

Socio-legal studies

The Faculty of Arts offers an interdisciplinary major in socio-legal studies. This program is designed to provide Bachelor of Arts students with an opportunity to become familiar with legal ideas, concepts and language, legal institutions and legal processes. It will appeal to students who wish to use the methods and perspectives of various academic disciplines to study legal issues and to use the conceptual framework of the law to illuminate empirical and theoretical concerns in the various disciplines. The program is not designed to prepare students for law school nor does it provide paralegal training. It is a field of study within the Faculty of Arts curriculum which helps students develop their ability to think clearly and to analyse arguments critically. It provides sound preparation for a variety of activities including teaching, public and social policy, public advocacy, business administration and government.

There are no prerequisites for first year subjects in socio-legal studies.

The prerequisite for entry into second year socio-legal studies subjects is usually the completion of 25 points of arts subjects at first year including the core subject 191-110 Law in Society (*p.1*). The prerequisite for entry into third year socio-legal studies subjects is usually three second year subjects in socio-legal studies (37.5 points) including the core subjects 166-215 Rights and the Law (*p.1*) and 191-210 Theories of Law and Society (*p.2*).

Requirements for a major

A major in socio-legal studies consists of nine 12.5 point subjects totalling 112.5 points. It comprises:

- two first year arts subjects (25 points) including 191-110 Law in Society (*p.1*) and;
- three socio-legal subjects at second year level (37.5 points) including 191-210 Theories of Law and Society (*p.2*) and 166-215 Rights and the Law (*p.1*) and;
- four socio-legal studies subjects at third year level (50 points) including 191-310 Law, Justice and Cultural Diversity (*p.2*).

Core subjects	Points
First year	
191-110 Law in Society (<i>p.1</i>)	12.5
Second/third year	
191-210 Theories of Law and Society (<i>p.2</i>)	12.5
166-040 Constitutional Design and Change (<i>p.10</i>)	12.5
166-215 Rights and the Law (<i>p.1</i>)	12.5
Third year	
191-310 Law, Justice and Cultural Diversity (<i>p.2</i>)	12.5
Optional subjects	Points
Anthropology, geography and environmental studies	
Second/third year subjects	
121-044 Place and Possession (<i>p.4</i>)	12.5
121-045 Native Title (<i>p.8</i>)	12.5
Criminology	
Second/third year subjects	
191-002 Institutions of Criminal Justice (<i>p.2</i>)	12.5
191-003 Crime and Public Policy (<i>p.2</i>)	12.5
191-005 Criminal Law and Criminology (<i>p.2</i>)	12.5
191-006 Policing (<i>p.2</i>)	12.5
191-008 Sociology of Crime and Deviance (<i>p.3</i>)	12.5
Third/fourth year subjects	
191-407 Sentencing Theory and Practice (<i>p.3</i>)	12.5
191-415 Youth Crime and Society (<i>p.3</i>)	12.5
191-417 Corporate and White Collar Crime (<i>p.3</i>)	12.5
191-422 Women, Gender and Crime (<i>p.4</i>)	12.5
191-427 Crime Ethnicity and Race (<i>p.4</i>)	12.5
191-433 Criminal Justice Decision Making (<i>p.6</i>)	12.5
191-435 Drugs and Justice (<i>p.5</i>)	12.5
Faculty of Law	
Second year subject	
733-213 Legal Studies:Environmental Law (<i>p.2</i>)	12.5
History	
Second/third year subjects	
131-072 South Africa Under Apartheid: 1948-1994 (<i>p.8</i>)	12.5
131-073 Human Rights in Australian History (<i>p.8</i>)	12.5
131-111 Crime Law & Punishment-Colonial Victoria (<i>p.18</i>)	12.5
Islamic studies	
second/third year subject	
110-014 Crime Politics & Law in Islamic Society (<i>p.3</i>)	12.5
Political science	

Optional subjects	Points
Second/third year subjects	
166-004 Change & Conflict in Australian Society (<i>p.3</i>)	12.5
166-022 Public Policy Making (<i>p.4</i>)	12.5
166-038 Indigenous Rights: Land and Heritage (<i>p.5</i>)	12.5
166-040 Constitutional Design and Change (<i>p.10</i>)	12.5
166-083 Sociology of Youth & Youth Policy (<i>p.2</i>)	12.5
School of Creative Arts	
Third year subject	
760-393 Arts Law in Australia (<i>p.16</i>)	12.5
School of Social Work	
Third/fourth year subject	
196-420 The Legal Context of Human Services (<i>p.1</i>)	12.5

For more information

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First year subject

191-110 Law in Society

Credit points: 12.5

HECS-band: 1

Coordinator: To be advised

Contact: Two 1-hour lectures and a 1-hour tutorial per week (*Semester 1*).

Description: This subject will introduce students to theories and concepts of law and practices of law in contemporary Australian society. It will also provide a foundation both for legal studies subjects in later years and for later subjects in disciplines such as politics and criminology. The subject will provide an introduction to various approaches to the study of law in society, for example, debates about legal ideology and discourse, understandings of law's role in relation to social structure and social order, and debates about law, the state and governance. The course is divided into four parts: Concepts of Law: this looks at state law and other forms of law, Western and non-Western ideas of law and the range of forms of social regulation. It will also examine the history of ideas of law. Legal Processes and Institutions: this section develops an overview of the legal process and the various institutions involved, moving from the emergence and initiation of legal disputes (criminal and civil), through the forms of dispute settlement (lawyers' offices, courts, tribunals, alternative dispute resolution), to the links between the mechanisms and meanings of legal dispute settlement and other social institutions such as the welfare system. Legal Languages and Texts: This section examines the systems of knowledge and ways of understanding used by legal professionals. Students will focus on the significance of legal culture, the practices of interpretation used by lawyers in assessing and resolving disputes and will familiarise students with techniques of reading legal materials such as statutes and case reports. Law, Power and Social Structure: This section will introduce students to various approaches to law, power and social structure, in particular to various approaches to socio-legal studies such as critical legal studies, cultural studies and the sociology of law.

Assessment: Written work totalling 4000 words. An examination may be substituted for part or whole of the assessment.

Second/third year subjects

166-215 Rights and the Law

Credit points: 12.5

HECS-band: 1

Coordinator: John Chesterman

Prerequisites: Usually 25 points of first year arts including 191-110 Law in Society (*p.1*).

Contact: Two 1-hour lectures and a 1-hour tutorial per week (*Semester 2*).

Description: This subject examines those entitlements in democratic Australia to which we attach special importance, and which we label rights. The subject asks students to explore the limited way in which rights have traditionally been protected by Australian law, and to consider how this has changed in the past fifty years, with the rising influence of international human rights law on Australian courts and parliaments, and with the broader reading of Australia's Constitution by the High Court. The subject engages with a number of current debates in Australia (including those concerning euthanasia, artificial reproductive technology, and indigenous rights), and will enable students to respond in detail to two key questions: What constitutes a right in contemporary Australia? How should rights best be protected?

Assessment: Written work totalling 4000 words.

Prescribed texts: A subject reader will be available.

191-210 Theories of Law and Society

Credit points: 12.5

HECS-band: 1

Coordinator: To be advised

Prerequisites: Usually 25 points of first year arts including 191-110 Law in Society (*p.1*).

Contact: Two 1-hour lectures and a 1-hour tutorial per week (*Semester 2*).

Description: This subject builds upon issues introduced in Law in Society. It examines the theories of the role propounded by such writers as Durkheim, Parsons, Marx, Weber, Foucault and others and the relationship between law and other disciplines such as sociology, political theory cultural studies. It will examine the emergence of the legal profession, its structure and politics. It also will examine the idea of law as culture and look at cultural studies of law, focusing on modes of interpretation and the production of meaning.

Assessment: Written work totalling 4000 words. An examination may be substituted for part of the assessment.

733-213 Legal Studies:Environmental Law

Credit points: 12.5

HECS-band: 1

Coordinator: To be advised

Prerequisites: Usually 25 points of first year arts including 191-110 Law in Society (*p.1*).

Contact: A 2-hour lecture/seminar per week (*Semester 1*).

Description: This subject familiarises students with the increasingly important and topical area of environmental law. Legal concepts necessary for studying the subject are introduced through an examination of the nature and sources of law. The approach of the common law to environmental issues is examined critically. The particular environmental objectives of the public land-use planning system are studied with particular attention to the rights of objection and appeal. The preservation of heritage and conservation of nature are also dealt with in a planning context. Pollution discharge licensing and appeals are also examined. International environmental commitments are also dealt with at relevant points. The complex interrelationships of these fields of law are traced in the integrated environmental legal problems and legal policy issues encountered in urban transport planning.

Assessment: A 2000 word assignment and a 2-hour examination.

Prescribed texts: Loorham et al, *Introduction to Victoria's Key Environment and Planning Law*, 2nd ed, Environment Defenders Office. • Eccles & Bryant, *Statutory Planning in Victoria*, 2nd ed, Federation Press, 1999. • G M Bates, *Environmental Law in Australia*, 5th ed, Butterworths.

Third year subject

191-310 Law, Justice and Cultural Diversity

Credit points: 12.5

HECS-band: 1

Coordinator: To be advised

Prerequisites: Completion of 37.5 points of second year socio-legal studies including 166-215 Rights and the Law (*p.1*) and 191-210 Theories of Law and Society (*p.2*).

Contact: A 1-hour lecture and a 90-minute seminar per week (*Semester 2*).

Description: This subject will examine the ways in which law can be seen as both an instrument of positive social change and yet also as a means of confirming existing social arrangements and resisting social change. It will investigate both theoretical perspectives on law, justice and the community and a series of case studies concerning the struggles for access to justice and involvement in legal processes and institutions by particular groups and individuals. It will look at a selection of issues such as gender politics, ethnicity, race, indigenous politics, sexual orientation, class and economic struggles, social dissent, non-English speaking background individuals.

Assessment: Written work totalling 4000 words. An examination may be substituted for part of the assessment.