



# LEX 101

## Law, Human Rights and Global Governance

S2 External 2017

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Unit Convenor

Amy Barrow

[amy.barrow@mq.edu.au](mailto:amy.barrow@mq.edu.au)

Contact via email

W3A Room 522

To be advised

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, sexualisty 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:

Define and describe various conceptions of global governance, human rights and the role of law.

Define and describe Australia's role in the international law system.

Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic, social and cultural rights.

Critique key views concerning the governance of human rights associated with

indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.

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.

## **General Assessment Information**

### **Technology:**

All students need access to a secure and reliable server for access to iLearn and for submission of assessment tasks.

### **Disruption of Studies**

In the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after the 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.

### **Referencing**

Students should use the Australian Guide to Legal Citation (AGLC) (3rd Edition) for the annotated bibliography, citations in their research paper and bibliography attached to the research paper.

### **Submission of Assessments**

This unit includes iLearn quizzes as well as substantive research papers. All substantive assessments (annotated bibliography and law reform research paper) are to be submitted electronically through Turnitin. 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	Hurdle	Due
<a href="#">Quiz 1</a>	15%	No	Midnight Friday 1 September
<a href="#">Referencing Exercise</a>	20%	No	Midnight Friday 15 September
<a href="#">Quiz 2</a>	25%	No	Midnight Friday 27 October
<a href="#">Law Reform Research Paper</a>	40%	No	Midnight Friday 10 November

### Quiz 1

Due: **Midnight Friday 1 September**

Weighting: **15%**

Students will be required to demonstrate their knowledge of the material canvassed in the unit so far by answering 15 multiple choice questions online.

**You must ensure that you will be available to log on to iLearn (for no more than half an hour) some time on Friday 1 September. The iLearn quiz will open at 8 am and will close at Midnight on Friday 1st of September.**

On successful completion you will be able to:

- Define and describe various conceptions of global governance, human rights and the role of law.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic, social and cultural rights.
- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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: **Midnight Friday 15 September**

Weighting: **20%**

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 using Australian Guide to Legal Citation (AGLC) (3rd Edition) method (word length: 800 words).

**Detailed instructions regarding this assessment task will be provided on iLearn in week 1 and outlined in the lectures/tutorials in week 5 on how to research and write at University.**

**This assignment must be submitted through Turnitin.**

On successful completion you will be able to:

- Define and describe various conceptions of global governance, human rights and the role of law.
- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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.

## Quiz 2

Due: **Midnight Friday 27 October**

Weighting: **25%**

Students will be required to demonstrate their knowledge of the material canvassed in the unit, since the time of the last quiz, by answering 25 multiple choice questions online.

**You must ensure that you will be available to log on to iLearn (for no more than 50 minutes) some time on Friday 27 October. The iLearn quiz will open at 8am and will close at Midnight on Friday 27 October.**

On successful completion you will be able to:

- Define and describe various conceptions of global governance, human rights and the role of law.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic, social and cultural rights.
- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI)

rights and refugee rights.

- 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.

## Law Reform Research Paper

Due: **Midnight Friday 10 November**

Weighting: **40%**

Students will develop a 2000 word law-reform Research Paper addressing one of a selection of topics, which consolidates their learning in this subject. Students should use the Australian Guide to Legal Citation (AGLC) (3rd Edition) for referencing. No bibliography is required for this research paper.

Note: The Unit description states that 'In multidisciplinary teams students will be mentored to develop a major socio-legal reform submission.' However, the assessment process has changed in 2017. Students will have the opportunity to discuss their research papers with their peers in week 5 during tutorials, however the assessment itself is not team-based.

**Detailed instructions regarding this assessment task will be provided on iLearn in week 1 and outlined in the lectures/tutorials in week 5 on how to research and write at University.**

**This assignment must be submitted through Turnitin.**

On successful completion you will be able to:

- Define and describe various conceptions of global governance, human rights and the role of law.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic, social and cultural rights.
- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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.

## 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.

**There is no set text for this unit, instead a variety of articles and videos are used to reflect the diversity of the subject matter.** 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 on 2 August 2017, you should have logged onto ilearn and viewed the assigned weekly online content of approximately an hour, and read the assigned weekly reading.

Lectures and tutorials are interactive. Students are expected to participate actively in tutorials including answering questions, participating in group discussions as well as group exercises.

**On Campus sessions for external students will be held on 30 September and 1 October. For external students the On Campus session is compulsory. Students who are unable to attend must submit a disruption to studies. If that application is accepted, alternative work will be set in-lieu of on-campus attendance.**

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	2 August	Introduction to the Course	Introductions	<b>See ilearn page for all readings and assessment information</b>
2	9 August	Which Rights are Human Rights? The Universal Declaration of Human Rights	The Universal Declaration of Human Rights	
3	16 August	Introduction to Law- International and Domestic	Introduction to Law	
4	23 August	Global Governance – Who Makes the Rules?	Global Governance	

5	30 August	How to Write and Research at University	Discuss your annotated bibliography and research paper	<b>Quiz 1 due Midnight Friday 1 September 2017</b>
6	6 September	The International Covenant on Civil and Political Rights	Civil and Political Rights	
7	13 September	The International Covenant on Economic, Social and Cultural Rights	Economic, Social and Cultural Rights	<b>Annotated Bibliography due Midnight Friday 15 September 2017</b>
<b>Mid Semester Break</b>				
8	4 October	The Right to Self Determination, and Indigenous Australians	Self Determination and Indigenous Australians	
9	11 October	The Rights of Refugees	Refugee Rights	
10	18 October	Sexual Orientation, Gender Identity and Human Rights	Sexual Orientation and Gender Identity (SOGI) Rights	
11	25 October	Challenges to Human Rights Norms	Challenges to Human Rights Norms	<b>Quiz 2 due Midnight Friday 27 October 2017</b>
12	1 November	What happened to the Australian Bill of Rights?	Australian Bill of Human Rights	<b>Research Paper due Midnight 10 November 2017 (Week 13)</b>

## 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)

Assessment Policy [http://mq.edu.au/policy/docs/assessment/policy\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.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 (in effect until Dec 4th, 2017): [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html)

Special Consideration Policy (in effect from Dec 4th, 2017): <https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/special-consideration>

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**

- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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**

- Law Reform Research Paper

## **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**

- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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 tasks**

- Referencing Exercise
- Law Reform Research Paper

## **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

- Define and describe various conceptions of global governance, human rights and the role of law.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic, social and cultural rights.
- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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 tasks

- Quiz 1
- Referencing Exercise
- Quiz 2
- Law Reform Research Paper

## 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

- Define and describe various conceptions of global governance, human rights and the role of law.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic, social and cultural rights.
- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI)

rights and refugee rights.

- 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 tasks**

- Quiz 1
- Referencing Exercise
- Quiz 2
- Law Reform Research Paper

## **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**

- Define and describe various conceptions of global governance, human rights and the role of law.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic, social and cultural rights.
- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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 tasks**

- Referencing Exercise
- Law Reform Research Paper

## **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**

- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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 tasks**

- Quiz 1
- Referencing Exercise
- Quiz 2
- Law Reform Research Paper

## **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**

- Define and describe various conceptions of global governance, human rights and the role of law.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic, social and cultural rights.
- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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 tasks

- Quiz 1
- Referencing Exercise
- Quiz 2
- Law Reform Research Paper

## 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

- Define and describe various conceptions of global governance, human rights and the role of law.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, and economic, social and cultural rights.
- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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

- Law Reform Research Paper

## 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

- Define and describe Australia's role in the international law system.

- Critique key views concerning the governance of human rights associated with indigenous rights, self-determination, sexual orientation and gender identity (SOGI) rights and refugee rights.
- 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**

- Law Reform Research Paper

## **Changes from Previous Offering**

Note: The Unit description states that 'In multidisciplinary teams students will be mentored to develop a major socio-legal reform submission.' However, the assessment process for this unit has changed in 2017. Students will have the opportunity to discuss their research papers with their peers in week 5 during tutorials, however the assessment itself is not team-based.