

CRIM90008 Sovereignty, Justice, Indigenous Peoples

Credit Points:	12.50
Level:	9 (Graduate/Postgraduate)
Dates & Locations:	This subject is not offered in 2013.
Time Commitment:	Contact Hours: A 2-hour seminar per week for 12 weeks. Total Time Commitment: 120 hours
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Criminology, Socio-Legal Studies, Politics and International Studies, Sociology or Development Studies at Undergraduate level.
Non Allowed Subjects:	191-538 Law, Race and Indigenous Peoples
Core Participation Requirements:	For the purposes of considering request for Reasonable Adjustments under the disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills and Assessment Requirements of this entry. The University is dedicated to provide support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: http://www.services.unimelb.edu.au/disability/
Contact:	Dr. Julie Evans: j.evans@unimelb.edu.au
Subject Overview:	This subject examines the relation between Indigenous peoples, justice and the law, through the lens of sovereignty. It reflects critically on the concept of sovereignty, its powerful propensity to transcend its social origins, and its fortress status in law. Through first examining European law's relation to Indigenous peoples from 1492, the course explores correlations between Europe's economic expansion and the development of sovereignty, property, and race as key notions that underpin both individual nation-states and the international order they constitute. In bringing this analysis to bear on contemporary aspirations for structural justice, the course then considers the possibilities and limitations of current legal concepts and mechanisms – in both local and global domains – such as prevailing notions of sovereignty, native title, human rights, crimes against humanity, and transitional justice. Finally, the course presents examples of innovative contemporary interventions in support of structural justice in settler states, promoting new ways to think about their complex pasts and presents, and possible future directions.
Objectives:	At the end of the course, students should be able to reflect critically on: <ul style="list-style-type: none"> # the historical experiences of Indigenous peoples and the development of key western ideas and practices; # conventional legal and political understandings of sovereignty discourse; # the impact of European notions of sovereignty, property and race on Indigenous and non-Indigenous peoples from 1492 to the present; # the historical and legal underpinnings of contemporary relationships between Indigenous peoples and European law (and criminal justice systems) in settler states; # contemporary possibilities for redress and reform in the local and international justice arenas.
Assessment:	A critical annotated bibliography of 2000 words, OR reflective essay of 2000 words (30%), due in the first half of semester, and a major critical research essay of 3000 words (70%) due in the examination period. Hurdle Requirements: Students are required to attend a minimum of 75% of classes in order to qualify to have their written work assessed. Full participation in seminar reading, seminar presentations and discussion is expected. The oral presentation of at least one seminar paper based on the weekly readings is a (non-assessed) hurdle requirement. Assessment that is submitted after the due date and up to 10 working days late without an approved extension will be marked on a pass/fail basis only. Assessment that is submitted later

	than 10 working days will not be accepted or marked. In-class tasks missed without approval will not be marked. All pieces of written work must be submitted to pass this subject.
Prescribed Texts:	A subject reader will be available for purchase from the University Bookshop and/or on line via LMS
Recommended Texts:	<ul style="list-style-type: none"> # Armitage, D., <i>The Ideological Origins of the British Empire</i>, Cambridge University Press, Cambridge, 2002. # Keal, P. <i>European Conquest and the Rights of Indigenous Peoples: The Moral Backwardness of International Society</i>, Cambridge: Cambridge University Press, 2003. # Pagden, A., 1995, <i>Lords of All The World: Ideologies of Empire in Spain, Britain and France, c. 1500 - c. 1800</i> (New Haven). # Williams, R.A., <i>The American Indian in Western Legal Thought: The Discourses of Conquest</i>, Oxford University Press: NY, 1990
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	<ul style="list-style-type: none"> # to demonstrate the capacity to think in theoretical and conceptual terms; # to demonstrate advanced skills in critical thinking and analysis; # to demonstrate the capacity to apply theoretical and historical thinking to the analysis of contemporary social issues.
Related Majors/Minors/Specialisations:	100 Point Master of Criminology 100 Point Master of International Relations 150 Point Master of Criminology 150 point program - full time over 18 months 200 Point Master of Criminology 200 Point Master of International Relations 200 point program - full time over 18 months 200 point program - full time over 24 months Criminology Criminology Socio-Legal Studies Socio-legal Studies