

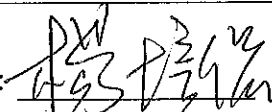
表二

105 學年度 商 學院 英語授課課程大綱

<p>課程名稱 Course Title <input type="checkbox"/> 模組 <input checked="" type="checkbox"/> 個別</p>	<p>(中文) 法學方法</p> <hr/> <p>(英文) Legal Methods</p>
<p>課程目標 Course Objectives</p>	<p>This course aims to:</p> <ul style="list-style-type: none"><li>(1) equip students with basic understandings of different legal methods that have emerged in international legal scholarship;</li><li>(2) foster the ability to analyze relevant WTO cases through the lenses of different legal theories or methodologies;</li><li>(3) familiarize students with basic structure of legal writing, skills of legal research and writing, and the knowledge of legal citations.</li></ul>
<p>課程大綱 Course Description</p>	<p>This course focuses on examining different legal methods that have been developed in the international legal society, such as law and economics, critical legal studies, and constitutionalism, etc. With basic understandings of these legal methodologies, students are expected to analyze relevant cases adjudicated under the World Trade Organization (WTO) from both a theoretical and practical perspective. Unlike general legal method courses offered by law schools, this course is especially designed for graduate students of the Department of International Business with the aim to equip them the necessary analytical tool for further study of international economic law. Therefore, this course places more emphases on the legal research and analysis of international economic law (especially the WTO regime) than those on general legal reasoning and interpretation methodologies covered by ordinary legal method courses. Moreover, this course provides students chances for hands-on exercises and practices of legal writing and research, the critical academic skills for the preparation and completion of master thesis.</p>

<p>上課進度 Weekly Course Schedule</p>	<p>PART I: THEORETICAL FOUNDATIONS &amp; ANALYTICAL APPROACHES  Topic 1: Introduction to Legal Methods in International Law  Topic 2: Legal Methods in International Economic Law  Topic 3: International Relations &amp; Economic Analysis of Law  Topic 4: Economics of International Law: General</p> <p>PART II: PARTICULAR ASPECTS OF PUBLIC INTERNATIONAL LAW  ISSUES IN GENERAL  Topic 5: Jurisdiction &amp; Compliance  Topic 6: Customary International Law  Topic 7: Treaty &amp; International Agreements  Topic 8: Institutions &amp; Organizations  Topic 9: International Adjudication &amp; Remedy  Topic 10: Linkage Issues &amp; Fragmentations</p> <p>PART III: SPECIFIC ISSUES AS APPLIED IN INTERNATIONAL TRADE  LAW  Topic 11: Non-Discrimination &amp; Most-Favored-Nation Principle  Topic 12: Trade Remedy: Antidumping, Subsidy &amp; Safeguard  Topic 13: Domestic Regulation &amp; Product Standard  Topic 14: Dispute Settlement &amp; Sanction  Topic 15: Free Trade Agreements</p> <p>PART IV: WRITING EXERCISE, ORAL PRESENTATION &amp; REAL CASE  ANALYSIS  Topic 16: Legal Writing, Research and Citations  Topic 17: WTO Case Study  Topic 18: In-Class Presentation and Writing Exercise</p>
<p>教學方式 Instructional Method</p>	<p>This class will be held in English. Students will be randomly called on answering questions, expressing ideas or briefing the main theme of assigned readings and cases. Failing to follow the rules will be subject to penalties either to deduct the grade or to submit a written paper on the topic concerned.</p>
<p>課程要求 Course Requirements</p>	<p>Each student is strongly encouraged to be well prepared in reading assigned materials before participating classes every week and to make substantive intellectual contribution to class discussion or dialogue.</p>
<p>評量方式 Evaluation</p>	<p>Grading will be based 20% on class participation and discussion, 40% on submission of five reaction papers on relevant topics, and 40% on an in-class presentation of an assigned or self-selected WTO case together with a completion of term paper. The paper should be an original work based on the assigned or selected WTO case in compliance with appropriate citation rules.</p>

<p>教材及參考書目 Textbooks &amp; Suggested Materials</p>	<p>A coursepack will contain all the required readings for this class and should be handy for every class. Selected WTO cases for further analysis will be handed out in class and can also be found in following books:</p> <p>(1) Henrik Horn &amp; Petro C. Mavroidis eds., THE AMERICAN LAW INSTITUTE REPORTERS' STUDIES ON WTO CASE LAW: LEGAL AND ECONOMIC ANALYSIS, Cambridge University Press, 2007.</p> <p>(2) Henrik Horn &amp; Petro C. Mavroidis eds., THE WTO CASE LAW OF 2004-2005: LEGAL AND ECONOMIC ANALYSIS, Cambridge University Press, 2008.</p> <p>(3) Henrik Horn &amp; Petro C. Mavroidis eds., THE WTO CASE LAW OF 2006-2007: LEGAL AND ECONOMIC ANALYSIS, Cambridge University Press, 2009.</p> <p>Students are encouraged to refer to following materials for the preparation and completion of writing assignments:</p> <p>(1) Darby Dickerson, ALWD Citation Manual - A Professional System of Citation, 2nd ed., 2003 (New York: Aspen).</p> <p>(2) Jeanne Rehberg, WTO/GATT Research (2003 revision), at <a href="http://www.llrx.com/node/131/print#II_C_4">http://www.llrx.com/node/131/print#II_C_4</a></p> <p>(3) Marci Hoffman, Revised Guide to International Trade Law Sources on the Internet (2002), at <a href="http://www.llrx.com/node/1274/print">http://www.llrx.com/node/1274/print</a>.</p> <p>(4) Georgetown Law Library, From the GATT to the WTO Research Guide, at <a href="http://www.ll.georgetown.edu/intl/guides/FromtheGATTtotheWTO.cfm">http://www.ll.georgetown.edu/intl/guides/FromtheGATTtotheWTO.cfm</a>.</p> <p>(5) NYU Law Library, WTO and GATT Research, at <a href="http://www.law.nyu.edu/library/wtoguide.html">http://www.law.nyu.edu/library/wtoguide.html</a></p> <p>(6) Writing Tutorial Services, How to Write a Thesis Statement? <a href="http://www.indiana.edu/~wts/pamphlets/thesis_statement.shtml">http://www.indiana.edu/~wts/pamphlets/thesis_statement.shtml</a></p> <p>Following materials are encouraged but not required for further readings:</p> <p>(1) Jagdeep S. Bhandari &amp; Alan O. Sykes eds., ECONOMIC DIMENSIONS IN INTERNATIONAL LAW: COMPARATIVE AND EMPIRICAL PERSPECTIVES, Cambridge University Press, 1997.</p> <p>(2) Joel P. Trachtman, THE ECONOMIC STRUCTURE OF INTERNATIONAL LAW, Harvard University Press, 2008.</p> <p>(3) Jack L. Goldsmith &amp; Eric A. Posner, THE LIMITS OF INTERNATIONAL LAW, Oxford University Press, 2005.</p> <p>(4) Eric A. Posner ed., ECONOMICS OF PUBLIC INTERNATIONAL LAW, Edward Elgar Publishing, 2010.</p> <p>(5) OonaA. Hathaway &amp; Harold Hongju Koh, FOUNDATIONS OF INTERNATIONAL LAW AND POLITICS, Foundation Press, 2005.</p>
<p>課程相關 連結網址 Course Website</p>	<p>Websites (Related Links)</p> <p><a href="http://www.wto.org">http://www.wto.org</a> (official website of the World Trade Organization);</p> <p><a href="http://www.worldtradelaw.net">http://www.worldtradelaw.net</a> (case summaries);</p> <p><a href="http://cweb.trade.gov.tw">http://cweb.trade.gov.tw</a> (Bureau of Foreign Trade, Taiwan, R.O.C.);</p> <p><a href="http://www.ustr.gov">http://www.ustr.gov</a> (official US government trade website);</p> <p><a href="http://ec.europa.eu/trade/index_en.htm">http://ec.europa.eu/trade/index_en.htm</a> (official trade site of the European Commission);</p> <p><a href="http://www.law.duke.edu/lib/researchguides/gatt.html">http://www.law.duke.edu/lib/researchguides/gatt.html</a> (Duke Law Library's own Research Guide to the GATT/WTO).</p>
<p>備註 Remarks</p>	<p>Legal Texts (Textbook &amp; References)</p> <p>WTO Secretariat, THE RESULTS OF THE URUGUAY ROUND OF MULTILATERAL TRADE Negotiations: THE LEGAL TEXTS, Cambridge University Press/WTO, available at <a href="http://www.wto.org/english/docs_e/legal_e/legal_e.htm">http://www.wto.org/english/docs_e/legal_e/legal_e.htm</a>.</p>

申請教師簽章:  開課單位主管簽章: 