

## CRIM90008 Sovereignty, Justice, Indigenous Peoples

<b>Credit Points:</b>	12.50
<b>Level:</b>	9 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2014.
<b>Time Commitment:</b>	Contact Hours: 4 x 6 hour seminars scheduled on 7, 14, 28 March and 4 April 2014. Total Time Commitment: 120 hours
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Criminology, Socio-Legal Studies, Politics and International Studies, Sociology or Development Studies at Undergraduate level.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	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: <a href="http://www.services.unimelb.edu.au/disability/">http://www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	Dr. Julie Evans: <a href="mailto:j.evans@unimelb.edu.au">j.evans@unimelb.edu.au</a>
<b>Subject Overview:</b>	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.
<b>Learning Outcomes:</b>	At the end of the subject, students should be able to reflect critically on: <ul style="list-style-type: none"> <li># the historical experiences of Indigenous peoples and the development of key western ideas and practices;</li> <li># conventional legal and political understandings of sovereignty discourse;</li> <li># the impact of European notions of sovereignty, property and race on Indigenous and non-Indigenous peoples from 1492 to the present;</li> <li># the historical and legal underpinnings of contemporary relationships between Indigenous peoples and European law (and criminal justice systems) in settler states;</li> <li># contemporary possibilities for redress and reform in the local and international justice arenas.</li> </ul>
<b>Assessment:</b>	A critical annotated bibliography of 2000 words, OR reflective essay of 2000 words (30%), due towards the end of March, and a major critical research essay of 3000 words (70%) due in the examination period. Hurdle Requirements: As this is an Intensively-taught subject, seminar attendance is compulsory on all 4 days. Regular participation in class is required. Full participation in seminar reading, seminar presentations and discussion is expected. The oral presentation of at least one seminar paper based on set weekly readings is a (non-assessed) hurdle requirement. Assessment submitted late without an approved extension will be penalised at 10% per working day. In-class tasks missed without approval will not be marked. All pieces of written work must be submitted to pass this subject.

<b>Prescribed Texts:</b>	A subject reader will be available on line via LMS.
<b>Recommended Texts:</b>	<ul style="list-style-type: none"> <li># Armitage, D., <i>The Ideological Origins of the British Empire</i>, Cambridge University Press, Cambridge, 2002.</li> <li># Keal, P. <i>European Conquest and the Rights of Indigenous Peoples: The Moral Backwardness of International Society</i>, Cambridge: Cambridge University Press, 2003.</li> <li># Pagden, A., 1995, <i>Lords of All The World: Ideologies of Empire in Spain, Britain and France, c.1500 - c.1800</i> (New Haven).</li> <li># Williams, R.A., <i>The American Indian in Western Legal Thought: The Discourses of Conquest</i>, Oxford University Press: NY, 1990</li> </ul>
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	<p>On completion of this subject students should:</p> <ul style="list-style-type: none"> <li># demonstrate the capacity to think in theoretical and conceptual terms;</li> <li># demonstrate advanced skills in critical thinking and analysis;</li> <li># demonstrate the capacity to apply theoretical and historical thinking to the analysis of contemporary social issues.</li> </ul>
<b>Related Majors/Minors/ Specialisations:</b>	<p>100 Point Master of Arts in Professional and Applied Ethics  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  200 points Master of Arts in Professional and Applied Ethics  Criminology  Criminology  Socio-Legal Studies</p>