



# LEX 101

## Law, Human Rights and Global Governance

S2 External 2016

*Arts Faculty level units*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Conor Keane

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Credit points

3

Prerequisites

Corequisites

Co-badged status

Unit description

In this unit we examine systems of global governance and question whether law and other instruments of governance can protect and provide for human rights. We examine Australia's place in the international law system and discuss law, rights and institutions in relation to socio-political and economic issues including questions of self-determination, indigenous rights, sexualistly and free speech. In multidisciplinary teams students will be mentored to develop a major socio-legal reform submission addressing challenges for human rights, democracy and justice.

## 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 and describe various conceptions of global governance, human rights and the role of law.
2. Define and describe Australia's role in the international law system.
3. Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic and social rights.
4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and

verbal form.

6. Develop a practical law-reform project associated with a key issue in human rights governance.

## General Assessment Information

### Disruption of Studies

In the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero. Applications for a Disruption to Studies are made electronically via [ask.mq.edu.au](http://ask.mq.edu.au) and should be accompanied by supporting documentation. Students should refer to the Disruption to Studies policy for complete details of the policy and a description of the supporting documentation required.

### Word Limit

Word limits will be strictly applied and work above the word limits will not be marked.

### Submission of Assessments

All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.

### Moderation of Assessments

Detailed marking rubrics will be made available on iLearn. Markers in this unit undertake a process of 'blind marking' to establish a common marking standard and all Fail papers are double marked.

## Assessment Tasks

Name	Weighting	Due
<a href="#"><u>Participation</u></a>	10%	Ongoing
<a href="#"><u>Referencing Exercise</u></a>	15%	Week 7
<a href="#"><u>Essay</u></a>	40%	Week 11
<a href="#"><u>Final Assessment</u></a>	35%	Week 13

### Participation

Due: **Ongoing**

Weighting: **10%**

Students will be required to participate in class each week and demonstrate that they have engaged with the set readings. For internal students this is the tutorial component of the course.

For external students this involves participation in the on campus sessions in September. You are judged on your contribution to class discussion and group work.

On successful completion you will be able to:

- 1. Define and describe various conceptions of global governance, human rights and the role of law.
- 2. Define and describe Australia's role in the international law system.
- 3. Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic and social rights.
- 4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.

## Referencing Exercise

Due: **Week 7**

Weighting: **15%**

Students will be required to identify appropriate sources (journal articles, books, media sources, government reports and so on) related to current debates in human rights, law and global governance, and produce an annotated bibliography.

Detailed instructions regarding this assessment task will be provided on Ilearn and outlined in the lectures/tutorials.

On successful completion you will be able to:

- 4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- 6. Develop a practical law-reform project associated with a key issue in human rights governance.

## Essay

Due: **Week 11**

Weighting: **40%**

Choose a group of people who are affected by a human rights issue relevant to the course material and explain the ways in which the human rights of the vulnerable group are at risk,

being threatened, or not protected in Australia.

In your essay you should identify the various international treaties that are relevant to the vulnerable groups human rights situation, include an assessment of the Australian political context, and a discussion of relevant existing national legislation. At the end of your paper you can make some recommendations about what could be done to enhance protection of the human rights of the vulnerable group. More information about the essay can be found on ilearn and will be included in the lecture material.

On successful completion you will be able to:

- 1. Define and describe various conceptions of global governance, human rights and the role of law.
- 2. Define and describe Australia's role in the international law system.
- 4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- 6. Develop a practical law-reform project associated with a key issue in human rights governance.

## Final Assessment

Due: **Week 13**

Weighting: **35%**

Students will be required to demonstrate their knowledge of the material canvassed by writing three short essays.

Detailed instructions regarding the time allowed for the final assessment will be provided on ilearn and outlined in the lectures/tutorials.

On successful completion you will be able to:

- 2. Define and describe Australia's role in the international law system.
- 3. Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic and social rights.

## 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.

Before attending (or listening to) the weekly live lecture, students are required to access the

unit's iLearn page to review online content such as videos (of approximately one hour) and read assigned readings (available through e-reserve linked through iLearn)

**Before you attend the first lecture, you should have logged onto ilearn and viewed the assigned weekly online content of approximately an hour, and read the assigned weekly reading.**

On Campus sessions for external students will be held on 24 and 25 September.

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:

24 hours - attendance of lectures and tutorials

50 hours - readings, review of online content and self-study

61 hours - assessment tasks

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135 hours total

Students will be required to use a computer to interact with online research databases and web-based research tools. This unit's ilearn page will also contain additional lessons with multimedia content to facilitate learning.

## Unit Schedule

Week	Week Starts	Lectures	Tutorials	Reading and Assessment
1	1 August	Introduction to the Course	Introductions	<b>See ilearn page for all readings</b>
2	8 August	Which Rights are Human Rights? The Universal Declaration of Human Rights	The Universal Declaration of Human Rights	
3	15 August	Introduction to Law- International and Domestic	Introduction to law	
4	22 August	Global Governance – Who Makes the Rules?	Global Governance	
5	29 August	How to Write and Research at University	Discuss your annotated bibliography and essay	
6	5 September	The International Covenant on Civil and Political Rights - The Example of Speech	Civil and Political Rights - The Example of Speech	
7	12 September	The International Covenant on Economic and Social Rights	Economic and Social Rights	<b>Annotated Bibliography due 11 September</b>
<b>Mid Semester Break</b>				
8	3 October	The Right to Self Determination, and Indigenous Australians	Self Determination and Indigenous Australians.	

9	10 October	The Rights of Refugees	Refugee Rights	
10	17 October	Gender and Human Rights	Gender	
11	24 October	Challenges to Human Rights Norms	The West vs the Rest?	<b>Essay due 30 October</b>
12	31 October	The Environment	Is the Environment a Human Rights Issue?	

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

**New Assessment Policy in effect from Session 2 2016** [http://mq.edu.au/policy/docs/assessment/policy\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.html). For more information visit [http://students.mq.edu.au/events/2016/07/19/new\\_assessment\\_policy\\_in\\_place\\_from\\_session\\_2/](http://students.mq.edu.au/events/2016/07/19/new_assessment_policy_in_place_from_session_2/)

Assessment Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/grading/policy.html>

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

Complaint Management Procedure for Students and Members of the Public [http://www.mq.edu.au/policy/docs/complaint\\_management/procedure.html](http://www.mq.edu.au/policy/docs/complaint_management/procedure.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/)

## 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](http://ask.mq.edu.au).

## 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://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

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

## Graduate Capabilities

### 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. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- 6. Develop a practical law-reform project associated with a key issue in human rights governance.



## Assessment tasks

- Participation
- Essay

## 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

- 4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- 6. Develop a practical law-reform project associated with a key issue in human rights governance.

### Assessment task

- Participation

## 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 outcomes

- 1. Define and describe various conceptions of global governance, human rights and the role of law.
- 2. Define and describe Australia's role in the international law system.
- 3. Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic and social rights.
- 4. Critique key views concerning the governance of human rights associated with

indigenous rights, self-determination, sexuality, free speech and refugee rights.

- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.

## **Assessment task**

- Participation

## **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**

- 1. Define and describe various conceptions of global governance, human rights and the role of law.
- 2. Define and describe Australia's role in the international law system.
- 3. Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic and social rights.
- 4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- 6. Develop a practical law-reform project associated with a key issue in human rights governance.

## **Assessment tasks**

- Participation
- Referencing Exercise
- Essay
- Final Assessment

## 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

- 3. Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic and social rights.
- 4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- 6. Develop a practical law-reform project associated with a key issue in human rights governance.

### Assessment tasks

- Participation
- Referencing Exercise
- Essay
- Final Assessment

## 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. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and

verbal form.

- 6. Develop a practical law-reform project associated with a key issue in human rights governance.

## **Assessment tasks**

- Participation
- Referencing Exercise
- Essay
- Final Assessment

## **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 and describe various conceptions of global governance, human rights and the role of law.
- 2. Define and describe Australia's role in the international law system.
- 4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- 6. Develop a practical law-reform project associated with a key issue in human rights governance.

## **Assessment tasks**

- 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**

- 1. Define and describe various conceptions of global governance, human rights and the role of law.
- 3. Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic and social rights.
- 4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.

### **Assessment task**

- 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 Australia's role in the international law system.
- 4. Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexuality, free speech and refugee rights.
- 5. Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.

### **Assessment task**

- Participation