The Sociology of Law
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Summary of the course:
The course takes place in the form of a series of lectures and is aimed at understanding social order as the grounding of all norms thus including legal norms. Social order is the basis of the legal system (and not the other way round) and the latter consists of two parts: (a) legal norms, which constitute the internal orientation of the legal system and is the normative part of the legal system and (b) the behavior of people according to or in response to legal standards, which constitutes the practices of legal ordering. The two parts form the basis of the legal order as a part of a wider entity, which can we then recognize as the social order (often forgetting that it came first). Actually, the legal system could be a means of achieving and protecting basic social values that constitute the social order itself, making it desirable. All legal norms are of an imperative character and actually directed towards the behavior of people in society. Without the social practices in which these legal norms are realized, they would remained hanging in the air and would not have reached their primary purpose - the protection of the social order. Therefore, we should examine the relationship of social order and legal norms, the ability to protect the social order through legal norms, as well as the possibility of violations of social order through legal norms. This reciprocal relationship is particularly important as a confirmation that the law is born in the bosom of society, but that legal norms have their specificity in relation to other social norms, such as moral and conventional norms.

Key Readings:
Austin J. Law as the Sovereign’s Command, from The Province of Jurisprudence determined, All of Lecture I and part of Lecture VI, First published in 1832.
Trajkovic, M. Value Path of Law, Sankt Augustin, 2012.