

LAWS50132 Multiculturalism Religion and the Law

Credit Points:	12.5																		
Level:	5 (Graduate/Postgraduate)																		
Dates & Locations:	This subject is not offered in 2016. This subject has a quota of 60 students. Details on quota subject selection are available on the JD website.																		
Time Commitment:	Contact Hours: 36 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>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>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	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50	LAWS50031 Legal Theory	Semester 2	12.50
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LAWS50031 Legal Theory	Semester 2	12.50																	
Corequisites:	None																		
Recommended Background Knowledge:	None																		
Non Allowed Subjects:	None																		
Core Participation Requirements:	<p>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 at 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: www.services.unimelb.edu.au/disability/.</p>																		
Contact:	<p>Email: law-aso@unimelb.edu.au (mailto:law-aso@unimelb.edu.au) Phone: +61 3 8344 4475 Website: www.law.unimelb.edu.au/jd (http://www.law.unimelb.edu.au/jd)</p>																		
Subject Overview:	<p>Across jurisdictions, debates on the appropriate legal response to the demands of culture and religion are growing in importance. These debates are set against the background of contemporary controversies around cultural drug use, religious dress (e.g. the burka), claims for special language rights, religious animal slaughter, religious arbitration or mediation and the rights of indigenous peoples. This course will explore these debates through the following questions, among others:</p> <p># Is the legal protection of religious freedom justified? What should the scope of such protection be?</p>																		

	<ul style="list-style-type: none"> # What demands does multiculturalism make on the law? Is multiculturalism bad for women? How should the law respond to multiculturalism? # How should the law respond to demands for exemptions from general laws for cultural or religious reasons? # How should the law respond to demands for the accommodation of religious and cultural norms within state legal systems? # How should the law respond to religious or cultural practices that have a far-reaching impact on children? <p>We will explore further controversies (e.g. the legal recognition of polygamy and polyamory) and different jurisdictions (e.g. the personal law system in India) of interest to students in the final seminars.</p>
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and critical understanding of prominent theoretical approaches to multiculturalism and religious freedom, and an integrated understanding of the similarities and differences between these approaches. This understanding will be developed through individual close reading and class discussion of key texts; # Have an advanced and critical understanding of key contemporary debates on appropriate legal responses to the demands of culture and religion; # Be able to deploy critical, analytical and evaluative skills in thinking independently about debates on the appropriate legal response to the demands of culture and religion; # Be able to independently develop, and express in written form, arguments that draw on the key theoretical texts to respond to practical questions on the appropriate legal response to the demands of culture and religion.
Assessment:	Class participation (class discussions, small group discussions and class exercises) (10%); 1,000 word response paper on a topic in the subject (20%); Open-book exam (2 hours plus reading time) (70%).
Prescribed Texts:	Cases, books, journal articles and other materials, which will be available via the resources (including the online resources) of the Law Library.
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>A student who has successfully completed the subject will be able to:</p> <ul style="list-style-type: none"> # Demonstrate knowledge and understanding of the key questions, topics and issues explored in the course; # Critically evaluate and comment on theoretical texts, cases and other legal materials; # Develop and communicate reflective and reasoned arguments about questions and issues on the subject, contributing effectively to the debates discussed during the course; # Respond to particular practical problems by drawing on theoretical texts and materials; # Express, in written form, reflections and arguments which engage with theoretical literature, as well as case studies and legal materials; # Understand the significance of moral reasoning in debates on the appropriate legal response to practical problems with a moral dimension; # Engage in sophisticated moral reasoning in order to develop a position on the appropriate legal response to practical problems with a moral dimension.
Related Course(s):	Juris Doctor