

LAWS40069 Comparative Law

Credit Points:	12.50
Level:	4 (Undergraduate)
Dates & Locations:	This subject is not offered in 2012.
Time Commitment:	Contact Hours: TBC Total Time Commitment: Not available
Prerequisites:	Contracts; Torts; Property; Trusts; Legal Method and Reasoning; Obligations.
Corequisites:	None.
Recommended Background Knowledge:	None.
Non Allowed Subjects:	None.
Core Participation Requirements:	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: http://www.services.unimelb.edu.au/disability/ .
Contact:	Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
Subject Overview:	This course will have four main components. First, there will be a consideration of the goals, purposes and methodology of comparative legal research, including consideration of current issues. Secondly, there will be a broad overview of major legal traditions of the world (chthonic, civil law, common law, Talmudic, Islamic, Asian, Hindu). Thirdly, there will be a more detailed analysis and comparison of the origins and sources of the two major Western legal traditions, the Anglo-American common law and the continental European civil, or Roman, law tradition. Finally, the course will consider some substantive law topics (property, obligations) from a comparative perspective.
Objectives:	On successful completion of this subject, students should be able to: <ul style="list-style-type: none"> # Recognise the underlying, and usually unquestioned, assumptions of their own legal system; # Identify the origins and major characteristics of a legal system; # Compare legal concepts and institutions across systems; # Apply certain legal concepts drawn from a non-common law system to a fact based problem.
Assessment:	Three hour open book examination worth 100%. Class participation may also be taken into account with respect to the final grade.
Prescribed Texts:	Schlesinger, et al, Comparative Law – Cases – Text – Materials, 6th edition (New York, Foundation Press, 1998); Glenn, Legal Traditions of the World, 2nd edition (Oxford, Oxford University Press, 2004; note that 3rd edition is in preparation); Some supplemental readings will be available online.
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:

On completion of the subject students should have developed the following generic skills:

- # The ability to identify the origins and major characteristics of a legal system;
- # The ability to compare legal concepts and institutions across systems;
- # At a very basic level, the ability to apply certain legal concepts drawn from a non-common law system to a fact based problem.