

## LAWS20006 Comparative Legal Traditions

<b>Credit Points:</b>	12.50
<b>Level:</b>	2 (Undergraduate)
<b>Dates &amp; Locations:</b>	2012, Parkville This subject commences in the following study period/s: Semester 1, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: One 2-hour lecture and one 1-hour tutorial a week. Total Time Commitment: 120 hours.
<b>Prerequisites:</b>	Completion of 100 points of undergraduate study.
<b>Corequisites:</b>	None.
<b>Recommended Background Knowledge:</b>	None.
<b>Non Allowed Subjects:</b>	None.
<b>Core Participation Requirements:</b>	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: <a href="http://www.services.unimelb.edu.au/disability/">http://www.services.unimelb.edu.au/disability/</a> .
<b>Coordinator:</b>	Assoc Prof Martin Vranken
<b>Contact:</b>	Melbourne Law School Student Centre Email: <a href="mailto:law-studentcentre@unimelb.edu.au">law-studentcentre@unimelb.edu.au</a> (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
<b>Subject Overview:</b>	<p>The rule of law is a hallmark of contemporary Western society. Public perceptions of and attitudes to the law, however, can vary in space and time. This subject explores legal solutions to selected problem scenarios in their broader historical and societal context. The focus is on the main 'families' of law in existence today: the Anglo-American ('common') law and the Continental-European ('civil') law. The use of a comparative approach both facilitates and promotes a deeper understanding of the society in which we live and the rules by which it is shaped.</p> <p>Particular topics may include:</p> <ul style="list-style-type: none"> <li># Individual responsibility and the law: risk allocation and blame shifting in personal injury scenarios;</li> <li># Consumers and the law: liability of manufacturers for defective products;</li> <li># Morality and the law: the role of good faith in commercial relations;</li> <li># Strangers and the law: duty to the rescue;</li> <li># Equality at work: institutionalised forms of employee participation;</li> <li># Globalisation and the law: the European Union and its implications for the traditional distinction between civil and common-law legal families.</li> </ul>
<b>Objectives:</b>	<p>On completion of this subject students should:</p> <ul style="list-style-type: none"> <li># Recognise that many human dilemmas have a legal connection point;</li> <li># Appreciate that different legal traditions may experience similar problems even though the approach to these problems may differ considerably;</li> <li># Understand the benefits and pitfalls of a comparative approach to law study.</li> </ul>

<b>Assessment:</b>	A 35% (2,000 word) reflective essay based on the materials in the subject reader due mid-semester; and A 65% (2 hour) exam during the examination period.
<b>Prescribed Texts:</b>	Printed materials will be available from the Melbourne Law School.
<b>Breadth Options:</b>	<p>This subject potentially can be taken as a breadth subject component for the following courses:</p> <ul style="list-style-type: none"> <li># <b>Bachelor of Arts</b> (<a href="https://handbook.unimelb.edu.au/view/2012/B-ARTS">https://handbook.unimelb.edu.au/view/2012/B-ARTS</a>)</li> <li># <b>Bachelor of Biomedicine</b> (<a href="https://handbook.unimelb.edu.au/view/2012/B-BMED">https://handbook.unimelb.edu.au/view/2012/B-BMED</a>)</li> <li># <b>Bachelor of Commerce</b> (<a href="https://handbook.unimelb.edu.au/view/2012/B-COM">https://handbook.unimelb.edu.au/view/2012/B-COM</a>)</li> <li># <b>Bachelor of Environments</b> (<a href="https://handbook.unimelb.edu.au/view/2012/B-ENVS">https://handbook.unimelb.edu.au/view/2012/B-ENVS</a>)</li> <li># <b>Bachelor of Music</b> (<a href="https://handbook.unimelb.edu.au/view/2012/B-MUS">https://handbook.unimelb.edu.au/view/2012/B-MUS</a>)</li> <li># <b>Bachelor of Science</b> (<a href="https://handbook.unimelb.edu.au/view/2012/B-SCI">https://handbook.unimelb.edu.au/view/2012/B-SCI</a>)</li> <li># <b>Bachelor of Engineering</b> (<a href="https://handbook.unimelb.edu.au/view/2012/B-ENG">https://handbook.unimelb.edu.au/view/2012/B-ENG</a>)</li> </ul> <p>You should visit <b>learn more about breadth subjects</b> (<a href="http://breadth.unimelb.edu.au/breadth/info/index.html">http://breadth.unimelb.edu.au/breadth/info/index.html</a>) and read the breadth requirements for your degree, and should discuss your choice with your student adviser, before deciding on your subjects.</p>
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	<p>On completion of the subject, students should have developed the following generic skills:</p> <ul style="list-style-type: none"> <li># The capacity for close reading and analysis of a range of textual materials;</li> <li># The capacity to engage in critical thinking and to bring to bear a range of conceptual analyses upon a given subject matter;</li> <li># The capacity for independent thought and reflection;</li> <li># The capacity to articulate knowledge and understanding of complex ideas in oral and written form; and</li> <li># The ability to confront unfamiliar and challenging issues and to consider appropriate legal and policy responses to them.</li> </ul>