



MAS 214

Free Cultures

MQC1 Evening 2014

Dept of Media, Music & Cultural Studies

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Disclaimer

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General Information

Unit convenor and teaching staff

Moderator

Stephen Collins

stephen.collins@mq.edu.au

Contact via stephen.collins@mq.edu.au

Unit Convenor

James Cox

james.cox@mq.edu.au

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By appointment only

Credit points

3

Prerequisites

15cp

Corequisites

Co-badged status

Unit description

This unit interrogates the relationships and tensions between media cultures and regulatory systems in the information age, contextualised in the information economy and the rhetoric of participatory culture. In the current intellectual property climate, the question of whether culture should be determined by control or freedom is one that rapidly requires close attention. This unit is of interest to students following media, cultural studies, music, creative arts and law programs. Students are not required to have any pre-existing legal knowledge.

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:

Explain the roles played by copyright

Critique and evaluate the discourses surrounding copyright.

Recognise and reflect on social, cultural and ethical issues affected and effected by

copyright.

Formulate arguments in written and oral formats.

Select and integrate information from a variety of appropriate sources in responding to areas of debate.

Assessment Tasks

Name	Weighting	Due
Tutorial Quizzes	50%	Unannounced
Essay	40%	13 June 2014
Tutorial Participation	10%	Ongoing

Tutorial Quizzes

Due: **Unannounced**

Weighting: **50%**

During the course of the semester you will be required to write five (5) tutorial papers. Each paper is worth 10% of your overall mark. A tutorial paper requires you to respond to a question set during a tutorial. The tutorial papers are designed to assist you in demonstrating your knowledge of the unit content as a whole rather than just those materials relevant to your essay topic. You will be given 15 minutes in which to write your response.

The questions for the tutorial papers may be on any topic covered up to and including that week. Questions will require you to draw on content from lectures and set readings. Therefore, you are strongly advised to complete all set readings and attend all lectures (or at least listen to the iLecture recordings). The weeks chosen for tutorial papers will not be announced in advance but at least one quiz will be held before week 5. Unless medical certification (or similar) is provided, tutorial papers must be handed in immediately upon finish in order for marks to be counted.

Books, unit readers, notes, mobile phones, tablets and anything else invented between now and then that contains or can access information relevant to the set questions may not be used.

Failure to sit a tutorial quiz will result in a mark of zero (0) for that quiz. If you miss a quiz due to a medical issue then you will be given the opportunity to sit the test at a later date. In such cases you must supply a medical certificate. Please note that medical certificates issued a significant period after the date of illness may not be accepted as these may be contrary to AMA guidelines for issuing medical certificates (<http://ama.com.au/system/files/node/6505/Guidelines+for+Medical+Practitioners+on+Certificates+Certifying+Illness+2011.pdf>). Non-medical reasons for missing tutorial quizzes will be dealt with on a case-by-case basis but reasons such as tardiness due to travel arrangements will not be accepted.

Marking Criteria:

- Demonstrated understanding of the question
- Demonstrated knowledge of lecture and reading materials
- Application of materials to set question

Submission

Tutorial quiz responses will be handwritten and submitted to tutors during tutorials.

On successful completion you will be able to:

- Explain the roles played by copyright

Essay

Due: **13 June 2014**

Weighting: **40%**

Students are required to write and submit a 2500 word essay responding to ONE of the following questions:

1. Copyright has been called "an engine of free expression". How accurate is this statement?
2. One of the primary aims of copyright is to ensure society is rich with creative works. Without copyright creators would not create new works. Discuss.
3. The digital age has rendered copyright obsolete. To what extent do you agree with this and why?

Marking criteria:

- Demonstrated understanding of the essay question
- Demonstrated ability to clearly and articulately structure an argument using academic language
- Demonstrated ability to research, interpret and apply academic sources
- Relevance of sources
- Credibility of sources
- Use of sources
- Evidence of independent research
- Demonstrated ability to conduct independent wider research
- Cited works should be referenced using an established system
- Clarity of expression in line with expected academic standards
- Use of relevant examples

Sources must include:

- At least three (3) academic books
- At least four (4) articles from peer-reviewed journals

Failure to comply with the two points above will result in an automatic mark of zero and grade of FAIL for this assignment

- References to non-academic sources such as Wikipedia or news media may attract a 5% penalty per instance at the discretion of the marker if they are found to be inappropriate sources

Clarification Discussions

Students *may* be called in to discuss their essay with the unit convenor if there are sections of the essay that are unclear or there are any questions concerning the veracity of the essay. In the event that any clarification is required, students will be notified via an email sent to their student email account.

Submission

Essays will be submitted electronically via iLearn. Hardcopy essays will not be accepted or marked. Once submitted an essay cannot be resubmitted. If you have submitted an incorrect version or file, please contact Steve Collins (stephen.collins@mq.edu.au) and ask to have your submission deleted so you can submit the correct version or file. If this occurs after the submission date, the late penalty (see below) will be applied.

Late Submission

A late penalty of 10% per day will be applied.

Extensions

Extensions may only be granted by the unit convenor in line with university policy.

Academic Honesty

All assignments must comply with Macquarie University's Academic Honesty policy:

http://www.mq.edu.au/policy/docs/academic_honesty/policy.html.

Plagiarism is the unacknowledged use of other people's work. Plagiarism can occur in a number of different ways. For example:

Directly copying someone else's work in whole or in part, in large or in small chunks is plagiarism unless you enclose their words in quotation marks AND provide a reference.

Changing words but keeping the sentence structure of someone else's work is plagiarism because you are using someone else's ideas and passing them off as your own work by not acknowledging where they originated.

Copying so many words or ideas from someone else that it makes up a significant portion of your submission is plagiarism because you are using someone else's ideas and passing them off as your own work by not acknowledging where they originated.

Copying from your own previous essays is plagiarism because the University's submission policy clearly states that you may not submit the same work in part or in whole for more than one assessment in any unit of study (at Macquarie or elsewhere).

Most instances of plagiarism can be avoided by citing your sources. Remember, it's good to cite

your sources because it demonstrates that you have carried out, understood and applied your research to the assessment at hand.

Turn It In

This unit will use Turn It In. Your essay must be submitted to Turn It In in order to be assessed. Originality reports generated by Turn It In are not available to students. Once submitted, an essay cannot be resubmitted. If you submit the wrong version of your essay you should contact Steve Collins (stephen.collins@mq.edu.au) and request it be deleted so you can resubmit. If you request this after the due date, late penalties will be incurred. It is your responsibility to ensure you are submitting the correct version.

On successful completion you will be able to:

- Explain the roles played by copyright
- Critique and evaluate the discourses surrounding copyright.
- Recognise and reflect on social, cultural and ethical issues affected and effected by copyright.
- Formulate arguments in written and oral formats.
- Select and integrate information from a variety of appropriate sources in responding to areas of debate.

Tutorial Participation

Due: **Ongoing**

Weighting: **10%**

Tutorials can be engaging, educational and fun if you get involved, otherwise they can be boring, drawn-out and de-motivational for you, your peers and your tutor. Tutorial discussion is at the heart of your learning experience. MAS214 regards tutorial participation as an obligation on you. Tutorials are not times for your tutor to give the lecture again. Tutorials are your time to discuss questions and issues arising from the weekly topic. The set readings are merely starting points, and you are expected to arrive at tutorials having completed them.

Your tutors are not mind readers – they will not know that you have understood the readings and the relevant issues unless you demonstrate this through participation in tutorial discussion. Similarly, teaching staff will not know that you have not understood the finer points to be gleaned from the *Tao of Piracy* unless you acknowledge that sometimes we all need a little help.

Marking Criteria:

- Active engagement in class discussion
- Demonstrated knowledge of the relevant topic(s)
- Application of lecture materials and set readings
- Demonstrated individual research of the topic

NOTE: Your participation mark is derived from your engagement in classes across the whole semester. Missing tutorials will reduce the maximum amount of marks in which you can score.

On successful completion you will be able to:

- Explain the roles played by copyright
- Critique and evaluate the discourses surrounding copyright.
- Recognise and reflect on social, cultural and ethical issues affected and effected by copyright.
- Formulate arguments in written and oral formats.

Delivery and Resources

MAS214 uses iLearn to outline the weekly topics, resources and readings.

All readings are provided electronically via [eReserve](#).

Additionally, MAS214 uses a Facebook page - <http://www.facebook.com/mas214> - to share supplementary material. You are encouraged to 'Like' the page and contribute any relevant resources and links.

Students are expected to attend or listen to all lectures (one hour per week), tutorials (one hour per week) and complete set readings. MAS214 is a 3 credit point unit and as such students are required to undertake 9 hours of private study per week.

Changes to previous offerings:

None

Unit Schedule

Week 1 - Unit Introduction

No readings

Week 2 - Digital Creativity & Consumption

Lessig, L. "Remix" (2008). The Penguin Press: London. pp.51-83.

Netanel, N. "Copyright's Paradox" (2008). Oxford University Press: Oxford, New York. pp.3-12.

Week 3 - Copyright

Patterson, L.R. & Lindberg, S. W. *The Nature of Copyright* (1991). University of Georgia Press: Athens, Georgia. pp.19-46.

Week 4 - Property?

Collins, S. 'Property Talk' (2006). *M/C Journal* vol. 9, number 4.

Netanel, N. W. 'Copyright and Democratic Civil Society' (1996). 106 *Yale L. J.* 283.

Week 5 - Fairness

Collins, S. 'Prosumerism and the Fair Use Defence' (2010). *Journal of Consumer Culture*. Vol.10, no.1.

Heins, M & Beckles, T. 'Will Fair Use Survive? Free Expression in the Age of Copyright Control' (2005). The Brennan Centre for Justice: New York. pp.9-22. <http://www.fepproject.org/policyreports/WillFairUseSurvive.pdf>

Week 6 - Creative Commons & Open Source

Lessig, L. 'Free Culture' (2004). The Penguin Press: New York. pp. 282-286.

Doctorow, C. '©ontent' (2008). Tachyon Publications: San Francisco. pp. 71-75

Week 7 - Sampling

Collins, S. 'Waveform Pirates' (2008). Journal of the Art of Record Production Vol.3.

Joanna Demers 'Steal This Music' (2006). University of Georgia Press: USA. pp. 111-146

Week 8 - Steal This!

Mason, M. 'The Pirate's Dilemma' (2008). The Free Press: New York, London, Toronto and Sydney. pp. 33-67.

Doctorow, C. '©ontent' (2008). Tachyon Publications: San Francisco. pp. 3-26.

Week 9 - Still and Moving Images

Dougherty, F.J. "Not a Spike Lee Joint? Issues in the Authorship of Motion Pictures Under U.S. Copyright Law" (2002). UCLA Law Review 49.

Gansheimer, S. "The Family Entertainment and Copyright Act and Its Consequences and Implications for the Movie-Editing Industry" (2006). Tulane Journal of Technology and Intellectual Property Vol.8

Week 10 - Art/Object

Landes, W. M., "Copyright, Borrowed Images and Appropriation Art: An Economic Approach" (2000). John M. Olin Law & Economics Working Paper No. 113, University of Chicago.

Schwender, D. "Promotion of the Arts: An Argument for Limited Copyright Protection of Illegal Graffiti. (2008). Journal of the Copyright Society of the U.S.A. 55

Week 11 - Fan Fiction

Jenkins, H. 'Textual Poachers' (1992). Routledge: New York and London. pp. 152-184.

McCardle, M. 'Fan Fiction, Fandom, and Fanfare: What's All the Fuss?' (2003). 9 Boston University Journal of Science & Technology Law 433.

Week 12 - Gaming

Schwarz, A.D. & Bullis, R. "Rivalrous Consumption and the Boundaries of Copyright Law: Intellectual Property Lessons From Online Games" (2005). 10 NO. 1 Intell. Prop. L. Bull. 13.

Marcus, T.D., "Fostering Creativity In Virtual Worlds: Easing the Restrictiveness of Copyright For User-Created Content" (2008). Journal of the Copyright Society of the U.S.A. 55.

Week 13 - Imagine a World without Copyright

Smiers, J. & Van Schijndel, M. 'Imagine There is No Copyright and No Cultural Conglomerates

Too' (2009). Institute of Network Cultures: Amsterdam. pp. 38-50.

Skladany, M. "Alienation By Copyright: Abolishing Copyright To Spur Individual Creativity" (2008). Journal of the Copyright Society of the U.S.A. 55

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/

Grades

Macquarie University uses the following grades in coursework units of study:

- HD - High Distinction
- D - Distinction
- CR - Credit
- P - Pass
- F – Fail

Grade descriptors and other information concerning grading are contained in the Macquarie

University Grading Policy which is available at:

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

For further information, please refer to the following link:

<http://universitycouncil.mq.edu.au/legislation.html>

Grade Appeals and Final Examination Script Viewing

If, at the conclusion of the unit, you have performed below expectations, and are considering lodging an appeal of grade and/or viewing your final exam script please refer to the following website which provides information about these processes and the cut off dates in the first instance. Please read the instructions provided concerning what constitutes a valid grounds for appeal before appealing your grade.

<http://www.city.mq.edu.au/reviews-appeals.html>

Attendance at Macquarie City Campus

All Students are required to attend at least 80% of the scheduled course contact hours each Session. Additionally Macquarie City Campus monitors the course progress of international students to ensure that the student complies with the conditions of their visa relating to attendance.

This minimum level of attendance includes all lectures and tutorials. Tutorial attendance will be recorded weekly. If any scheduled class falls on a public holiday this will be rescheduled as advised by your Lecturer. Attendance at any mid-Session or in-class test is compulsory unless otherwise stated.

Unavoidable non-attendance due to illness or circumstances beyond your control must be supported by appropriate documentation to be considered for a supplementary test. Other non-attendance will obtain zero for the test. You should refer to the section below on Special Consideration for more details about this.

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

Student Support at Macquarie City Campus

Students who require assistance are encouraged to contact the Student Services Manager at Macquarie City Campus. Please see reception to book an appointment.

Macquarie University provides a range of Academic Student Support Services. Details of these services can be accessed at <http://students.mq.edu.au/support/>

At any time students (or groups of students) can book our Student Advising rooms on Level 6 by emailing info@city.mq.edu.au with a day and time and nominated contact person. There are additional student study spaces available on Level 1.

Macquarie University Campus Wellbeing also has a presence on the City Campus each week. If you would like to make an appointment, please email info@city.mq.edu.au or visit their website at: <http://www.campuslife.mq.edu.au/campuswellbeing>

StudyWISE provides:

- Online learning resources and academic skills workshops http://www.mq.edu.au/learning_skills
- Personal assistance with your learning & study related questions

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.

IT Help at Macquarie City Campus

If you wish to receive IT help, we would be glad to assist you at <http://informatics.mq.edu.au/help/> or call 02 9850-4357.

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 and it outlines what can be done.

Students must use their Macquarie University email addresses to communicate with staff as it is University policy that the University issued email account is used for official University communication.

Students are expected to act responsibly when utilising Macquarie City Campus IT facilities. The following regulations apply to the use of computing facilities and online services:

- Accessing inappropriate web sites or downloading inappropriate material is not permitted.
- Material that is not related to coursework for approved unit is deemed inappropriate.
- Downloading copyright material without permission from the copyright owner is illegal, and strictly prohibited. Students detected undertaking such activities will face disciplinary action, which may result in criminal proceedings.

Non-compliance with these conditions may result in disciplinary action without further notice.

If you would like to borrow headphones for use in the Macquarie City Campus computer labs (210, 307, 311, 608) at any point, please ask at Level 2 Reception. You will be required to provide your MQC Student ID card. This will be held as a deposit while using the equipment.

For assistance in the computer labs, please see a Lab Demonstrator (usually they can be found in Lab 311, otherwise ask at Level 2 Reception).

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 outcome

- Select and integrate information from a variety of appropriate sources in responding to areas of debate.

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

- Explain the roles played by copyright
- Critique and evaluate the discourses surrounding copyright.

Assessment tasks

- Tutorial Quizzes
- Essay
- Tutorial Participation

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

- Critique and evaluate the discourses surrounding copyright.
- Formulate arguments in written and oral formats.

Assessment task

- Essay

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

- Formulate arguments in written and oral formats.
- Select and integrate information from a variety of appropriate sources in responding to areas of debate.

Assessment task

- Essay

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 outcome

- Formulate arguments in written and oral formats.

Assessment tasks

- Essay
- Tutorial 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 outcome

- Recognise and reflect on social, cultural and ethical issues affected and effected by copyright.

Assessment tasks

- Essay
- Tutorial Participation

Late Penalties

Late penalties of 10% per day apply for each assignment. The late penalty reflects the importance of managing your own time and working with others (namely staff).