

LAWS50076 American Constit'l History, Structur. & Rights

Credit Points:	12.50																														
Level:	5 (Graduate/Postgraduate)																														
Dates & Locations:	This subject is not offered in 2011. Intensive.																														
Time Commitment:	Contact Hours: 30 hours. Total Time Commitment: 144 hours.																														
Prerequisites:	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50025 Torts</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50030 Property</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50031 Legal Theory</td> <td>Semester 2</td> <td>12.50</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.50	LAWS50024 Principles of Public Law	Semester 1	12.50	LAWS50025 Torts	Semester 1	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50	LAWS50028 Constitutional Law	Semester 2	12.50	LAWS50029 Contracts	Semester 2	12.50	LAWS50030 Property	Semester 2	12.50	LAWS50031 Legal Theory	Semester 2	12.50
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Corequisites:	None																														
Recommended Background Knowledge:	None																														
Non Allowed Subjects:	None																														
Core Participation Requirements:	<p>The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving these inherent academic requirements are encouraged to contact the Disability Liaison Unit: http://www.services.unimelb.edu.au/disability/.</p>																														
Contact:	<p>Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475</p>																														
Subject Overview:	<p>This intensive course will introduce Australian students to the U.S. Constitution and constitutional rights from a historical perspective. The goal will be an understanding of</p>																														

	<p>constitution making and amending in the U.S. context, showing how American constitutional law both is impacted by and impacts the wider social context.</p> <p>Topics addressed will include:</p> <ul style="list-style-type: none"> # The American Constitutional Convention and ratification process; # American federalism and division of powers between state and nation; # American constitutional structure with checks between branches; # U.S. Bill of Rights and the evolving understanding of individual rights; # U.S. constitutional interpretation: original intent vs. living constitution; # Impact of amendments over time, especially the 14th amendment.
Objectives:	<p>A student who has successfully completed this subject should have a specialised and integrated understanding of, and be able to critically analyse, reflect on:</p> <ul style="list-style-type: none"> # American constitutional history, law and theory; # The nature of federalism and balance of powers; # The evolving concept of constitutional rights and individual freedom; # Presidential powers in the American context; # Judicial review and role of courts in interpreting the constitution.
Assessment:	<p>Class participation: (10%) based on specific responsibility, as a member of a group, for leading discussion in relation to a pre-assigned topic and/or assessment of student understanding through class participation and completion of a short reaction memorandum that students submit before class on a set topic (max 500 words); Final assessment: (90%) either - An independent research paper on a topic agreed with the Subject Coordinator, with a word limit of 6,000 words OR a 3-hour exam. There is an expectation, drawing from the themes and approaches of the subject, that students' research essays or exams will involve a high level of sophistication and complexity; for example, in designing and/or responding to questions, and analysing diverse historical and contemporary materials.</p>
Prescribed Texts:	<p>Akhil Amar, America's Constitution: A Biography (chapters 1, 8-12 assigned, others recommended); Edward Larson and Michael Winship, The Constitutional Convention: A Narrative History from the Notes of James Madison; The prescribed texts will also be augmented by specialist printed materials providing reference to current Supreme Court Decisions to ensure that latest developments are captured in the students' readings for the subject.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Generic Skills:	<p>On completion of the subject, students should have developed the following skills:</p> <ul style="list-style-type: none"> # Specialist understanding, reading and critical engagement with cases relating to American constitutional law and making comparisons between them; # Specialist understanding, reading and critical engagement with the American Constitution and related statutes; # Specialist interpretation, critical reflection and comparison about historical sources relevant to American constitutional law; # Critically assessing challenges to the American Constitution; # Formulating and articulating views on difficult historical and technical issues relating to American Constitution law in oral discussion.