal system has presented a regulatory and organisational blueprint for developing countries, particularly in Asia. Yet its government is actively seeking economic and social reform through legislative means. This makes it an exciting and challenging time to study Japanese law.</p> <p>In this subject, we will unpack the stereotypes about Japanese law as we explore topics such as: the periodic adaptation of Japanese law to new challenges; nationality law and demands for new civil rights; expectations of gender and racial equity; dispute resolution and contracting; Japan's use of the death penalty; and the failures and successes of commercial law reform. The subject also considers how you might use your law degree to practise in Japan and the framework regulating practice by non-Japanese in one of the world's largest demand economies for legal services.</p> <p>Based around a range of English language resources, the subject uses lecturers, seminars, class discussion, hypothetical problems, film, documentaries and the Internet to get inside Japanese law. It offers a stimulating opportunity to consider foreign and comparative law issues in an Asian legal system context.</p> <p>Note: The essay in this subject is regarded as a substantial piece of legal writing for honours purposes.</p>
Objectives:	<p>The objectives of this subject are to assist students to develop the following skills:</p> <ul style="list-style-type: none"> • be familiar with writing on a range of areas of Japanese law and society; • understand debates about Japanese legal and business structures, community and economic organisation; and • be able to find and use civil law statutes and cases in English (and if you have Japanese language skills, in Japanese).
Assessment:	If the enrolment is less than 50 students: a research assignment of 5000 words, 100% (due end of semester) or a final examination of three hours, 100% or if the enrolment is more than 50 students: a final examination of three hours, 100%.
Prescribed Texts:	Printed materials will be issued by Melbourne Law School.

Recommended Texts:	
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:	<p>On completion of the subject, students should have developed the following generic skills:</p> <ul style="list-style-type: none"> # attitudes towards knowledge that include valuing truth, openness to new ideas and ethics associated with knowledge creation and usage # the capacity for close reading and analysis of a range of sources # the capacity for critical and independent thought and reflection # the capacity to solve problems, including through the collection and evaluation of information # the capacity to communicate, both orally and in writing # the capacity to plan and manage time # the capacity to participate as a member of a team # intercultural sensitivity and understanding <p>In addition, on completion of the subject, students should have developed the following skills specific to the discipline of law:</p> <ul style="list-style-type: none"> # be able to formulate and discuss your own view about the role of law in another country; # for those students writing an essay, be able to formulate a research essay topic and execute a piece of critical, sustained, effective and researched writing about law in Japan; and # for those students taking the exam, use critical perspectives to analyse a range of texts including case studies, commentary and legislation and create structured and effective legal analyses and arguments to solve hypothetical fact scenarios relating to law in Japan.