



LAWS8094

Human Rights and Moral Dilemmas

Session 2, In person-scheduled-weekday, North Ryde 2023

Macquarie Law School

Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	2
<u>General Assessment Information</u>	3
<u>Assessment Tasks</u>	4
<u>Delivery and Resources</u>	6
<u>Unit Schedule</u>	6
<u>Policies and Procedures</u>	7
<u>Changes since First Published</u>	9

Disclaimer

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

General Information

Unit convenor and teaching staff

Amy Barrow

amy.barrow@mq.edu.au

Contact via Contact via iLearn

522, 6 First Walk

See iLearn for details

Mareike Riedel

mareike.riedel@mq.edu.au

Contact via Contact via iLearn

615, 6 First Walk

See iLearn for details

Credit points

10

Prerequisites

Admission to LLM or (Admission to JD and LAWS600 or LAWS8001)

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 critically analyse the philosophical foundations of the idea of human rights

ULO3: Identify and evaluate the advantages and disadvantages of the different forms of rights protection.

ULO2: Demonstrate an advanced knowledge of the different ways in which human rights are protected against legislative infringement in a variety of jurisdictions.

ULO4: Critically analyse the moral and political values that underpin a range of human rights.

ULO5: Critically assess and develop an advanced understanding of the way in which different jurisdictions balance the moral and political values underpinning human rights in selected human rights cases.

ULO6: Resolve human rights dilemmas through a sophisticated application of relevant theoretical approaches.

General Assessment Information

Academic Honesty

Students should be aware of and apply the University policy on academic honesty.

Late Assessment Submission Penalty

Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of 0 (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue.

This late penalty will apply to non-timed sensitive assessment (incl essays, reports, posters, portfolios, journals, recordings etc). Late submission of time sensitive tasks (such as tests/exams, performance assessments/presentations, scheduled practical assessments/labs etc) will only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic.

Submission of assessments

All written assessments in the unit are to be submitted electronically by way of Turnitin on the iLearn page. Plagiarism detection software is used in this unit to check all written assessments.

Students should carefully check that they submit the correct file for an assessment as no re-submissions will be accepted after the due date and time, including instances where students upload an incorrect file in error.

Format

All assessment tasks in this unit must be typed in **Word format** and be **double spaced** to facilitate marking in Turnitin.

Word Limits

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

Moderation

Detailed marking rubrics will be made available on iLearn. In addition, tutors will be provided with detailed marking guides to ensure consistency. All fail papers will be double marked. The Unit Convenor and Tutors will meet to review final grades for the unit.

Assessment Tasks

Name	Weighting	Hurdle	Due
Participatory tasks	20%	No	Ongoing, Due 03/11/2023
Annotated bibliography	25%	No	Due 22/09/2023
Major essay	55%	No	Due 03/11/2023

Participatory tasks

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 0 hours

Due: **Ongoing, Due 03/11/2023**

Weighting: **20%**

A series of participatory tasks scheduled throughout the semester to monitor student progress and participation in the unit. These may include reflective tasks, reporting back from group discussions, participating in debates, presentations on assigned readings, and peer review and feedback.

On successful completion you will be able to:

- Explain and critically analyse the philosophical foundations of the idea of human rights
- Identify and evaluate the advantages and disadvantages of the different forms of rights protection.
- Demonstrate an advanced knowledge of the different ways in which human rights are protected against legislative infringement in a variety of jurisdictions.
- Critically analyse the moral and political values that underpin a range of human rights.
- Critically assess and develop an advanced understanding of the way in which different jurisdictions balance the moral and political values underpinning human rights in selected human rights cases.

- Resolve human rights dilemmas through a sophisticated application of relevant theoretical approaches.

Annotated bibliography

Assessment Type ¹: Annotated bibliography

Indicative Time on Task ²: 10 hours

Due: **Due 22/09/2023**

Weighting: **25%**

This task requires students to prepare an annotated bibliography of sources that are relevant to the research topic they have chosen for their final paper. Students will be required to identify 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.

On successful completion you will be able to:

- Explain and critically analyse the philosophical foundations of the idea of human rights
- Identify and evaluate the advantages and disadvantages of the different forms of rights protection.
- Demonstrate an advanced knowledge of the different ways in which human rights are protected against legislative infringement in a variety of jurisdictions.
- Critically analyse the moral and political values that underpin a range of human rights.

Major essay

Assessment Type ¹: Essay

Indicative Time on Task ²: 20 hours

Due: **Due 03/11/2023**

Weighting: **55%**

This task requires students to use a relevant theoretical approach to explore a human rights issue. The paper requires the student to conduct independent research.

On successful completion you will be able to:

- Explain and critically analyse the philosophical foundations of the idea of human rights
- Identify and evaluate the advantages and disadvantages of the different forms of rights protection.

- Demonstrate an advanced knowledge of the different ways in which human rights are protected against legislative infringement in a variety of jurisdictions.
 - Critically analyse the moral and political values that underpin a range of human rights.
 - Critically assess and develop an advanced understanding of the way in which different jurisdictions balance the moral and political values underpinning human rights in selected human rights cases.
 - Resolve human rights dilemmas through a sophisticated application of relevant theoretical approaches.
-

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Technology used and required

To participate successfully in this unit, students will require access to the unit iLearn page. This will require access to secure and reliable computer facilities. Students will be required to upload all assessment tasks by way of Turnitin on the unit iLearn page.

Delivery

The unit will be delivered as a series of weekly lectures (2 hours total) running from Week 1 until Week 12, which will be recorded on Echo360. It is important that you attend or listen to the lectures every week for guidance on content and how best to approach the various assessment items. For students studying the unit online, a series of six two-hour intensive evening tutorials will be scheduled. For those studying the unit on campus (face-to-face), tutorials will be held weekly from weeks 2-13. Please see iLearn and the MQ timetable for further details about the tutorial schedule.

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

A detailed weekly schedule will be provided on the unit iLearn page. The topics to be covered in this unit are as follows:

- Basic Concepts
- Rights Protection
- Free Speech Theory
- Free Speech Issues
- Non-Discrimination I
- Non-Discrimination II
- Privacy and Paternalism
- State and Religion Relations
- Faith, Culture and Gender
- Security and the Law
- Emotion and the Law
- Rights of the Non-Human

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au). 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](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

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

To find other policies relating to Teaching and Learning, visit [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au) and use the [search tool](#).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/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

Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

The Writing Centre

[The Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the 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

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

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
03/07/2023	Details updated regarding face to face delivery of the unit.