



MAS 214

Free Cultures

S3 Day 2019

Department of Media, Music, Communication and Cultural Studies

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General Information

Unit convenor and teaching staff

Dennis Bruining

dennis.bruining@mq.edu.au

Stephen Collins

stephen.collins@mq.edu.au

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

Late Assessment Penalty

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. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

Assessment Tasks

Name	Weighting	Hurdle	Due
Tutorial Paper #1	25%	No	9pm Sat 11 Jan 2020
Tutorial Paper #2	25%	No	9pm Sat 18 Jan 2020
Essay	50%	No	9pm Fri 24 Jan 2020

Tutorial Paper #1

Due: **9pm Sat 11 Jan 2020**

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) discusses the proprietarian approach to copyright and the democratic paradigm. Explain the difference between these in your own words.
2. In what ways can a proprietarian approach be at odds with fair use?

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.

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

Tutorial Paper #2

Due: **9pm Sat 18 Jan 2020**

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.

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

Essay

Due: **9pm Fri 24 Jan 2020**

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 -**

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.

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. 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.

MMCCS Session Re-mark Application: <http://www.mq.edu.au/pubstatic/public/download/?id=167914>

On successful completion you will be able to:

- Explain the roles played by copyright
- Critique and evaluate the discourses surrounding copyright
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- 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 - Tuesday 7th January 2020

Topic 1 - Unit Introduction & Research/Writing skills: 10:00am - 12:00pm

No readings

--lunch break 12:00pm - 12:45pm--

Topic 2 - Digital Creativity & Consumption: 12:45pm - 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 - Wednesday 8th January 2020

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 - Thursday 9th January 2020

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 - Tuesday 14th January 2020

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 - Wednesday 15th January 2020

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 \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](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.*)

Undergraduate students seeking more policy resources can visit the [Student Policy Gateway](https://students.mq.edu.au/support/study/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](http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<http://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 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

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.

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

- Formulate arguments in written and oral formats
- Select and integrate information from a variety of appropriate sources in responding to areas of debate.

Assessment tasks

- Tutorial Paper #1
- Tutorial Paper #2
- Essay

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:

Assessment task

- Essay

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:

Assessment task

- Essay

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

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

Assessment tasks

- Tutorial Paper #1
- Tutorial Paper #2

- 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

- Explain the roles played by copyright
- Critique and evaluate the discourses surrounding copyright
- Formulate arguments in written and oral formats
- Select and integrate information from a variety of appropriate sources in responding to areas of debate.

Assessment tasks

- Tutorial Paper #1
- Tutorial Paper #2
- 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 outcomes

- Critique and evaluate the discourses surrounding copyright
- Formulate arguments in written and oral formats
- Select and integrate information from a variety of appropriate sources in responding to areas of debate.

Assessment tasks

- Tutorial Paper #1
- Tutorial Paper #2
- 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 tasks

- Tutorial Paper #1
- Tutorial Paper #2
- Essay

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:

Assessment task

- Essay