

LAWS 3011 COMPARATIVE LAW: LEGAL SYSTEMS OF THE WORLD

Credit Points 10

Legacy Code 200529

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Description The subject introduces students to the different legal systems of the world: the common law and civil law traditions, indigenous legal systems, religion-based legal systems and legal systems in Asia. It aims to provide an understanding of how they have developed in particular legal and cultural contexts. It also examines and evaluates the impact of the introduction of western legal systems in non-western countries. We will study the systems of both at the general level and in relation to specific laws, such as family law, torts and contracts, dispute resolution and procedure. The subject is also concerned with the nature and function of comparative law as a discipline. Students will be encouraged to undertake individual research and to evaluate legal information derived from a variety of different sources and perspectives.

School Law

Discipline International Law

Student Contribution Band HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Undergraduate Level 3 subject

Pre-requisite(s) LAWS 2013 AND LAWS 4015 AND LAWS 2004 AND LAWS 2003

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Explain the general structure of selected legal systems, their historical and cultural context, and selected laws within those systems
2. Compare and contrast selected legal systems and laws with the common law system and Australian laws
3. Explain the nature and function of comparative law as a discipline
4. Produce critical arguments about selected legal systems and about comparative law as a tool for gaining knowledge
5. Demonstrate high-level communication and research skills
6. Explain the general structure of selected legal systems, their historical and cultural context and selected laws within those systems

Subject Content

1. Introduction: why study comparative law?
2. Comparative methods
3. Perspectives on different systems of law and cultural values
4. A comparative review of the common law system and the civil law system

5. Indigenous legal systems, including those of Aboriginal and Torres Strait Islander peoples
6. Legal systems based on religion: Islamic Law
7. Legal systems in Asia
8. Legal Transplants
9. Legal pluralism
4. Review of the common law
5. The Civil Law system
6. Indigenous legal systems, including those of Aboriginal and Torres Strait Islander peoples
7. Legal systems based on religion: eg Hindu law, Jewish law and Islamic Law
8. Asian legal systems: China and Japan
9. Transplanting legal systems
10. Legal pluralism

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/Group Task
Literature Review	1,200 words	25	N	Individual
Literature Review	1,500 words	30	N	Individual
Essay	2,500 words	45	N	Individual

Prescribed Texts

- Glen, Patrick, Legal Traditions of the World (Oxford University Press, 5th ed, 2014)

Teaching Periods

Autumn (2022)

Parramatta - Victoria Rd

Day

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View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS3011_22-AUT_PS_D#subjects)