

Casualised black letter law teaching and examination based assessment are the chief processes whereby this outcome has arisen. Far from producing the clever people to manage late modernity, the neo-liberal university is dulling and narrowing student self-constructs and has become an assembly line for unreflexive technicians.

Introducing Conceptual and Contextual Literacy to First Year LLB Students
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Abstract

This paper argues that the analytical tools for conceptual and contextual literacy need to be made explicit in the first year curriculum especially for non graduate entry LLB programs. The paper explains rationale for the subject, the evolution of the syllabus and evaluates the experience of facilitating student learning in the subject so far.

At JCU Legal Concepts subject introduces students to a broad overview of the concepts applicable to basic areas of the law. Thus the subject offers a preparatory foundation for further three years of study. Legal Concepts is one of six subjects in the foundational JCU First Year Experience program. Other subjects are Legal Research, Writing and Analysis, Legal Institutions and Processes, Law, Society and Change and Contract 1 and 2.

Law, Society and Change and Legal Concepts complement each other. Law, Society and Change introduces students to social science concepts such as: ideology, discourse, social construction, power, the state, the market, kinship and family, identity, class, race, ethnicity, caste, gender, sex, sexuality, colonialism, globalization. The subject enables students to view the law through the prism of society not vice versa. They are able to critique the law in terms of the social context in which it is made and in which it operates. For instance, to ask how relevant, given the large variety of forms that intimate relationships take, are marriage laws in Australia? Or to explore how hierarchies of esteem such as race or sexuality are constructed by law as an expression of dominant ideologies?

The Legal Concepts subject, the focus of this presentation, introduces the core jurisprudential concepts of a common law legal system, namely the concepts of:

- Personality,
- Liability,
- Property,
- Contract,
- Fiduciary obligations,
- Rights,
- Sovereignty and good process such as natural justice, constitutionalism and the Rule of Law.

These concepts are selected because of the importance and breadth of areas of law they underpin.

The 'law jobs' that the areas of law reflecting the concept are contextualized so that each concept is critiqued in terms of its relevance and possible obsolescence in the face a dimension of technological, political, cultural, economic or ecological change. This contextualized critique exposes areas of mismatch between, for instance, western liberal notions of property and Indigenous normative schemes, classical contract law and e-commerce, the concept of Westphalian sovereignty and the new challenges to global governance posed say by climate change, and so on. The two subjects are designed to complement each other by providing a foundation jurisprudential and social science conceptual vocabulary.
