General Information

Unit convenor and teaching staff
Unit Convenor
Joseph Pugliese
joseph.pugliese@mq.edu.au
Contact via joseph.pugliese@mq.edu.au
Y3A 252

Credit points
4

Prerequisites
(12cp in CUL or MAS units at 300 level or 42cp in LAW units at 400 or 500 level) or admission to MA or PGDipArts or PGCertArts or MFJ

Corequisites

Co-badged status

Unit description
This unit examines the intersecting operations of law and media within socio-cultural contexts. Drawing on a number of critical and cultural theories, it will focus on the discursive construction of media and legal 'truth' and attendant claims to objectivity and impartiality. By situating the study of media law within specific socio-cultural contexts, students will be enabled to focus on the ethics and cultural politics of media law representations. Questions of difference (in terms of race, gender, sexuality and disability) will be examined in the context of the normative and disciplinary values that often inscribe dominant media law representations. The unit also examines the transformations of the media law sphere and the ethical challenges it faces in the wake of the work of whistleblowers such as Bradley Manning, Edward Snowden and WikiLeaks.

Important Academic Dates
Information about important academic dates including deadlines for withdrawing from units are available at https://students.mq.edu.au/important-dates

Learning Outcomes

1. Evaluate cultural theories that will enable students to analyse relations of power, knowledge and authority in the context of media law.

2. Compare a range of interdisciplinary critical theories that will enable students critically to evaluate diverse cultural texts, sites and institutions and that will generate new,
professionally oriented knowledges.

3. Apply problem solving practices oriented by research into real world issues.

4. Develop ethical issues and methodologies that will enable them to develop social justice skills applicable to national and global contexts.

5. Analyse and evaluate decisions relevant to their work practices and their personal lives.

### Assessment Tasks

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Due</th>
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<tbody>
<tr>
<td>Oral Seminar Presentation</td>
<td>20%</td>
<td>To Be Advised</td>
</tr>
<tr>
<td>On-Course Essay</td>
<td>30%</td>
<td>One week after presentation</td>
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<tr>
<td>Final Essay</td>
<td>50%</td>
<td>12 November 2014</td>
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### Oral Seminar Presentation

**Due:** To Be Advised  
**Weighting:** 20%

Students select a topic from the seminar schedule. Based on the readings scheduled for that week, they prepare and present an oral seminar presentation in which: they define and explain the relevant key issues and terms raised in the readings; they illustrate and evidence their arguments with material drawn from contemporary media law and other relevant sources; they pose to the class critical questions and proceed to generate relevant discussion amongst class members in relation to the issues, questions and problematics raised by the topics.

The seminar presentation should be between 40-45 minutes in length. Do not read out from a prepared essay. Engage the class with questions, discussion and multi-media resources. NB: Posing questions to the class and generating discussion are an essential part of your presentation.

This Assessment Task relates to the following Learning Outcomes:

- Evaluate cultural theories that will enable students to analyse relations of power, knowledge and authority in the context of media law.
- Compare a range of interdisciplinary critical theories that will enable students critically to evaluate diverse cultural texts, sites and institutions and that will generate new, professionally oriented knowledges.
- Apply problem solving practices oriented by research into real world issues.
- Develop ethical issues and methodologies that will enable them to develop social justice skills applicable to national and global contexts.
- Analyse and evaluate decisions relevant to their work practices and their personal lives.
On-Course Essay

Due: One week after presentation
Weighting: 30%

Write up the material you prepared for your oral presentation into a formal essay. Incorporate any relevant issues, discussion points, illustrations and so on in your polished essay version of your presentation.

Length: 2000 words

This Assessment Task relates to the following Learning Outcomes:

• Evaluate cultural theories that will enable students to analyse relations of power, knowledge and authority in the context of media law.
• Compare a range of interdisciplinary critical theories that will enable students critically to evaluate diverse cultural texts, sites and institutions and that will generate new, professionally oriented knowledges.
• Apply problem solving practices oriented by research into real world issues.
• Analyse and evaluate decisions relevant to their work practices and their personal lives.

Final Essay

Due: 12 November 2014
Weighting: 50%

Construct your own essay question on any topic from the seminar schedule excluding the same topic you covered in your seminar presentation/essay. Address the topic in an in-depth manner, staging a rigorous and theorised analysis of the key issues, terms, questions and problematics raised by the topic/readings. Evidence and support all your arguments with relevant readings, theories and illustrations.

Length: 3,500 words

This Assessment Task relates to the following Learning Outcomes:

• Evaluate cultural theories that will enable students to analyse relations of power, knowledge and authority in the context of media law.
• Compare a range of interdisciplinary critical theories that will enable students critically to evaluate diverse cultural texts, sites and institutions and that will generate new, professionally oriented knowledges.
• Apply problem solving practices oriented by research into real world issues.
• Develop ethical issues and methodologies that will enable them to develop social justice skills applicable to national and global contexts.
• Analyse and evaluate decisions relevant to their work practices and their personal lives.

Delivery and Resources

REQUIRED READING

MMCS 821 Unit Reader

RECOMMENDED READING

See below under Recommended Readings in the Seminar Schedule

What has changed? A new section on proposed changes to the Racial Discrimination Act.
Unit Schedule
<table>
<thead>
<tr>
<th>Week 1</th>
<th><strong>Introduction</strong></th>
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<tbody>
<tr>
<td></td>
<td>This week we outline and discuss the key topics and issues that constitute this unit and we also map the critical and cultural theories that will inform our analysis of media law. Assessment tasks will be explained and seminar presentation topics will also be selected.</td>
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<tr>
<th>Week 2</th>
<th><strong>Law, Power, Knowledge: Foucauldian Critiques of Law</strong></th>
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<tr>
<td></td>
<td>This week we examine the critical contribution of Michel Foucault, poststructuralist theorist, to the study of law and culture. Foucault raises important questions about law’s relation to power, knowledge, governance, control, punishment and subject constitution.</td>
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<tr>
<td></td>
<td><strong>Readings:</strong></td>
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<td><strong>Recommended Readings:</strong></td>
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<th>Week 3</th>
<th><strong>Deconstructing Law</strong></th>
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<td>This week we examine the contribution of the poststructuralist philosopher, Jacques Derrida, to the critical study of law. What does a deconstruction of law entail? How is law founded in violence and how does law simultaneously ‘mystically’ occlude its foundation in violence? What is the relation between law and justice?</td>
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<td><strong>Readings:</strong></td>
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<td><strong>Recommended Readings:</strong></td>
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**Week 4**

**Law's Violence**

This week we examine the complex, diffuse and multiform violences of law. How is violence already encoded in the word of law? Why is 'legal interpretation as a practice incomplete without violence'? What are the administrative, textual and institutional networks through which this violence of law is enacted, disseminated and reproduced?

**Readings:**


**Recommended Readings:**


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**Week 5**

**Narrative Constructions of Media and Law and the ‘Battle for Narrative’**

This week we examine the foundational role that narrative plays in the construction of meaning and reality in the context of both law and media. How do legal and media narratives determine our understanding of the world, facts, and reality? How are questions of authority, legitimacy and normativity encoded and reproduced within legal and media narratives? What is at stake in the ‘battle for narrative’?

**Readings:**


**Recommended Readings:**


<table>
<thead>
<tr>
<th>Week 6</th>
<th><strong>Electronic Battlefields: Law, War, Media</strong></th>
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<tr>
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<td>This week we consolidate our understanding of the issues, topics and theories we have thus far discussed and examined through a grounded analysis of the documentary <em>The War You Don’t See</em>.</td>
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<td><strong>Readings:</strong></td>
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<td><strong>Screening:</strong></td>
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<td><strong>Recommended Readings:</strong></td>
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<th>Week 7</th>
<th><strong>Media Leaks, Transparency, Ethics: WikiLeaks, Manning, Snowden</strong></th>
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<td>This week we examine the transformation of the global media landscape through the unauthorised leaking of classified government documents through such organisations such as WikiLeaks and through such individuals such as Bradley Manning, Julian Assange and Edward Snowden. What are the key ethical, political, cultural and legal issues at stake in these practices of unauthorised disclosure?</td>
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<td></td>
<td><strong>Readings:</strong></td>
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<td><strong>Recommended Readings:</strong></td>
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**RECESS: 22 September to 6 October 2014**
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<tr>
<th>Week 8</th>
<th>Reading Week 6 October to 10 October 2014  NO CLASSES</th>
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<tr>
<td>Week 9</td>
<td><strong>Whiteness, Law and the Media</strong></td>
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<td>This week we examine the critical role of whiteness in the shaping of western law and media. What are the attributes of whiteness as a racial category? Why is whiteness largely 'invisible'? How does whiteness shape and determine what actually counts as law as such in a nation such as Australia? How does whiteness construct dominant media representations of non-white subjects?</td>
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<td><strong>Readings:</strong></td>
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<td><strong>Recommended Readings:</strong></td>
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<td>Week 10</td>
<td>Moral Panics and Media Law</td>
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<td>This week we examine the phenomenon of ‘moral panics.’ What is a moral panic? How do moral panics influence and shape law and media? What are the cultural, ideological and political effects of moral panics on the communities who are its targets? We then discuss how Australian counter-terrorism laws have impacted, in the context of post-9/11 moral panics, on the media.</td>
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<td></td>
<td><strong>Readings:</strong></td>
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<td><strong>Recommended Readings</strong></td>
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This week we examine the relation of law and media to the post-9/11 phenomenon of ‘terrorism.’ Building on our discussion of moral panics, we specifically examine the interplay of media and law in the travesty of justice perpetrated against Mohamed Haneef, an Indian doctor who worked as a registrar at a Gold Coast hospital.

Readings:


Recommended Readings:


This week we examine the legal concepts of racial vilification and hate crimes. We begin with an analysis of racial stereotyping of Aboriginals by public institutions, such as the police, and private individuals, and resulting practices of racist violence. We then focus on the Andrew Bolt media case on ‘authentic’ Aboriginals and conclude with a discussion on freedom of speech and its ethical imperatives.

Readings:


Karl Quinn, ‘No Thunder from Bolt as Court Finds Breach,’ *The Age*, 29 September 2011.


Screenings:

*Copping It at the Cross*, footage by *The Sunday Telegraph* shows the dramatic arrest and assault of Troy Taylor, a young Aboriginal man: [http://www.youtube.com/watch?v=fUoy4LT0U0M](http://www.youtube.com/watch?v=fUoy4LT0U0M).

Media Watch, ‘Andrew Bolt and The Herald Sun on Trial,’ Episode 09, 4 April 2011.

Recommended Readings:


Week 13

Religious Vilification: Media, Law and Post-9/11 Islamophobia

This week we examine the legal concept of religious vilification in the context of post-9/11 Islamophobia. How has the west constructed Muslims in terms of an ethno-religious category? What has been the impact of Islamophobia both on anti-discrimination legislation and Muslim communities living in the west? How has Islamophobia influenced media representations of Muslims within the Australian context? What are the problematics that inscribe anti-discrimination law in relation to religious vilification?

Readings:


Recommended Readings:


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


https://unitguides.mq.edu.au/unit_offerings/30662/unit_guide/print 14

In addition, a number of other policies can be found in the [Learning and Teaching Category](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html) 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/)

**Additional information**


Information is correct at the time of publication

**Student Support**

Macquarie University provides a range of support services for students. For details, visit [http://students.mq.edu.au/support/](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 Enquiry Service**

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

**Equity 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.

**IT Help**

For help with University computer systems and technology, visit [http://informatics.mq.edu.au/help/](http://informatics.mq.edu.au/help/)

When using the University's IT, you must adhere to the [Acceptable Use Policy](http://informatics.mq.edu.au/help/). The policy applies to all who connect to the MQ network including students.
Graduate Capabilities

PG - Discipline Knowledge and Skills
Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

Assessment tasks
- Oral Seminar Presentation
- On-Course Essay
- Final Essay

PG - Critical, Analytical and Integrative Thinking
Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

Learning outcomes
- Evaluate cultural theories that will enable students to analyse relations of power, knowledge and authority in the context of media law.
- Compare a range of interdisciplinary critical theories that will enable students critically to evaluate diverse cultural texts, sites and institutions and that will generate new, professionally oriented knowledges.

Assessment tasks
- Oral Seminar Presentation
- On-Course Essay
- Final Essay

PG - Research and Problem Solving Capability
Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

This graduate capability is supported by:
Learning outcome

• Apply problem solving practices oriented by research into real world issues.

Assessment tasks

• Oral Seminar Presentation
• On-Course Essay
• Final Essay

PG - Effective Communication

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

This graduate capability is supported by:

Assessment tasks

• Oral Seminar Presentation
• On-Course Essay
• Final Essay

PG - Engaged and Responsible, Active and Ethical Citizens

Our postgraduates will be ethically aware and capable of confident transformative action in relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues.

This graduate capability is supported by:

Learning outcome

• Develop ethical issues and methodologies that will enable them to develop social justice skills applicable to national and global contexts.

Assessment tasks

• Oral Seminar Presentation
• Final Essay

PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and
decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

**Learning outcome**

- Analyse and evaluate decisions relevant to their work practices and their personal lives.

**Assessment task**

- Final Essay