

730-352 Law in the People's Republic of China

Credit Points:	12.50
Level:	4 (Undergraduate)
Dates & Locations:	This subject is not offered in 2009.
Time Commitment:	Contact Hours: One 2-hour per week seminar per week Total Time Commitment: Estimated total time commitment of 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>
Subject Overview:	<p>This subject encourages students to develop an understanding of the political, social and economic forces which influence the purpose and shape of law in the People's Republic of China. The subject provides students with an overview of the legal system and legal institutions in China. We examine the nature of legal controls over the exercise of state power and the extent to which they are effective. Legal principles that govern relations between citizens and the state and that provide for special treatment of certain groups will also be considered. Developments in the regulation of economic activities such as trade, investment and labour will be discussed. For each of these topics, students will be asked to consider the influence that the changing political and social environment has had on the development and operation of these regulatory regimes.</p> <p>The essay in this subject is regarded as a substantial piece legal writing.</p>
Objectives:	<p>On completion of this subject students should be able to:</p> <ol style="list-style-type: none"> 1. describe the political, economic and social forces that influence the status and purposes of law in China; 2. discuss how the structure of the state affects the operation and effectiveness of the judicial organs and the implementation of the law; 3. understand and describe the ways in which the specific laws covered in the subject reflect social issues, implement policy and regulate the activities of individuals and institutions in China; 4. identify and read critically English language materials from both Chinese and foreign sources concerning Chinese law; 5. use their knowledge of the Chinese legal system and laws to examine and evaluate their assumptions about the position and role of law in Australia and its function in society.
Assessment:	Research essay of 5000 words, 100% (due end of semester) or final examination of 3 hours, 100%.If enrolment is more than 50 students, students must sit the examination and may not choose to write a 5000-word essay.
Prescribed Texts:	Printed materials will be issued by Melbourne Law School.
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"> # to locate, evaluate and use the legal (primary and secondary source) materials of China (in English); # analyse the social and political issues influencing legal change in China and make a critical and informed evaluation of the legal solutions offered; # effectively communicate their research conclusions both orally (in class discussion) and in writing.