

LAWS70425 Money, Law and Politics

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2015, Parkville This subject commences in the following study period/s: November, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique 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 to 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 who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Coordinator:	Assoc Prof Joo-Cheong Tham
Contact:	For more information: Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>Money in politics raises profound challenges for democracies across the world: billion-dollar American presidential elections have led United States being branded the 'best democracy money can buy'; in Indonesia, the tactics of 'money politics' are regularly decried; and in Australia, unregulated political spending in federal elections raise concerns about the fairness of such contests.</p> <p>What should be the role of the law in regulating money in politics? What should be the principles to determine the content and the limits of such law? What should be the respective roles of the legislature, executive and the judiciary in shaping such laws? And what should be the institutional framework for ensuring compliance with legal obligations?</p> <p>This subject will adopt a cross-national approach to examining these challenging questions. It will examine the experiences of a range of countries including those from the Commonwealth</p>

	<p>(eg Australia, Canada, the United Kingdom), Europe (eg France and Germany), South-East Asia (eg Indonesia) and the United States. Taught by two leading experts in this field, the subject will draw out the tensions and dilemmas in regulating money in politics.</p> <p>Principal questions examined include:</p> <ul style="list-style-type: none"> # What are the regulatory challenges of money in politics? # What standards and principles should apply to the regulation of such money? Do these standards and principles vary according to particular national contexts? Is it meaningful to speak of international standards or international 'best practice'? # How should political donations and campaign expenditure be regulated? # How should public funding of campaigns and political parties be provided? # What should be in the institutional framework governing the regulation of money in politics? Which branch of government should have the power to enact such laws? What institutions (eg electoral commissions; anti-corruption commissions) should be responsible for effectively enforcing such regulation?
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the key principles and theories relating to the regulation of political money in various countries including Australia, Canada, Germany, Indonesia, the United Kingdom and the United States # Be able critically apply these principles and theories to a range of contexts # Be able to be an engaged participant in debates concerning the regulation of political money # Undertake advanced research into the regulation of political money – such research is expected to demonstrate: <ul style="list-style-type: none"> # Expert cognitive and technical skills in researching this topic # A mastery of the complex body of knowledge relating to this topic # An advanced ability to communicate such knowledge.
Assessment:	Take-home examination (100%) (29 January - 1 February 2016) or 10,000 word research paper (100%) (29 February 2016) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed material will be made available from Melbourne Law School. Joo-Cheong Tham, Money and Politics: The Democracy We Can't Afford (University of New South Wales Press, 2010)
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
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70425/2015
Notes:	This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists.
Related Course(s):	Master of Public Administration Master of Public Administration (Enhanced)