

LAWS90056 Comparative Federal Constitutional Law

Credit Points:	12.5									
Level:	9 (Graduate/Postgraduate)									
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: August, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.									
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours 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:	<p>Melbourne Law Masters Students: None</p> <p>JD Students: 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>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> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50024 Principles of Public Law	Semester 1	12.5	LAWS50028 Constitutional Law	Semester 2	12.5
Subject	Study Period Commencement:	Credit Points:								
LAWS50024 Principles of Public Law	Semester 1	12.5								
LAWS50028 Constitutional Law	Semester 2	12.5								
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 Student Equity and Disability Support.									
Coordinator:	Prof Cheryl Saunders									
Contact:	<p>Lecturers</p> <p>Laureate Professor Emeritus Cheryl Saunders AO (http://www.law.unimelb.edu.au/staff/Cheryl%20Saunders%20AO) (Coordinator)</p> <p>Professor Vicki Jackson (http://www.law.unimelb.edu.au/staff/Vicki%20Jackson)</p> <p>Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au)</p> <p>Phone: +61 3 8344 6190</p>									

	Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>Many established Constitutions of the world of the 21st century provide for federalism or related forms of territorial devolution, as do many of the more recent Constitutions, especially those drawn up in the aftermath of conflict. This subject examines federal Constitutions as a sub-set of comparative constitutional law. It takes a global perspective that encompasses federal-type systems in all regions of the world, whether formed by aggregation or devolution. It canvasses the theories that underpin federal arrangements, the principal design options, the interface between federalism and the protection of individual or group rights, federal Constitutions in operation over time, judicial interpretation of federal Constitutions and the methodological problems that arise in comparing federal constitutions. Professors Jackson and Saunders, the lecturers in the subject, come respectively from the United States and Australia. They bring to the subject deep knowledge of their own federations and considerable expertise in comparative federalism and comparative constitutional law.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # Mapping the federal-type systems of the world # Key features of federal constitutional systems: power; resources; institutions; other # Interface between federalism and other constitutional arrangements, including rights protection and the form of government # Judicial interpretation of federal constitutions # Methodological challenges in comparative federal constitutional law.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have a sophisticated understanding of the range and variety of federal and federal-type systems of the world # Appreciate, at an advanced level, the distinctive features of federal constitutional systems, their variety, the reasons for choice and their interface with other aspects of constitutional systems # Have an advanced and integrated understanding of the challenges of comparative federal constitutional law and the methodological options for dealing with them # Be able to plan and undertake comparative federal constitutional projects in at a sophisticated level. # Be well placed to evaluate the writings of other scholars on comparative federal constitutional theory, design and practice. # Have a sophisticated appreciation of the benefits and insights to be derived from comparative study of federal constitutional systems. # Have the cognitive and technical skills to independently engage in research on comparative federal constitutional law. # Have the communication skills to clearly articulate and convey complex information regarding comparative federal constitutional law to specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a scholar and practitioner of comparative federal constitutional law.
Assessment:	Take-home examination (5,000-6,000 words as specified in the subject reading guide) (100%) (7 - 10 October) or 10,000 word research paper (100%) (16 November) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.
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/LAWS90056/2016
Related Course(s):	<p>Graduate Diploma in Government Law Graduate Diploma in Legal Studies Juris Doctor Master of Laws Master of Public and International Law</p>