

LAWS90038 Law of Elections

Credit Points:	12.5															
Level:	9 (Graduate/Postgraduate)															
Dates & Locations:	This subject is not offered in 2016. This subject has a quota of 60 students. Please refer to the Melbourne Law JD website for further information about subject quotas.															
Time Commitment:	Contact Hours: 36 hours Total Time Commitment: 144 hours															
Prerequisites:	<p>Successful completion of all the below subjects:</p> <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>12.5</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.5</td> </tr> <tr> <td>LAWS50032 Administrative Law</td> <td>Semester 1</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.5	LAWS50024 Principles of Public Law	Semester 1	12.5	LAWS50028 Constitutional Law	Semester 2	12.5	LAWS50032 Administrative Law	Semester 1	12.5
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Corequisites:	None															
Recommended Background Knowledge:	None															
Non Allowed Subjects:	None															
Core Participation Requirements:	<p>The 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 in the 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 inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support.</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>This subject studies the regulation of a central mechanism for accountability and distributing power – elections. It adopts an interdisciplinary approach to the law of elections by drawing upon the disciplines of law, political philosophy and political science to underscore how this area of law is shaped by normative principles, the political process and practical considerations. The subject will be situated in the context where the dynamic interaction of diverse and powerful actors shapes the design and practice of such law.</p> <p>The subject also aims to develop amongst students the critical ability to assess the strengths and limitations of the Australian version of electoral democracy. Integral to its aim is the comparative perspective of the subject where the examination of key questions facing electoral</p>															

	<p>law will be informed by international standards and relevant examples from other countries, which may include Canada, India, Indonesia, the United Kingdom and the United States.</p> <p>Topics covered in this subject may include:</p> <ul style="list-style-type: none"> # Why do elections matter? Democratic theories of elections and their critiques; # Which public officials should be elected? The case of judges; # Constitutions and elections; # What happens during elections? The election campaign, the institutional actors (political parties, third party campaigners, the media, electoral commissions and the courts); # The voting process (compulsory voting, preferential voting, proportional voting); # Electoral rights (right to vote, freedom of political association, freedom of political expression); # The drawing of electoral boundaries; # Regulation of political parties; # Money in electoral politics; # Electoral law-making: The challenge of making fair electoral laws in a party system; # The role of courts and electoral commissions in electoral law; # International standards in elections: Is there a 'best practice'? # A case study in the limits of election law: Lobbying and its regulation.
Learning Outcomes:	<p>Students who successfully complete this subject will have developed and demonstrated:</p> <ul style="list-style-type: none"> # A sophisticated understanding of the law of elections in Australia; # The ability to discern the strengths and limitations of such law; # The ability to express complex ideas and expound reasoned arguments; # The ability to participate as part of a community of learners through: <ul style="list-style-type: none"> # Sustained discussion of the law of elections in a classroom environment; # Peer review of essay plans. # Specialised skills in self-directed legal research and the capacity to develop, sustain and reference argument in a thorough and persuasive way.
Assessment:	<p>Research Essay (6,000 words)(100%); Submission of Essay Plan (hurdle requirement); Written evaluation of another student's essay plan (hurdle requirement). The due date of the above assessment will be available to students via the LMS.</p>
Prescribed Texts:	<p>Specialist printed materials will be made available from the Melbourne Law School.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Generic Skills:	<p>Students who successfully complete this subject will have developed and demonstrated the following skills:</p> <ul style="list-style-type: none"> # The specialized ability to read and analyse a range of sources, including relevant legislation and cases and interdisciplinary materials; # The capacity to engage in critical thinking, independent thought and reflection at an abstract level; # The capacity to communicate knowledge and understanding of complex ideas in oral and written forms; # The ability to write effectively in descriptive, analytical, critical and reflective modes; # The ability to undertake research involving diverse sources and prepare a piece of academic writing displaying sophisticated analysis, synthesis and theoretical understanding.
Related Course(s):	<p>Juris Doctor</p>