



LEX 102

Sustainability, Science and the Law

S2 Day 2014

Dept of Law

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Disclaimer

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

General Information

Unit convenor and teaching staff

Unit Convenor

Kirsten Davies

kirsty.davies@mq.edu.au

Contact via kirsty.davies@mq.edu.au

E7A, room 717

By appointment

Administrator, lecturer, tutor

Maryam Khalid

maryam.khalid@mq.edu.au

Contact via maryam.khalid@mq.edu.au

Building W3A Room 341

Tuesdays 1- 2 pm or by appointment

Tutor

Dr Pradip Royhan

pradip.royhan@mq.edu.au

Contact via pradip.royhan@mq.edu.au

Building W3A, Room 439

Wednesdays from 2-3 pm or by appointment

Tutor

Tanzim Afroz

tanzim.afroz@mq.edu.au

Contact via tanzim.afroz@mq.edu.au

Building W3A, Room 341

Thursdays, 11am-12 midday or by appointment

Credit points

3

Prerequisites

Corequisites

Co-badged status

Unit description

Are human rights, economic prosperity, and community justice sustainable when we are running out of resources? This unit critiques whether legal innovation can integrate competing perspectives of environmental conservation, economic growth, democratic freedom, scientific certainty, and political practicality. We examine science-law relationships, socio-political governance, regulatory design, and capacity building. We consider legislation, court cases, treaties, institutions, and actors as sources of rights, obligations and influence. We illustrate water law, logging, fisheries, pollution, climate, food security, urbanisation, international trade, etc. Your major project will mentor you in legal problem-solving, stakeholder analysis and creativity to develop law reforms addressing global sustainability issues.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
2. Define and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

General Assessment Information

Special consideration

All requests should be directed via the University's [Ask MQ](#) system

1. Serious and unavoidable disruptions

When a student suffers a disruption to study which is 'serious and unavoidable', they may apply for special consideration. In order to do so, the student must meet the criteria under the Macquarie University "Disruption to Studies" policy and be approved by the Unit Convenor. Applications are made online through: ask.mq.edu.au Outcomes for recognised serious and unavoidable disruptions to studies are as set out in the University schedule - http://www.mq.edu.au/policy/docs/disruption_studies/schedule_outcomes.html

1. General disruptions

When a disruption to study is not serious or unavoidable, the approach to special consideration and the impact on student assessments will be as follows:

1. **Marked Attendance:** It is compulsory for internal students to attend tutorials and lecture attendance is strongly encouraged (roles will be marked in both). If more than two tutorials are missed in any semester, documentation is required (e.g. medical certificate) through [Ask MQ](#) to support the case for the student's absence.
2. **Graded Participation:** for [tutorial, online]. Marks will be deducted from the final grade for lack of participation in tutorials and on-line discussions for internal students and on-line discussions for external students, unless evidence (e.g. medical certificate) is provided through [Ask MQ](#) that demonstrates how the students' performance has been impacted.
3. **Assessment:** (late or non -submission) students will receive a grade of zero if they do not submit an assignment by the due date, unless evidence (e.g. medical certificate) is provided through [Ask MQ](#) that demonstrates how the students' performance has been impacted. In such cases a time extension may be granted by the unit convenor following consultation with the students tutor, these will be assessed on an individual basis. Requests for time extensions must be submitted before the due date of the assessment task in question.
4. **Ongoing performance:** When ongoing performance in this unit has been affected by an issue (e.g. prolonged illness) , consideration will be given to the following: extension of time to complete assessment tasks; provision of an additional assessment task; and or a recommendation to withdraw without penalty. This will be negotiated on an individual basis through the unit convenor following evidence (e.g. medical certificate) provided through [Ask MQ](#) that

demonstrates how the students' performance has been impacted over a prolonged duration.

Assessment Tasks

Name	Weighting	Due
<u>Assignment 1</u>	20%	5pm Friday (Week 3)
<u>Assignment Two – Essay Plan</u>	35%	5pm Friday (Week 7)
<u>Assignment Three</u>	35%	5pm Friday (Week 11)
<u>Participation</u>	10%	ongoing

Assignment 1

Due: **5pm Friday (Week 3)**

Weighting: **20%**

Students will be required to summarise their selected case study and explain their reasoning for choosing the topic. Students should write 750-1000 words (excluding the reference list), and include six references. Referencing is to include 'in text' citations and the reference list.

Assignments will be marked as follows:

Clarity of expression/ argument as to why you have selected this case study (55%), writing style (30%) and referencing (15%)

On successful completion you will be able to:

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.

Assignment Two – Essay Plan

Due: **5pm Friday (Week 7)**

Weighting: **35%**

This exercise builds on Assignment 1, by asking you to think through what you plan to say in your essay and to provide some analysis of your main sources. Approach this assignment as though the case study you have elected has been reopened. Imagine that you are the presiding

judge re-examining the scientific body of evidence, would you make the same ruling? Do not write this up as a court ruling, please keep to the assignment structure but we want to read your personal analysis of this case.

For this assessment, students will be required to submit a 1000-1200-word paper (excluding the reference list, but including the text of the annotations of four sources in this list):

- Stating the case study that you will be answering
- Providing a provisional answer to the question in the form of a thesis statement
- Providing a brief outline of possible main points
- Compiling an annotated bibliography of four entries.

Assignments will be marked as follows:

Essay Plan (45%), annotated bibliography (40%) and referencing (15%)

On successful completion you will be able to:

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 2. Define and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.

Assignment Three

Due: **5pm Friday (Week 11)**

Weighting: **35%**

Building on research frameworks developed in Assignments 1 and 2, students will be required to submit a 2000-2200-word (excluding the reference list) discussion and conclusion. This assignment will involve developing the research framework set out in Assignment 2 in the form of a full essay, including introduction, body, and conclusion. Remember in the discussion and concluding sections of your assignment to discuss this case as if you are re-examining the evidence. Explain if you concur with the ruling or would you have made a different judgement?

Assignments will be marked as follows:

Research (20%), writing style (20%), analysis and content (25%), innovative and original ideas(20%), referencing (15%).

On successful completion you will be able to:

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 2. Define and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Participation

Due: **ongoing**

Weighting: **10%**

Online discussion and tutorial attendance

On successful completion you will be able to:

- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Delivery and Resources

This unit requires students to attend or listen online (through Echo360) a weekly one-hour lecture. Students are also required to attend a one-hour tutorial each week. External students are encouraged to attend lectures whenever possible.

Student workload, in accordance with university guidelines, is 3 hours per credit point per week (over a 15 week term), and can be estimated as follows:

22 hours – attendance of lectures, tutorials (compulsory for internal students) and online participation (for external students)

55 hours – readings, review of online content and self-study

63 hours – assessment tasks

Online units can be accessed at: <http://ilearn.mq.edu.au/>.

PC and Internet access are required. Basic computer skills (e.g. internet browsing) and skills in word processing are also a requirement.

Please consult teaching staff for any further, more specific, requirements.

Unit Schedule

Unit Schedule			
Please note that attendance of on campus tutorials is compulsory for internal students			
Week	Lecture	Tutorial	Reading and Assessment
Week 1 (Week commencing 4 th August)	Introduction	Introduction, survey and assignment support	See iLearn page for all readings
Week 2 (Week commencing 11 August)	Principles of Sustainability	Topic: Principles of Sustainability and assignment support	
Week 3 (Week commencing 18 August)	Principles of Law	Topic: Principles of Law and assignment support	Assignment One due Friday 22 nd August at 5pm (submitted via iLearn)
Week 4 (Week commencing 25 August)	The role of Science- connectivity between Sustainability, Science and Law	Topic: The role of Science- connectivity between Sustainability, Science and Law and assignment support	

Unit guide LEX 102 Sustainability, Science and the Law

<p>Week 5 (Week commencing 1 September)</p>	<p>Greatest challenge of sustainability, science and law, Global climate change</p> <p>Guest speaker: Professor Lesley Hughes</p>	<p>Topic: Greatest challenge of sustainability, science and law, Global climate change and assignment support</p>	
<p>Week 6 (Week commencing 8 September)</p>	<p>Political influences on sustainability, science and law</p>	<p>Topic : Political influences on sustainability, science and law and assignment support</p>	
<p>Week 7 (Week commencing 15 September)</p>	<p>Corporate sustainability</p> <p>Guest speaker: Professor Dexter Dunphy TBC, international expert in corporate sustainability</p>	<p>Topic: guest speaker lecture discussion and assignment support</p>	
<p>Mid –Semester break from 20 September – 6 October</p>			
<p>Week 8 (Week commencing 7 October)</p>	<p>Customary law</p> <p>Case study: Customary law in Vanuatu</p>	<p>Case study: Customary law in Vanuatu and assignment support</p>	<p>Assignment Two due Friday 10th October at 5pm (submitted via iLearn)</p>
<p>Week 9 (Week commencing 13 October)</p>	<p>Human rights</p> <p>Case study</p>	<p>Case study: Human rights and assignment support</p>	
<p>Week 10 (Week commencing 20 October)</p>	<p>Gender</p> <p>Case study</p>	<p>Topic; Gender and assignment support</p>	
<p>Week 11 (Week commencing 27 October)</p>	<p>Governance and sustainability</p> <p>Guest speaker: Bryce Wilde, CEO of the (NSW) Natural Resources Commission</p>	<p>Discussion re guest speaker and assignment support</p>	<p>Assignment Three due Friday at 5pm (submitted via iLearn)</p>
<p>Week 12 (Week commencing 3 November)</p>	<p>Summary of key learning's</p> <p>Concluding lecture</p>	<p>Final survey</p>	

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](#). Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy http://mq.edu.au/policy/docs/academic_honesty/policy.html

Assessment Policy <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Grievance Management Policy http://mq.edu.au/policy/docs/grievance_management/policy.html

Disruption to Studies Policy http://www.mq.edu.au/policy/docs/disruption_studies/policy.html *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/support/student_conduct/

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

IT Help

For help with University computer systems and technology, visit <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). The policy applies to all who connect to the MQ network including students.

Graduate Capabilities

Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

Learning outcomes

- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment tasks

- Assignment 1
- Assignment Two – Essay Plan
- Assignment Three

Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they

participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:

Learning outcome

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.

Assessment tasks

- Assignment 1
- Assignment Two – Essay Plan
- Assignment Three

Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

Learning outcomes

- 2. Define and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment tasks

- Assignment 1
- Assignment Two – Essay Plan
- Assignment Three

Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

Learning outcomes

- 2. Define and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment tasks

- Assignment 1
- Assignment Two – Essay Plan
- Assignment Three

Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

Learning outcomes

- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment tasks

- Assignment 1
- Assignment Two – Essay Plan
- Assignment Three

Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

Learning outcomes

- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment task

- Assignment Three

Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

Learning outcomes

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 2. Define and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
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- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment tasks

- Assignment 1
- Assignment Two – Essay Plan
- Assignment Three
- Participation

Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

Learning outcomes

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 2. Define and describe the main issues currently in play in sustainability debates,

including examples at local, regional and global levels of interest.

- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
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- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment tasks

- Assignment 1
- Assignment Two – Essay Plan
- Assignment Three
- Participation

Socially and Environmentally Active and Responsible

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

Learning outcomes

- 2. Define and describe the main issues currently in play in sustainability debates, including examples at local, regional and global levels of interest.
- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate verbally and in writing, a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.
- 6. Develop viable options for change in the law and other policy dimensions, verbally and in writing to improve sustainability outcomes, through in-depth legal analysis, creativity

and problem solving skills.

Assessment tasks

- Assignment 1
- Assignment Two – Essay Plan
- Assignment Three

Changes since First Published

Date	Description
25/07/2014	changes to the disruption and special consideration content