



LEX 102

Sustainability, Science and the Law

S1 Day 2015

Dept of Law

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General Information

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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 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 to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment Tasks

Name	Weighting	Due
Essay plan	25%	20 March
Online quiz	25%	Week 7
Research essay	40%	22 May
Participation	10%	Ongoing

Essay plan

Due: **20 March**

Weighting: **25%**

Assessment One – Essay Plan

Due Date: 9pm Friday 20 March (Week 4)

- 25%

Word limit: 1200 (excluding reference list / bibliography)

The major written assessments in LEX102 will be based on the five case studies outlined on iLearn. You will select one case study to focus on in the unit – your work for assessments 1 and 3 will be based on this case study. Assessment 1 gives you the opportunity to start preparing for the major assessment for this unit (assessment 3, research essay), and receive feedback that will help you refine your ideas and structure for assessment 3.

Assessment 1 asks you to start researching your essay, think through what you plan to say in your essay, and develop the essential elements of your essay in outline form. Each case study overview (on iLearn) sets out a range of issues raised by the case. Using these issues to guide you (and identifying additional relevant issues), you will draft your own essay question – you will

use this question in writing assessment 1 and assessment 3.

Assessment 1 should consist of an introductory paragraph, a series of key points with a brief note of supporting material (short quotes from authors, citations of the key texts, several facts that would go with the key point if you were to write it up as a paragraph), and a concluding paragraph.

The introductory paragraph should be no more than around 300 words, and should set out the overarching argument of your essay, and provide some indication of how your essay will proceed. This should be followed by an outline of your key points, supported by key evidence. This should show the reader how the argument would be structured (citing the sources) Key points are like paragraphs in the body of an essay – i.e. each key point is made up of material that you think would make a good paragraph. Aim for at least 4 and no more than 7 key points in your outline. The concluding paragraph should be no more than around 300 words, and should summarise the overarching argument, and discusses the implications and importance of the argument. Make sure to use appropriate referencing, including a bibliography or references list (depending on which referencing system you are using).

Your tutor will provide you with a sample essay plan showing you how the assignment should look

The marking rubric for this assignment is available on iLearn.

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skills.

Online quiz

Due: **Week 7**

Weighting: **25%**

Assessment Two – Quiz

Due Date: 9pm Friday 24 – Sunday 26 April (Week 7)

Weight: 25%

Students will be required to demonstrate their knowledge of the material covered in weeks 2-6 (inclusive), by answering 15 multiple choice questions online.

The quiz will be available from 6am on Friday 24 April, until 11:55pm on Sunday 26 April. You must ensure that you will be available to logon to ilearn to complete the quiz during this time. If you will be unable to do this, you must apply for special consideration (with supporting documentation) via <https://ask.mq.edu.au>.

Once you access the quiz, you will have 30 minutes to complete the quiz. Once 30 minutes have elapsed, your answers will automatically be submitted. Please ensure you have a reliable computer and internet connection before you attempt the quiz.

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Research essay

Due: **22 May**

Weighting: **40%**

Assessment Three – Research Essay

Due Date: 5pm Friday 22 May (Week 11)

Weight: 40%

Word limit: 2000 (excluding reference list / bibliography)

Building on the essay plan developed in assessment 1, students will be required to submit a 2000-word essay based on the case study selected for assessment 1.

The essay will assess your ability to research relevant scholarly work on your chosen case study, form a thesis, analyse the available material, and then present a coherent and compelling argument as a polished academic essay. You will have drafted an essay question for assessment 1; you can update this question in consultation with your tutor (and the feedback you receive on assessment 1 might suggest this).

Essays should refer to a range of material in addition to the required readings for this unit, and should be correctly and consistently referenced. You must use a minimum of 6 scholarly references (peer-reviewed academic books and journal articles). Avoid relying on non-peer reviewed sources, and avoid websites like blogs. Newspapers can be useful in supporting your scholarly research, but they do not count as scholarly sources themselves.

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Participation

Due: **Ongoing**

Weighting: **10%**

Class participation will be based on your contribution to tutorial discussions. These will be based on the set readings and tutorial questions made available each week on iLearn. You are expected to contribute to discussions regularly. You must come to class prepared, i.e. making sure you have completed the readings each week and thought about the set questions. More information on how you will be graded for contributions to class discussions is available in the participation rubric on the LEX102 iLearn page

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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

Prescribed Text:

Elizabeth Fisher, Bettina Lange and Eloise Scotford, *Environmental Law: Test, cases and materials* (Oxford University Press, 2013 edition)

This text is available through the Co-op Bookshop (external students please order through the bookshop). Copies will also be place on reserve through Macquarie University Library.

Additional material:

There are many (free) student resources related to the prescribed text available online: http://www.oup.com.au/titles/higher_ed/law/environmental_and_planning_law/9780195558760

Extra material, including reading lists, will be placed on the unit's iLearn page. Students are required to access the page regularly to review online content and readings.

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/

Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit ask.mq.edu.au.

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

1. <>**Ask MQ** or: http://students.mq.edu.au/support/health_and_wellbeing/

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.

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 outcome

- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.

Assessment task

- Research essay

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

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- 3. Identify the main stakeholders in sustainability, and describe the roles of law, science and society in addressing sustainability issues.
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Assessment tasks

- Essay plan
- Online quiz
- Research essay
- 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

- 1. Define sustainability and the concept of sustainable development, and demonstrate a thorough understanding of philosophical principles and environmental ethics in sustainability.
- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate 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 to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment tasks

- Essay plan

- Online quiz
- Research essay
- Participation

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 outcome

- 6. Develop viable options for change in the law and other policy dimensions to improve sustainability outcomes, through in-depth legal analysis, creativity and problem solving skills.

Assessment tasks

- Essay plan
- Research 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 outcomes

- 4. Critically assess sustainability issues in multidisciplinary and pluralistic (multi-standpoint) perspectives in terms of science and general sustainability principles.
- 5. Demonstrate a general knowledge of legal concepts, systems and processes and institutions that regulate environmental values and sustainability practices.

Assessment tasks

- Essay plan
- Online quiz
- Research essay
- 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

- 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.

Assessment tasks

- Online quiz
- 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

- 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.

Assessment task

- Online quiz

