

Printed: 31 May 2024, 05:49AM

The published on-line version of the Course Profile is the authoritative version and by the publication of the Course Profile on-line the University deems the student has been notified of and read the course requirements.

Learning Summary

Below is a table showing the relationship between the learning outcomes for this course, the learning activities used to develop each outcome and the assessment task used to assess each outcome.

Learning Outcomes

After successfully completing this course you should be able to:

- 1 Identify and apply different forms of legal interpretive method (including skills in critical appraisal, written analysis and persuasive legal reasoning), to demonstrate knowledge and understanding of the process of constitutional interpretation and characterisation to determine whether a particular Commonwealth law is valid (within Commonwealth power).
- 2 Demonstrate awareness of the roles and functions of the Legislature, Executive and Judiciary, and the separation of their powers.
- 3 Utilise enhanced skills in legal research and problem-solving generally and specifically in Constitutional Law, to demonstrate knowledge and understanding of the process of constitutional interpretation.
- 4 Apply relevant case law and interpretive methods to demonstrate knowledge of the Commonwealth powers to legislate with respect to external affairs, corporations, and spending.
- 5 Demonstrate knowledge and understanding of the federal system contained in the Constitution, and of how the Constitution deals with intergovernmental immunities and with inconsistencies between federal and state laws.
- 6 Understand the guarantee of free trade, commerce and intercourse (section 92 of the Constitution)
- 7 Understand the protection of human rights in the Constitution, or lack thereof, and the evolution of implied rights (notably the implied freedom of political communication), and the current status of other political rights relating to representative government and democracy.
- 8 Understand the nature of the Queensland Constitution, and its impact on the powers of the Queensland Parliament

Assessment & Learning Activities

LEARNING ACTIVITIES	LEARNING OUTCOMES							
	1	2	3	4	5	6	7	8
Queensland Constitution (Workshop)	●							●
Introductory Lecture (Lecture)	●	●	●				●	
Constitutional Interpretation and Characterisation (Workshop)	●		●					
External Affairs (Workshop)	●	●		●				
Corporations Power (Workshop)	●	●		●				
Executive, Grants and Spending powers (Workshop)	●	●	●	●				
Inconsistency and Immunities (Workshop)	●	●			●			
Section 92 of the Constitution (Workshop)	●	●				●		
Separation of Judicial Power 1 (Workshop)	●	●						
Separation of Judicial Power 2 (Workshop)	●	●						
Protection of human rights (Workshop)	●	●					●	
Indigenous Peoples and the Constitution (Workshop)	●	●					●	

LEARNING ACTIVITIES	LEARNING OUTCOMES							
	1	2	3	4	5	6	7	8
Revision (Lecture)	●	●	●	●	●	●	●	
ASSESSMENT TASKS								
Research Essay	●	●	●	●	●			
Workshop Engagement Activity	●	●	●	●	●	●	●	●
End of Trimester Exam	●	●	●	●	●	●	●	●

Graduate Attributes

For further details on the Griffith Graduate please [click here](#)

Griffith University prepares influential graduates to be:

- [Knowledgeable and skilled, with critical judgement](#)
- [Effective communicators and collaborators](#)
- [Innovative, creative and entrepreneurial](#)
- [Socially responsible and engaged in their communities](#)
- [Culturally capable when working with First Australians](#)
- [Effective in culturally diverse and international environments](#)

This table demonstrates where each of the Griffith Graduate Attributes is taught, practised and assessed in this course.

University wide attributes

GRADUATE ATTRIBUTE	TAUGHT	PRACTISED	ASSESSED
Knowledgeable and skilled, with critical judgement	•	•	•
Effective communicators and collaborators	•	•	•
Innovative, creative and entrepreneurial			
Socially responsible and engaged in their communities			
Culturally capable when working with First Australians			
Effective in culturally diverse and international environments			

1. General Course Information

1.1 Course Details

COURSE CODE	3016LAW
COURSE TITLE	Constitutional Law
ACADEMIC ORGANISATION	LAW Griffith Law School
TRIMESTER	Trimester 1 2024
MODE	In Person
LEVEL	Undergraduate
LOCATION	Gold Coast, On Campus
CREDIT POINT VALUE	10

Restrictions:

Pre: 1031LAW Foundations of Law OR 1011LAW Law and the Modern State

Course Description:

This course covers the laws that govern the creation and operation of government institutions within their political, social and economic contexts, especially the powers and limits on powers of parliaments to make laws under Australia's federal Constitution. Prerequisite: 1031LAW Foundations of Law OR 1011LAW Law and the Modern State. Incompatible: 2002LAW Constitutional Law AND 2018LAW Introduction to Public Law. THIS COURSE IS ONLY OPEN TO LAW STUDENTS.

Assumed Background:

It is assumed that students have completed 1031LAW Foundations of Law.

1.2 Course Introduction

This course examines key institutions of governmental power in Australia -- the legislature, executive and judiciary -- and their relationship with each other. It considers key constitutional concepts -- federalism, constitutional interpretation, and rights -- within the historical, conceptual and doctrinal development of the Australian Commonwealth Constitution.

The course examines a selection of the federal Parliament's specific powers to legislate -- for instance over external affairs and corporations, grants to States and spending powers. It then considers the Constitution's limits on governmental power arising from federalism, guarantees of freedom of interstate trade, commerce, and intercourse; the doctrine of the separation of powers, and from implications drawn from the principles of representative and responsible government. We will also consider certain aspects of the Queensland Constitution.

Previous Student Feedback

Students indicated a preference for a traditional research essay, which will be accommodated in 2023 for part of the assessment. Clearer instructions will be given for the engagement exercise.

1.3 Course Staff

Primary Convenor **Dr Edwin Bikundo**

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1.4 Timetable

Timetables are available on [the Programs and Courses website](#).

NB: Details contained in this section of the course profile and section 4.1 Learning Activities are to be read in conjunction with the official class timetable. The published class timetable which is the authoritative source for timetabling information for all campuses can be located by clicking on the link above.

Additional Timetable Information

There are two types of classes: Lectures and Workshops.

- **The Week 1 Introduction Lecture and Week 12 Revision Lecture** will be delivered face to face in place of workshops during those weeks.
- **Online lecture content each week.** Each week you must listen to the required online lecture content, in the form of either a pre-recorded video or sound recording. There will also be self-directed activities attached to these lectures, including reading, for self-learning purposes. Lectures deliver the core content and provide the basic framework/content to guide Workshop discussion, and answers for Workshop and Examination hypotheticals. You must attend watch/listen, as the case may be, to the lectures in advance and do relevant readings from the textbook, key cases and materials in order to participate appropriately in the Workshops, which generally follow one week after the relevant lecture content.
- **Workshops.** Each week from Week 2, you attend one 2-hour (100 minute + a break) Workshop. You have the choice to enrol in an online workshop or an on-campus workshop. Workshops are interactive classes where issues are discussed in greater depth, and where interactive questioning revises and applies Lecture and reading content. Hypotheticals will also be worked on in some of these workshops.

1.5 Lecture Capture

It is standard practice at Griffith University that lectures timetabled in lecture capture-enabled venues are recorded and made available to students on the relevant course site, in accordance with the University's [Lecture Capture Policy](#).

The lecture series delivered as part of this course will be recorded and accessible via the Learning@Griffith course site.

1.6 Technical Specifications

Students will need access to a computer and internet in order to access lecture materials, prepare for workshops, and complete and submit assessment.