



# MAS 214

## Free Cultures

S2 Day 2014

*Dept of Media, Music & Cultural Studies*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Unit Convenor

Stephen Collins

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Contact via [stephen.collins@mq.edu.au](mailto:stephen.collins@mq.edu.au)

Y3A 191D

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.

Engage in the process of learning

## Assessment Tasks

Name	Weighting	Due
<a href="#">Tutorial Participation</a>	10%	Ongoing
<a href="#">Tutorial Quizzes</a>	50%	Unannounced
<a href="#">Essay</a>	40%	11:59pm 14th November 2014

### 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.

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

## 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 providing you have followed the [disruption to studies procedure](#) and your application is successful.

### 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
- Engage in the process of learning

## Essay

Due: **11:59pm 14th November 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

**Essays failing to comply with the two points above can only be awarded a maximum of 50% overall.**

- 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 authorship of the essay. As part of a clarification discussion students may be questioned on various facets of the essay including the arguments presented and the source material cited.

In the event that any clarification is required, students will be notified via an email sent to their student email account. Failure to respond to or attend a clarification discussion will result in a grade of Incomplete. Please note students cannot graduate with an unresolved Incomplete on their transcript.

### 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](mailto: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. All essays will be evaluated for originality by Turn It In. Please ensure you are familiar with the Academic Honesty Policy (see below).

## **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](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](mailto: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.
- Engage in the process of learning

## 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:

In 2013 MAS214 has changed a week on videogames to one on a world without copyright and added a topic on the US-driven agendas in international intellectual property policy.

## 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 - 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 9 - 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 10 - 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.

## Week 11 - Research & Writing

No readings.

## Week 12 - Team America

No readings, please see iLearn for relevant videos.

## 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.ht](http://mq.edu.au/policy/docs/academic_honesty/policy.ht)



[ml](#)

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](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](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/](https://students.mq.edu.au/support/student_conduct/)

## Additional information

MMCCS website [https://www.mq.edu.au/about\\_us/faculties\\_and\\_departments/faculty\\_of\\_arts/department\\_of\\_media\\_music\\_communication\\_and\\_cultural\\_studies/](https://www.mq.edu.au/about_us/faculties_and_departments/faculty_of_arts/department_of_media_music_communication_and_cultural_studies/)

MMCCS Session Re-mark Application <http://www.mq.edu.au/pubstatic/public/download/?id=167914>

Information is correct at the time of publication

## 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](http://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](http://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

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

### 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

- Engage in the process of learning

### 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 Participation
- Tutorial Quizzes
- Essay

## **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

- Tutorial Participation
- Essay

## 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

- Recognise and reflect on social, cultural and ethical issues affected and effected by copyright.
- Engage in the process of learning

## Assessment tasks

- Tutorial Participation
- Essay

## 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).