LAWS5080

Human Rights and Moral Dilemmas

Session 1, Weekday attendance, North Ryde 2020

Macquarie Law School

Contents

General Information

Unit convenor and teaching staff
Convenor
Amy Barrow
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Contact via contact via iLearn
6 First Walk 522
Fridays 3-4pm

Credit points
10

Prerequisites
80cp in LAW or LAWS units

Corequisites

Co-badged status

Unit description
This unit explores the intersections between law and morality by analysing cases drawn from a variety of jurisdictions - Australia, the US, the UK, Canada, Europe and South Africa - which raise topical and controversial human rights dilemmas. For example, cases on hate speech are explored against the background of philosophical analyses of the value of freedom of speech. Cases involving state funding of religious schools and religious symbols in state schools are explored in light of philosophical debates about separation between religion and state. Other topics covered include: privacy; multiculturalism and gender; anti-terrorism legislation; and socio-economic rights.

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:

> **ULO1:** Explain and analyse the philosophical foundations of the idea of human rights.
>
> **ULO2:** Describe, compare and critique the different ways in which human rights are protected against legislative infringement in a variety of jurisdictions.
>
> **ULO4:** Critically assess the way in which different jurisdictions balance the moral and

political values underpinning human rights in selected human rights cases.

ULO3: Analyse the moral and political values that underpin a range of human rights.

ULO5: Resolve human rights dilemmas by applying relevant theoretical approaches.

Assessment Tasks

Coronavirus (COVID-19) Update

Assessment details are no longer provided here as a result of changes due to the Coronavirus (COVID-19) pandemic.

Students should consult iLearn for revised unit information.

Find out more about the Coronavirus (COVID-19) and potential impacts on staff and students

General Assessment Information

Participatory tasks

Due: **Ongoing** Weighting: **20%**

It is expected that students will have read all the required readings for each week and will come to classes prepared to discuss the tutorial questions set for that week. Class participation marks will be based on the quality of contributions to discussion and, where relevant, the frequency of contributions; evidence of preparation for the tutorials; and performance in specific participatory tasks set by the tutor (for example, group work, reflective tasks). Attendance alone will not attract any marks.

A failure to meet these requirements will lead to a mark of zero for class participation unless a) the student applies for Special Consideration b) provides appropriate documentation AND c) submits work in lieu of the missed tutorial.

Annotated Bibliography

Due: **Friday 27 March (5pm)** Weighting: **25%**

This task requires students to prepare an annotated bibliography of four (4) sources that are relevant to the research topic they have chosen for their final paper. Students will be required to identify four relevant sources, provide a brief description and some analysis of the content of the source and evaluate it in terms of its relevance to the research topic.

The word limit is 1000 words (including citations).

The work must be submitted via Turnitin.

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply - and two (2) marks out of 100 will be deducted per day for assignments submitted after the due date - and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original deadline.

Major Essay

Due: **Friday 7 June (4pm)** Weighting: **55%**

This task requires students to use a relevant theoretical approach to resolve a human rights issue.

The research paper requires the student to conduct independent research.

The word limit is 2500 words (excluding footnotes and bibliography).

The work must be submitted via Turnitin.

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply - two (2) marks out of 100 will be deducted per day for assignments submitted after the due date - and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline.

Delivery and Resources

Coronavirus (COVID-19) Update

Any references to on-campus delivery below may no longer be relevant due to COVID-19.

Please check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Technology The unit will use iLearn and ECHO lectures. Students will be required to use a computer to interact with online research databases and web-based research tools.

Classes Each lecture is delivered online in two parts (A and B) (approximately 100 minutes per week), except where otherwise indicated. Students are also expected to attend one tutorial per week on campus. Tutorials are interactive and students will be expected to participate in a range of tasks including in-class debate and discussion, reflective and other participatory tasks. For tutorial times, please consult the MQ timetables website. Students must attend 80% of tutorials.

Learning and Teaching Strategy The unit is taught by online lectures, which provide an introduction to the theoretical readings. The tutorials will mainly be focused on using the theoretical readings to evaluate the reasoning in selected legal cases. The tutorial questions for each tutorial will be available on iLearn.

Readings A list of required readings is available through the link to Leganto (Unit Readings) via iLearn. Where students are required to only read extracts from the readings, the relevant pages or sections are indicated in Leganto.

Unit Schedule

Coronavirus (COVID-19) Update

The unit schedule/topics and any references to on-campus delivery below may no longer be relevant due to COVID-19. Please consult iLearn for latest details, and check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Week	Week starts	Lecture	Tutorial	Readings and Assignments
1	24 February	Basic Concepts	No Tutorial	**Please see the link to Leganto (Unit Readings) on iLearn**
2	2 March	Rights Protection	Basic Concepts	
3	9 March	Free Speech Theory	Rights Protection	
4	16 March	Free Speech Issues	Free Speech Theory	
5	23 March	Non-Discrimination	Free Speech Issues	**Annotated Bibliography due Friday 27 March (5pm)**
6	30 March	Affirmative Action	Non Discrimination	
7	6 April	Privacy and Paternalism	No Tutorial (Public Holiday)	**Written Participatory Task on Affirmative Action**
Mid-semester recess				
8	27 April	State and Religion Relations	Privacy and Paternalism	
9	4 May	Faith, Culture and Gender	State and Religion Relations	
10	11 May	Anti-Terrorism Law	Faith, Culture and Gender	
11	18 May	Human Rights and Criminal Law	Anti-Terrorism Law	
12	25 May	Socio-Economic Rights	Human Rights and Criminal Law	
13	1 June	No Lecture	Socio-Economic Rights	**Major Essay due Friday 5 June (5pm)**

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- Academic Appeals Policy
- Academic Integrity Policy
- Academic Progression Policy
- Assessment Policy
- Fitness to Practice Procedure
- Grade Appeal Policy
- Complaint Management Procedure for Students and Members of the Public
- Special Consideration Policy *(**Note:** The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.)*

Students seeking more policy resources can visit the Student Policy Gateway (https://students.mq.edu.au/support/study/student-policy-gateway). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/student-conduct

Results

Results published on platform other than eStudent, (eg. iLearn, Coursera etc.) 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 or if you are a Global MBA student contact globalmba.support@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) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- Getting help with your assignment
- Workshops
- StudyWise
- Academic Integrity Module

The Library provides online and face to face support to help you find and use relevant information resources.

- Subject and Research Guides
- Ask a Librarian

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

If you are a Global MBA student contact globalmba.support@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/.

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.

Changes since First Published

Date	Description
17/02/2020	80% attendance in tutorial requirement removed.