

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 examine law in its societal, political, and cultural context. 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.2*) and 191-211 Law, Justice and Social Change (*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 191-211 Law, Justice and Social Change (*p.2*) and 166-215 Rights and the Law (*p.2*); and
- four socio-legal studies subjects at third-year level (50 points) including 191-301 Law in Social Theory (*p.2*).

Core subjects	Sem.
First-year subject	
191-110 Law in Society (<i>p.1</i>)	2
Second/third-year subjects	
191-211 Law, Justice and Social Change (<i>p.2</i>)	1
166-215 Rights and the Law (<i>p.2</i>)	1
Third-year subject	
191-301 Law in Social Theory (<i>p.2</i>)	2
Optional subjects	Sem.
Students may choose their remaining four subjects from the following options. The inclusion of alternative subjects may be possible in consultation with the socio-legal studies convenor.	
Second-year subject	
Second/third-year subjects	
121-225 Place and Possession (<i>p.5</i>)	2
121-226 Native Title (<i>p.5</i>)	N/A
131-072 South Africa Under Apartheid: 1948-1994 (<i>p.10</i>)	1
131-073 Human Rights in Australian History (<i>p.10</i>)	1
131-221 Crime Law & Punishment-Colonial Victoria (<i>p.12</i>)	N/A
166-004 Change & Conflict in Australian Society (<i>p.3</i>)	N/A
166-022 Public Policy Making (<i>p.5</i>)	1
166-038 Indigenous Rights: Land and Heritage (<i>p.6</i>)	1
166-040 Constitutional Design and Change (<i>p.7</i>)	N/A
166-083 Sociology of Youth & Youth Policy (<i>p.3</i>)	2
191-003 Crime and Public Policy (<i>p.2</i>)	1
191-005 Criminal Law and Criminology (<i>p.2</i>)	1
191-006 Policing (<i>p.3</i>)	2
191-008 Sociology of Crime and Deviance (<i>p.3</i>)	2
196-213 The Legal Context of Human Services (<i>p.1</i>)	2
Third-year subject	
760-393 Arts Law in Australia (<i>p.15</i>)	2
Third/fourth-year subjects	
191-407 Sentencing Theory and Practice (<i>p.3</i>)	2
191-415 Youth Crime and Society (<i>p.3</i>)	2
191-417 Corporate and White Collar Crime (<i>p.3</i>)	2
191-422 Women, Gender and Crime (<i>p.4</i>)	2
191-427 Crime Ethnicity and Race (<i>p.4</i>)	2
191-435 Drugs and Justice (<i>p.5</i>)	2

Honours entry

Honours Coordinator: Dr Jennifer Balint

The prerequisites for entry to fourth year honours in socio-legal studies are:

- completion of all the requirements of the BA and;
- completion of a major in socio-legal studies and;
- an average grade of H2A or higher over the second/third year subjects within the major.

All students intending to undertake their thesis in socio-legal studies will be required to submit a research proposal of at least 1000 words as part of the entry procedure. It is recommended that this proposal be generated in consultation with the socio-legal studies program convenor. Acceptance into the program is dependent upon completion of an adequate proposal as judged by the socio-legal studies program convenor.

Application forms for entry into honours are available from the General Office, Department of Criminology, and should be returned to the socio-legal studies honours coordinator by the first week in November. Thesis proposals are due by the end of November. Successful applicants will be notified by the department in late December.

Pure honours

Students undertaking pure honours in socio-legal studies must complete:

- 191-506 Socio-legal Studies Thesis (*p.2*);
- 191-530 Criminology Thesis Seminar (*p.5*);
- two elective subjects chosen from the list below;

and either

- 191-423 Supervised Field Study (*p.6*);
- or
- two elective subjects chosen from the list below.

Honours elective subjects	Sem.
Third/fourth-year subjects	
166-411 Australian Politics: Democracy & Justice (<i>p.9</i>)	2
166-416 Justice, Democracy and Difference (<i>p.10</i>)	1
191-416 Genocide, State Crime and the Law (<i>p.2</i>)	1
191-428 Crime and Culture (<i>p.4</i>)	2
191-434 Victims (<i>p.5</i>)	2
191-438 Criminal Fictions (<i>p.5</i>)	1
191-520 Compliance, Regulation & Crime (<i>p.6</i>)	2
191-531 Penal Policy and Practice (<i>p.6</i>)	1
730-315 Jurisprudence (<i>p.9</i>)	Summer

For more information

Department of Criminology
234 Queensberry Street
The University of Melbourne
Victoria 3010
Tel: +61 3 8344 9440
Fax: +61 3 9349 4259

Email: discovery@criminology.unimelb.edu.au

Web: <http://www.criminology.unimelb.edu.au>

First-year subject

191-110 Law in Society

Availability: 1st year

Credit points: 12.5

HECS-band: 1

Coordinator: Dr J Balint

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

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 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 develops on 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 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 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

191-211 Law, Justice and Social Change

Note: Formerly available as 191-310. Students who have completed 191-310 are not eligible to enrol in this subject.

Availability: 2nd and 3rd year

Credit points: 12.5

HECS-band: 1

Coordinator: Dr J Balint

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

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

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. Students will choose a case study to follow through the course, and will visit a community legal centre or government body to interview a staff member involved in the writing of a report or submission.

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

166-215 Rights and the Law

Availability: 2nd and 3rd year

Credit points: 12.5

HECS-band: 1

Coordinator: John Chesterman

Prerequisites: For socio-legal studies students: Usually 25 points of first-year arts including 191-110 Law in Society. For Political Science students: usually 25 points of first-year politics.

Contact: Thirty contact hours per semester. Two 1-hour lectures for 10 weeks and a 1-hour tutorial per week for 10 weeks. The lecture and tutorial programs are staggered and cover the 12 weeks of semester (*Semester 1*).

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, asylum seekers 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? Students who complete this subject will have a detailed understanding of the extent to which Australian legal and political institutions have defined and protected rights over the last 100 years. They will have an informed understanding of what constitutes a right in modern Australia, and they will have a detailed appreciation of how rights are debated in Australia.

Assessment: An essay of 2000 words 50% (due mid-semester) and a 2-hour examination 50% (held at the end of semester).

Prescribed texts: A subject reader will be available.

Third-year subject

191-301 Law in Social Theory

Note: Formerly available as 191-210. Students who have completed 191-210 are not eligible to enrol in this subject.

Availability: 3rd year

Credit points: 12.5

HECS-band: 1

Coordinator: Dr J Balint

Prerequisites: Completion of 37.5 points of second-year socio-legal studies including 166-215 Rights and the Law (*p.2*) and 191-211 Law, Justice and Social Change (*p.2*).

Contact: A 1-hour lecture and a 1.5-hour seminar per week (*Semester 2*).

Description: This subject builds upon issues introduced in Law in Society, and Law, Justice and Social Change. It examines the theories of the role of law 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 and cultural studies.

Assessment: Written work totalling 5000 words. An examination may be substituted for part of the assessment.

760-393 Arts Law in Australia

See full subject details on page 15.

Fourth-year subjects

191-506 Socio-legal Studies Thesis

Availability: 4th year

Credit points: 37.5

HECS-band: 1

Coordinator: Dr J Balint

Prerequisites: Admission to the postgraduate diploma or fourth year honours in socio-legal studies.

Contact: Regular supervision throughout the year (*Year long*).

Description: Students undertaking the Socio-Legal thesis should demonstrate a clear understanding of a specific field of study at an advanced level. They should demonstrate clear thinking and an ability to integrate theory and method in a logical manner. The student must be able to work in a concentrated way over an extended period and must present their research in a scholarly fashion.

Assessment: A 12 000 word thesis

191-517 Socio-legal Studies Thesis (MYE)

Availability: 4th year

Credit points: 37.5

HECS-band: 1

Coordinator: Dr J Balint

Prerequisites: Mid-year admission to the postgraduate diploma or fourth year honours in socio-legal studies.

Contact: Regular supervision throughout the year (*Semester 1, repeat 2*).

Description: Students undertaking the Socio-Legal thesis should demonstrate a clear understanding of a specific field of study at an advanced level. They should demonstrate clear thinking and an ability to integrate theory and method in a logical manner. The student must be able to work in a concentrated way over an extended period and must present their research in a scholarly fashion.

Assessment: A 12 000 word thesis

191-530 Criminology Thesis Seminar

See full subject details on page 5.

191-416 Genocide, State Crime and the Law

Availability: 4th year

Credit points: 12.5

HECS-band: 1

Coordinator: Dr J Balint

Prerequisites: Admission to the postgraduate diploma or fourth year honours in socio-legal studies, or with permission of the subject coordinator

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

Description: This subject will examine the differing roles played by law and legal process in the wake of genocide and other forms of state crime. It will examine the limitations and potentials of law in addressing mass harm, in particular analysing the role of law in societal reconstruction and reconciliation.

Assessment: Written work totalling 5000 words.

191-520 Compliance, Regulation & Crime

See full subject details on page 6.

191-531 Penal Policy and Practice

See full subject details on page 6.