



# MAS 214

## Free Cultures

S3 Day 2017

*Department of Media, Music, Communication and Cultural Studies*

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### Disclaimer

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## General Information

Unit convenor and teaching staff

Unit Convenor

Luke Sharp

[luke.sharp@mq.edu.au](mailto:luke.sharp@mq.edu.au)

Contact via [luke.sharp@mq.edu.au](mailto:luke.sharp@mq.edu.au)

By appointment

Credit points

3

Prerequisites

12cp at 100 level or above

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.

## General Assessment Information

Unless an extension has been approved (by the university in line with its Special Consideration policy), all late submissions will incur a penalty of 10% per day. The first 10% will be incurred as soon as the submission deadline passes.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#"><u>Tutorial Paper #1</u></a>	25%	No	9pm Fri 12th January 2018
<a href="#"><u>Tutorial Paper #2</u></a>	25%	No	9pm Fri 19th January 2018
<a href="#"><u>Essay</u></a>	50%	No	9pm Sun 28th January 2018

### Tutorial Paper #1

Due: **9pm Fri 12th January 2018**

Weighting: **25%**

You are required to write 500 words in response to each of the following questions (no more than 1000 words in total). You will need to draw on the knowledge acquired in the first week.

1. Netanel (1996) talks about the NIEP theory approach to copyright and the democratic paradigm. Explain the difference between these in your own words.
2. Lessig (2008) talks about read-only (RO) and read/write (RW) culture. How can copyright facilitate both of these?

### Marking Criteria:

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

### Submission

Tutorial paper responses will be submitted to Turn It In via the link on iLearn.

### Late Submission

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

On successful completion you will be able to:

- Explain the roles played by copyright

## Tutorial Paper #2

Due: **9pm Fri 19th January 2018**

Weighting: **25%**

You are required to write 500 words in response to each of the following questions (no more than 1000 words in total). You will need to draw on the knowledge acquired in the second week.

1. Copyright fails to promote musical creativity. Discuss this statement in the context of cover versions and sampling.
2. Copyright has been ineffective in fighting piracy. Discuss this statement with reference to examples.

### Marking Criteria:

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

### Submission

Tutorial paper responses will be submitted to Turn It In via the link on iLearn.

### Late Submission

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

On successful completion you will be able to:

- Explain the roles played by copyright

## Essay

Due: **9pm Sun 28th January 2018**

Weighting: **50%**

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 [these can be from the unit readings] - At least four (4) articles from peer-reviewed journals [these can be from the unit readings] **Failure to comply with the two points above will result in a maximum mark of 50% for this assignment** - References to non-academic sources such as Wikipedia or news media may attract a 5% penalty per instance at the discretion of the marker if they are found to be inappropriate sources

### Clarification Discussions

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

### Submission

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

### Late Submission

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

### Extensions

Extensions may only be granted by the unit convenor in line with university policy. These must be applied for before the assignment is due.

### 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 the unit convenor 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.

## Delivery and Resources

MAS214 Session 3 is a compressed and intensive version of MAS214 Session 2. This session is designed to be completed in a shorter span of five (5) contact blocks. Each contact block starts at 10am and finishes at 3pm and covers two (2) topics. There are two (2) lectures and two (2) tutorials in each contact block. There are a number of readings that should be completed in advance of the on-campus sessions.

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

All readings are provided electronically via [eReserve](#), please visit iLearn for links.

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 ALL lectures and ALL tutorials, and to complete set readings.

## Unit Schedule

### **BLOCK 1 - Wednesday 4th January 2016, W5C 320**

#### **Topic 1 - Unit Introduction: 10:00am - 12:15pm**

No readings

--lunch break 12:15pm - 1:00pm--

#### **Topic 2 - Digital Creativity & Consumption: 1:00pm - 3:00pm**

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.

### **BLOCK 2 - Thursday 5th January 2016, W5C 320**

#### **Topic 3 - Copyright: 10:00am - 12:15pm**

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

--lunch break 12:15pm - 1:00pm--

#### **Topic 4 - Property?: 1:00pm - 3:00pm**

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.

### **BLOCK 3 - Friday 6th January 2016, W5C 320**

#### **Topic 5 - Fairness: 10:00am - 12:15pm**

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>

--lunch break 12:15pm - 1:00pm--

#### **Topic 6 - Creative Commons & Open Source: 1:00pm - 3:00pm**

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

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

## **BLOCK 4 - Wednesday 11th January 2016, W5C 320**

### **Topic 7 - Sampling: 10:00am - 12:15pm**

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

--lunch break 12:15pm - 1:00pm--

### **Topic 8 - Fan Fiction: 1:00pm - 3:00pm**

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.

## **BLOCK 5 - Thursday 12th January 2016, W5C 320**

### **Topic 9 - Steal This!: 10:00am - 12:15pm**

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.

--lunch break 12:15pm - 1:00pm--

### **Topic 10 - Imagine a World without Copyright: 1:00pm - 3:00pm**

Smiers, J. & Van Schijndel, M. 'Imagine There is No Copyright and No Cultural Conglomerates Too' (2009). Institute of Network Cultures: Amsterdam. pp. 38-50.

--last contact block on campus--

## **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

### Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

#### Learning outcome

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

### Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

#### Learning outcomes

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

#### Assessment tasks

- Tutorial Paper #1
- Tutorial Paper #2
- 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 task

- 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 outcome**

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

### **Assessment task**

- Essay