

# LAWS70397 Latin American Constitutionalisms

<b>Credit Points:</b>	12.5
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2016.
<b>Time Commitment:</b>	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.
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	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.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	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: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information: Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	<p>Political, social and constitutional upheavals are currently in full swing in Latin America. What happens in Latin America produces flow-on effects in all regions of the globe. This subject offers a survey of the different models of democracy currently 'competing' in the region, and a consideration of how those models translate into different 'models' of constitutionalism. The subject offers an analysis of the current constitutional debate in Latin America, contextualising that debate within the history of constitutionalism in the region over the last two hundred years. The subject will relate the contemporary constitutional debate to global and regional debates about models of democracy and the impact of globalisation in constitutional law and practice. The subject will also focus on the role played by the Inter-American Human Rights System in both the constitutionalism and models of democracy debates.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># Conceptions of 'democracy' and conceptions of 'constitutionalism' in contemporary Latin America</li> <li># Neo-liberal democracy, social democracy, radical democracy and populism in Latin America</li> <li># Historical perspectives on constitutionalism in Latin America</li> </ul>

	<ul style="list-style-type: none"> <li># The judicialisation of Latin American politics</li> <li># Global influences in Latin American constitutionalism</li> <li># The Inter-American Human Rights System and constitutionalism in Latin America</li> <li># Processes of constitution making in contemporary Latin America.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># Understand the relationship between conceptions of democracy and conceptions of constitutionalism.</li> <li># Have a basic knowledge of the state of democracy and constitutionalism in Latin America.</li> <li># Understand the relationship between globalization and domestic constitutionalism.</li> <li># Be familiar with the role played by regional human rights regimes (particularly that of Latin America) and national democratic and constitutional debates.</li> </ul>
<b>Assessment:</b>	10,000 word research paper (100%) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<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>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS70397/2006">www.law.unimelb.edu.au/subject/LAWS70397/2006</a>
<b>Notes:</b>	This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ( <a href="http://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</a> ) for further information about the management of subject quotas and waitlists.
<b>Related Course(s):</b>	<p>Graduate Diploma in Government Law  Graduate Diploma in Legal Studies  Master of Law and Development  Master of Laws  Master of Public and International Law</p>