



LEX 101

Law, Human Rights and Global Governance

S2 Day 2019

Macquarie Law School

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Disclaimer

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General Information

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| Unit convenor and teaching staff Convenor Amy Barrow amy.barrow@mq.edu.au Contact via contact via iLearn W3A Office 522, 6 First Walk See iLearn for details |
| Credit points 3 |
| Prerequisites |
| Corequisites |
| Co-badged status |
| Unit description In this unit we examine systems of global governance and question whether law and other instruments of governance can protect and provide for human rights. We examine Australia's place in the international law system and discuss law, rights and institutions in relation to socio-political and economic issues including questions of self-determination, indigenous rights, gender and free speech. In multidisciplinary teams students will be mentored to develop a major socio-legal reform submission addressing challenges for human rights, democracy and justice. |

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:

Define and describe various conceptions of global governance, human rights and the role of law in each.

Define and describe Australia's role in the international law system.

Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, social, economic and cultural rights.

Critique key views concerning the governance of human rights associated with

Indigenous rights, self-determination, gender, free speech and refugee rights.

Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.

Develop, in collaboration with other students, a practical law-reform project associated with a key issue in human rights governance.

General Assessment Information

Detailed marking rubrics will be made available on iLearn. Assessments are moderated and all Fail papers are double marked.

Please note that for all Turnitin assessments 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 |
|-------------------------------|-----------|--------|----------------------------|
| <u>Quiz 1</u> | 15% | No | 30 August 2019 (Week 5) |
| <u>Annotated bibliography</u> | 20% | No | 13 September 2019 (Week 7) |
| <u>Quiz 2</u> | 25% | No | 25 October 2019 (Week 11) |
| <u>Major research project</u> | 40% | No | 1 November 2019 (Week 12) |

Quiz 1

Due: **30 August 2019 (Week 5)**

Weighting: **15%**

Students will be required to demonstrate their knowledge of the material canvassed in the unit during weeks 1-4 by answering 15 multiple choice questions online. **You must ensure that you are available to logon to iLearn (for no more than half an hour) sometime on Friday 30 August 2019.** Detailed instructions regarding the time allowed for the quiz etc. will be available on iLearn and outlined in the lectures/tutorials.

On successful completion you will be able to:

- Define and describe various conceptions of global governance, human rights and the role of law in each.

- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, social, economic and cultural rights.

Annotated bibliography

Due: **13 September 2019 (Week 7)**

Weighting: **20%**

Students will be required to identify appropriate sources (journal articles, books, media sources, government reports etc.) related to current debates in human rights, law and global governance, and to produce an annotated bibliography (word length: approximately 800 words).

Detailed instructions regarding this assessment task will be provided on iLearn and outlined in the lectures/tutorials.

On successful completion you will be able to:

- Define and describe various conceptions of global governance, human rights and the role of law in each.
- Critique key views concerning the governance of human rights associated with Indigenous rights, self-determination, gender, free speech and refugee rights.
- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.

Quiz 2

Due: **25 October 2019 (Week 11)**

Weighting: **25%**

Students will be required to demonstrate their knowledge of the material canvassed in the unit between weeks 6-11 by answering 25 multiple choice questions in an online quiz. **You must ensure that you are able to logon to iLearn (for no more than half an hour) some time on Friday 25 October 2019.** Detailed instructions regarding the time allowed for this quiz etc. will be available on iLearn and outlined in the lectures/tutorials.

On successful completion you will be able to:

- Define and describe various conceptions of global governance, human rights and the role of law in each.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, social, economic and cultural rights.

Major research project

Due: **1 November 2019 (Week 12)**

Weighting: **40%**

In groups allocated by the tutor, students will develop a 2000 word Law Reform Proposal (10% of the overall assessment weighting) addressing one of a selection of topics, which consolidates their learning in this subject.

As part of this assessment, students will also each submit a 1000 word Individual Reflection (30% of the overall assessment weighting) documenting their contribution to their group's Law Reform Proposal and explain the processes by which their group worked together.

Both the group Law Reform Proposal and the Individual Reflection are due on the same date.

Detailed instructions regarding the formation of working groups and the requirements of both of these tasks will be provided on iLearn and outlined in the lectures regularly from Week 1.

On successful completion you will be able to:

- Define and describe various conceptions of global governance, human rights and the role of law in each.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, social, economic and cultural rights.
- Critique key views concerning the governance of human rights associated with Indigenous rights, self-determination, gender, free speech and refugee rights.
- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- Develop, in collaboration with other students, a practical law-reform project associated with a key issue in human rights governance.

Delivery and Resources

Technology: This unit requires students to attend or listen online (through ECHO) to a weekly one hour lecture. The Annotated Bibliography, Law Reform Research Paper and Individual Report must all be submitted via Turnitin (links to Turnitin for these assignments will be included in the Assessment section on the iLearn site for the unit).

Internal Students: Students are also required to attend a one-hour tutorial each week. For the location of the lecture and tutorial times please consult the MQ timetables website

Learning and Teaching Strategy: **There is no set text for this unit, instead a variety of articles and videos are used to reflect the diversity of the subject matter.** Before attending (or listening to) the weekly live lecture, students are required to access the unit's iLearn page to

review online content such as videos or pre-recorded preparatory lectures (of approximately one hour) and to read the assigned readings (reading list available through Leganto, MQ Library).

Before you attend the first lecture on 31 July 2019, you should have logged onto iLearn and reviewed the assigned weekly online content of approximately one hour and read the assigned readings.

Tutorials are interactive. Students are expected to participate actively in tutorials including answering questions, participating in group discussions as well as group exercises.

External Students: On Campus Sessions for external students will be held on Wednesday 18 September and Thursday 19 September. The On Campus Session is compulsory for external students. As this unit involves a group report, participation in the on campus session is beneficial for external students. Students who are unable to attend must submit a special consideration request through ask.mq.edu.au. If that application is approved, alternative work will be set in-lieu of on-campus attendance.

Student workload: in accordance with university guidelines, is 3 hours per credit point per week (over a 15 week term), and can be estimated as follows:

24 hours - attendance of lectures and tutorials

66 hours - readings, review of online content and self-study

60 hours - assessment tasks

150 hours total

Students will be required to use a computer to interact with online research databases and web-based research tools. This unit's iLearn page will also contain additional multimedia content to help facilitate learning and foster engagement with the subject matter.

Unit Schedule

| Week | Lecture Date | Lectures | Tutorials | Reading and assessment |
|------|--------------|---|---|---|
| 1 | 31 July | Introduction to LEX101 | Introductions | See iLearn page for weekly readings, online material and assessment information |
| 2 | 7 August | Which rights are human rights? The Universal Declaration of Human Rights | The Universal Declaration of Human Rights | |
| 3 | 14 August | Introduction to Law - International and Domestic | Introduction to Law | |
| 4 | 21 August | Global Governance - who makes the rules? | Global Governance | |

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| 5 | 28 August | How to Write and Research at University | Preparing for the Annotated Bibliography and Law Reform Research Paper | Quiz 1 due 10pm Friday 30 August 2019 |
| 6 | 4 September | The International Covenant on Civil and Political Rights and Free Speech | Civil and Political Rights | |
| 7 | 11 September | The International Covenant on Economic, Social and Cultural Rights - whose responsibility? | Economic, Social and Cultural Rights | Annotated Bibliography due 5pm Friday 13 September 2019 |
| Mid-semester break (Internal students) | 18 and 19 September | On Campus Session (External Students Only) | | For further details and the schedule see iLearn |
| 8 | 2 October | Gender and Human Rights | Gender and Human Rights | |
| 9 | 9 October | The Rights of Refugees | Refugee Rights | |
| 10 | 16 October | The Right to Self-Determination, and Indigenous Australians | Self-Determination and Indigenous Australians | |
| 11 | 23 October | Challenges to Human Rights Norms | Challenges to Human Rights Norms | Quiz 2 due 10pm Friday 25 October 2019 |
| 12 | 30 October | Does Australia need a Bill of Rights? | Towards an Australian Bill of Rights? | Group Law Reform Research Paper and Individual Reflection due 5pm Friday 1 November 2019 |

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

- Critique key views concerning the governance of human rights associated with Indigenous rights, self-determination, gender, free speech and refugee rights.
- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- Develop, in collaboration with other students, a practical law-reform project associated with a key issue in human rights governance.

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

- Develop, in collaboration with other students, a practical law-reform project associated with a key issue in human rights governance.

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:

Learning outcomes

- Critique key views concerning the governance of human rights associated with

Indigenous rights, self-determination, gender, free speech and refugee rights.

- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- Develop, in collaboration with other students, a practical law-reform project associated with a key issue in human rights governance.

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

- Define and describe various conceptions of global governance, human rights and the role of law in each.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, social, economic and cultural rights.
- Critique key views concerning the governance of human rights associated with Indigenous rights, self-determination, gender, free speech and refugee rights.
- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.

Assessment tasks

- Quiz 1
- Annotated bibliography
- Quiz 2
- Major research project

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

- Define and describe various conceptions of global governance, human rights and the role of law in each.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, social, economic and cultural rights.
- Critique key views concerning the governance of human rights associated with Indigenous rights, self-determination, gender, free speech and refugee rights.
- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
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Assessment tasks

- Quiz 1
- Annotated bibliography
- Quiz 2
- Major research project

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

- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- Develop, in collaboration with other students, a practical law-reform project associated with a key issue in human rights governance.

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

- Define and describe various conceptions of global governance, human rights and the role of law in each.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, social, economic and cultural rights.
- Critique key views concerning the governance of human rights associated with Indigenous rights, self-determination, gender, free speech and refugee rights.
- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- Develop, in collaboration with other students, a practical law-reform project associated with a key issue in human rights governance.

Assessment tasks

- Quiz 1
- Annotated bibliography
- Quiz 2
- Major research project

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 outcomes

- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- Develop, in collaboration with other students, a practical law-reform project associated with a key issue in human rights governance.

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:

Learning outcomes

- Define and describe various conceptions of global governance, human rights and the role of law in each.
- Define and describe Australia's role in the international law system.
- Describe the historical development of human rights principles and instruments, in the context of contemporary civil and political, social, economic and cultural rights.
- Critique key views concerning the governance of human rights associated with Indigenous rights, self-determination, gender, free speech and refugee rights.
- Assess established theoretical frameworks about current responses to human rights claims, and communicate law reform and/or policy critiques effectively in written and verbal form.
- Develop, in collaboration with other students, a practical law-reform project associated with a key issue in human rights governance.

Assessment tasks

- Quiz 1
- Annotated bibliography
- Quiz 2
- Major research project