



COURSE DATA

Data Subject

Code	35055
Name	Legal Sociology
Cycle	Grade
ECTS Credits	6.0
Academic year	2023 - 2024

Study (s)

Degree	Center	Acad. year	Period
1302 - Degree in Criminology	Faculty of Law	1	Second term
1923 - Double Degree Programme Law-Criminology	Faculty of Law	1	First term

Subject-matter

Degree	Subject-matter	Character
1302 - Degree in Criminology	3 - Sociology	Basic Training
1923 - Double Degree Programme Law-Criminology	1 - Year 1 compulsory subjects	Obligatory

Coordination

Name	Department
MARTINEZ SEGUI, JOAN ALFRED	364 - Political Legal Philosophy
RAMIREZ GARCIA, JOSE MIGUEL	330 - Sociology and Social Anthropology

SUMMARY

Sociology of Law is a basic formation course in first year Degree in Criminology. It has a charge of 6 ECTS credits and is taught during the second semester. Its content is related in part to the subject Research Methods in Social Sciences (second semester), and can be considered a continuing relationship with the subject of Introduction to Sociology (first semester).

The general content of the course is oriented on several basic dimensions: Law and Society. Social relations and norms. Sociological analysis of law and legal institutions. Sociology of juridical operators. Methodology and socio-juridical research. Legal cultures.



This general thematic highlights its interdisciplinary character and reaffirms the position of criminology connected to the generic set of social sciences.

In the words of Eugen Ehrlich "is impossible to teach law without simultaneously provide an image of society which must govern." This *dictum* of Ehrlich extends to all the social sciences. Our interest is to also to emphasize in the current processes of social and historical change.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

Other requirements

1302 - Degree in Criminology

- Ser capaç de analitzar y reflexionar sobre la realitat social. E: 3, 15
- Comprendre los fenòmens socials desde una perspectiva crítica y con referencia al género. G: 1 y 4
- Conocer los problemas colectivos de marginación y exclusión social. E: 3, y 15
- Saber aplicar las tácticas de prevención de la ruptura social. G: 10 y E: 6 y 8
- Saber trabajar desde una perspectiva multicultural. G: 5 y E: 22.
- Ser capaz de relacionar los fenómenos jurídicos con los fenómenos sociales identificando aquellos que influyen en la transformación del Derecho.
la estructura socio - jurídica. E: 15, 20, 21
- Aprender a distinguir las distintas vías de acceder a la investigación en Criminología. G: 2, 4 y E: 2
- Saber utilizar diversas fuentes de información: estadísticas, portales? G: 2, 9 y E: 2, 4 y 6
- Manejo básico de herramientas de análisis sociológico: gráficos, tablas? G: 9

In terms of specific competencies of the grade, with the subject, students will have acquired:

- To know how to transfer to a criminological report the psychological, social and juridical data of criminological relevance.
- To know how to select data with criminological relevance that are useful to emit a judicial resolution.



- To provide data and reports for control and monitoring of measures for release advising the supervision court in its resolutions.
- To know how to apply criminological theories in the development of public policies centered on crime prevention and attention to the victim
- To know how to identify the diversity and social inequality and its consequences in relation to the criminal fact, victimization and responses to crime and deviance.
- To be able to design strategies to resolve specific conflicts in the penal and criminological context.
- To be able to apply the psychosocial knowledge to studio and comprehension of new forms of criminality.

DESCRIPTION OF CONTENTS

1. SOCIOLOGICAL ANALYSIS OF LAW: OBJECT AND FUNCTION

- 1.- General sociology and sociology of law.
- 2.- Sociology of law and juridical knowledge.
- 3.- What legal sociology?: Different approaches to the sociology of law.
- 4.- Multidisciplinary and dynamic character of sociology of law. Gender perspective.

2. THE FOUNDING OF THE SOCIOLOGY OF LAW

- 1.- The relationship between law and society.
- 2.- Law, domination and conflict: K. Marx.
- 3.- Forms of society and forms of law: E. Durkheim.
- 4.- Law, rationality and legitimacy: M. Weber.

3. SOCIOLOGY OF LAW AS A SPECIFIC FIELD

- 1.- The free law movement (E. Ehrlich, H. Kantorowicz)
- 2.- The pluralism of the sources of law (G. Gurvitch, Th. Geiger)
- 3.- American legal realism
- 4.- Scandinavian legal realism

4. THE DEVELOPMENT OF THE LEGAL SOCIOLOGY

- 1.- T. Parsons: structural-functionalist sociology
- 2.- C. W. Mills: antagonistic society and concentrated power
- 3.- J. Habermas: discursive ethics, legitimacy and law
- 4.- N. Luhmann: systemic functionalism



5. SOCIAL CHANGE, SOCIAL CONFLICT AND LAW

- 1.- Social change: concepts, dimensions and agents
- 2.- Social change and legal change

6. SOCIAL FUNCTIONS OF LAW

- 1.- Approximation to the concept of function
- 2.- Typology of the functions of law
- 3.- Organization, orientation and social control
- 4.- Law and treatment of conflicts
- 5.- The function of legitimation of power
- 6.- Distribution and social promotion

7. SOCIOLOGY OF THE LEGAL PROFESSIONS

- 1.- The judges: public power and legal professionals
- 2.- Lawyers. Transformations in the exercise of the profession
- 3.- Police. State monopoly of violence and judiciary. Rights against to effectiveness. Configuration of European police space
- 4.- The prosecution. The activities of the Public Prosecutor
- 5.- The feminization of the legal profession

8. LEGAL PLURALISM AND ALTERNATIVE USE OF LAW

- 1.- The pluralism, the alternative and the informal. Spaces of non- law?
- 2.- Normative systems and legal pluralism
- 3.- Cultural diversity and legal pluralism
- 4.- The alternative use of law
- 5.- Critical Legal Studies

9. VIOLENCE AND LAW.

- 1.- Public violence and private violence.
- 2.- Cultural and social forms of administration of violence.
- 3.- The forms of contemporary violence.

10. GENDER AND LAW.

- 1.- Sexist Law, male law, law creator of gender.
- 2.- Violence against women and gender violence.



11. ACTUAL PROBLEMS. LAW AND GLOBAL SOCIETY

- 1.- Globalization and human rights.
- 2.- International Migrations and human rights.
- 3.- The transformations of law in contemporary society.
- 4.- Law and global crisis.

WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	60,00	100
Attendance at events and external activities	5,00	0
Development of group work	10,00	0
Development of individual work	15,00	0
Study and independent work	20,00	0
Readings supplementary material	10,00	0
Preparation of evaluation activities	15,00	0
Preparing lectures	5,00	0
Preparation of practical classes and problem	10,00	0
TOTAL	150,00	

TEACHING METHODOLOGY

Formative activities:

The methodology of teaching will combine formative activities theoretical and practical, tutorials and those that include the study, evaluation and overall work both individually and in groups of students.

Theoretical sessions: We will conduct a development program based on an introductory outline of each topic, highlighting the fundamental concepts. The students will have such schemes and relevant texts in advance of each session. In developing the theoretical sessions will be used various types of documents and audiovisual materials.

Practical activity: We encourage active participation in class through discussion and debate, as well as correspondence with the current socio-political reality through the reference and the continuous critical analysis of documents, newspapers and other media.

After hours properly attendance, will be conducted the following activities:

- works, both individual and group.
- guided reading of texts.
- seminars and shared activities and common with other modules.



EVALUATION

REFERENCES

Basic

- AÑÓN, M. J.; BERGALLI, R.; CALVO, M.; CASANOVAS, P. (Eds.). Derecho y Sociedad, Tirant lo Blanch, Valencia, 1998.
- CARBONNIER, J., Sociología Jurídica. Olejnik, España, 2019.
- COTTERRELL, R., Introducción a la Sociología del derecho, trd. C. Pérez Ruiz, Barcelona, Ariel, 1991.
- SORIANO, R.: Sociología del Derecho, Ariel, Barcelona, 1997.
- TREVES, R., La Sociología del derecho. Orígenes, investigaciones, problemas trd. M. Atienza y otros, Barcelona, Ariel, 1988.

Additional

- ARNAUD, A. J. Y FARIÑAS DULCE, M. J., Sistemas jurídicos: Elementos para un análisis sociológico, Madrid, 1996.
- AMIN, S.; CHOMSKY, N.; FERRAJOLI, L.; et alt.: El nuevo orden americano. ¿La muerte del Derecho?, Almuzara, 2005.
- BAUMAN, ZYGMUNT Y DAVID LYON, Vigilancia Líquida. Barcelona: Paidós, 2013.
- BERGALLI, R. coord., ¿Para qué la Sociología jurídica en España?, Oñati, Inst. Internacional de Sociología Jurídica, 1995.
- BODELÓN, E. Y PICONTÓ, T. (Coords.): Transformaciones del Estado y del Derecho Contemporáneos. Nuevas perspectivas de la Investigación Socio-Jurídica, Dykinson, Madrid, 1998.
- BOURDIEU, P.: Poder, derecho y clases sociales, Desclée de Brouwer, Bilbao, 2000.
- CALVO GARCÍA, M., La investigación socio-jurídica en España: Estado actual y perspectivas, en R. Bergalli ed., ¿Para qué la Sociología jurídica en España?, Oñati, Inst. Internacional de Sociología Jurídica, 1995, p. 17-46.
- CASANOVAS, P.: Las formas sociales del derecho contemporáneo: el nuevo ius commune, Working Papers nº 146, Barcelona: ICPS, 1998. (http://www.diba.es/icps/working_papers/docs/wp_I_146.pdf)
- CASANOVAS, P.: Pero... qué demonios es la Sociología del Derecho?, Revista IURIS. Nº 125. Febrero, 1999.
- CASTELL, R. La discriminación negativa: ¿ciudadanos o indígenas?, Barcelona:Hacer, 2010.
- EHRlich, EUGEN: Escritos sobre sociología y jurisprudencia, Marcial Pons, Ediciones Jurídicas y Sociales, Madrid, 2005.



- FERRARI, VINCENZO: Acción jurídica y sistema normativo. Introducción a la Sociología del Derecho, Instituto de Derechos Humanos Bartolomé de las Casas, Ed. Dyckinson, Madrid, 2000.
- FOUCAULT, MICHEL: Vigilar y castigar. Nacimiento de la prisión, Siglo XXI, Buenos Aires, 2004.
- FOUCAULT, MICHEL: Los anormales, Akal, Madrid, 2001.
- FRAILE, PEDRO: Un espacio para castigar. La cárcel y la ciencia penitenciaria en España (siglos XVIII-XIX), Ediciones del Serbal, Barcelona, 1987.
- GARLAND, D.: La cultura del control. Crimen y orden social en la sociedad contemporánea, Gedisa, Barcelona, 2005.
- LARRAURI, ELENA (comp.): Mujeres, Derecho penal y criminología, Siglo XXI, Madrid, 1994.
- LARRAURI, E.: Criminología crítica y violencia de género, Trotta, 2007.
- TAYLOR I., WALTON, P. Y YOUNG, J., La nueva criminología. Contribución a una teoría social de la conducta desviada, Buenos Aires: Amorrortu, 2001.
- RUIDIAZ-GARCÍA, C.: Los españoles ante la justicia penal: actitudes y expectativas, Rev. Española de Investigaciones Sociológicas 67, pp. 219-240. 1994
- SASSEN, S., Expulsiones. Brutalidad y complejidad en la economía global. Madrid: Katz, 2015.
- SOUSA SANTOS, BOAVENTURA DE: La globalización del Derecho. Los nuevos caminos de la regulación y la emancipación, EUN Editorial Universidad Nacional Bogotá, 2002.
- TOHARIA. J. J: Séptimo barómetro de opinión: La imagen de la justicia en la sociedad española 2000. Toharia Cortés, J. J. (Dir.) Demoscopia. Madrid, CGPJ. (09/05/2002).
- WACQUANT, LOÏC: Las cárceles de la miseria, Madrid, ed. Alianzaensayo (2000).