

730-331 Issues in Chinese Law

Credit Points:	12.50
Level:	3 (Undergraduate)
Dates & Locations:	2009, This subject commences in the following study period/s: Semester 2, - Taught on campus. Seminars
Time Commitment:	Contact Hours: One 2-hour seminar per week Total Time Commitment: 120 hours.
Prerequisites:	Legal Method and Reasoning; Principles of Public Law; Torts; Legal Theory or in each case their equivalents.
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>
Coordinator:	Assoc Prof Sean Cooney
Subject Overview:	<p>This subject is designed to enable students to appreciate fundamental features of Chinese legal systems. The course has three themes. We first examine the distinctive nature and operation of Chinese law, focusing on the PRC legal system. We consider the common claim that law 'doesn't matter' in China. The second theme of the subject is the role of law in China's economic reform process. The final theme is the legal relationship between mainland China, Taiwan and Hong Kong. These themes are developed by considering particular areas of law, such as criminal law, contract law, constitutional and administrative law, human rights, and labour and environmental law. Significant class time will be devoted to discussing how to research and write a paper on Chinese law.</p> <p>Note: The essay in this subject is regarded as a substantial piece of legal writing.</p>
Objectives:	<p>This course aims to:</p> <ul style="list-style-type: none"> # Examine the place of law in the three Chinese societies of the People's Republic of China, Taiwan and Hong Kong; # Introduce students to debates about the rule of law in China, and the connection between law and political and economic reform # Explore the tensions surrounding the reintegration of Hong Kong into the PRC, and the relationship between the PRC and Taiwan; # Assist students to develop their legal research and writing capabilities.
Assessment:	5000 word essay (100%) due first day of exam period. The topic for the essay will be chosen by each student in consultation with the course teachers. Topics must be agreed by the end of the fourth week of classes.
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 # 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"> # locate and critically evaluate research materials on Chinese legal systems; # analyse an issue in Chinese law, with particular reference to comparative research methodologies; # structure and compose a research paper around an aspect of Chinese legal systems, within a specific time frame; # understand the political, economic and cultural context of Chinese legal systems.