



LAWS532

Law and Religion

S2 Day 2019

Macquarie Law School

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General Information

Unit convenor and teaching staff
Credit points 3
Prerequisites (24cp in LAW or LAWS units) or (39cp at 100 level or above including LAWS260)
Corequisites
Co-badged status
Unit description This unit explores key areas where law and various religious traditions intersect. A major theme in the unit relates to constitutional law principles concerning separation of church and state, and free exercise of religious belief and the issues surrounding multicultural accommodation of religions in Australia. This involves an inquiry into different religions such as Christianity, Islam and Buddhism. In the context of these religions the course examines religion and war, religion and the environment, animal welfare, terrorism, issues surrounding sexuality, and religion and capitalism.

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:

1. Demonstrate an understanding of the basis for religious freedom principles and their operation in the constitutional law of states such as Australia, the United States, Canada and South Africa;
2. Examine the relationship between church and state with an examination of states such as the United Kingdom, the United States, France and Australia;
3. Analyse the relationship of Islam and Buddhism and the law;
4. Analyse the intersections of law and religion relating to laws governing sacred site protection, voluntary euthanasia, blasphemy, same-sex marriage and clergy employment.
5. Critically analyse and applying relevant legal principles to problem situations;

6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

General Assessment Information

General Assessment Information

Extensions and penalties.

“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
Research Essay: Assessment 1	40%	No	17/09/2019 5pm
Research Essay: Assessment 2	40%	No	10/11/2019 5pm
Active Participation	20%	No	Weekly

Research Essay: Assessment 1

Due: **17/09/2019 5pm**

Weighting: **40%**

Students are required to submit a research paper of 2,500 words.

The list of potential topics and questions will be posted on iLearn.

A marking rubric outlining the grading criteria will be available on iLearn.

Requests for extensions due to special consideration are made via Ask.mq with supporting documentation. Any assignments submitted after the due date without an approved application for special consideration will attract a late penalty in accordance with Faculty Policy. After 7 days, no late papers will be accepted.

On successful completion you will be able to:

- 1. Demonstrate an understanding of the basis for religious freedom principles and their operation in the constitutional law of states such as Australia, the United States, Canada and South Africa;
- 2. Examine the relationship between church and state with an examination of states such

- as the United Kingdom, the United States, France and Australia;
- 3. Analyse the relationship of Islam and Buddhism and the law;
- 4. Analyse the intersections of law and religion relating to laws governing sacred site protection, voluntary euthanasia, blasphemy, same-sex marriage and clergy employment.
- 5. Critically analyse and applying relevant legal principles to problem situations;
- 6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

Research Essay: Assessment 2

Due: **10/11/2019 5pm**

Weighting: **40%**

Assessment 2 Task 2

The topic for the research paper will be available on iLearn from 1st November.

Students are required to submit a research paper of 2,500 words.

A marking rubric outlining the grading criteria will be available on iLearn.

Requests for extensions due to special consideration are made via Ask.mq with supporting documentation. Any assignments submitted after the due date without an approved application for special consideration will attract a late penalty in accordance with Faculty Policy. After 7 days, no late papers will be accepted.

On successful completion you will be able to:

- 1. Demonstrate an understanding of the basis for religious freedom principles and their operation in the constitutional law of states such as Australia, the United States, Canada and South Africa;
- 2. Examine the relationship between church and state with an examination of states such as the United Kingdom, the United States, France and Australia;
- 3. Analyse the relationship of Islam and Buddhism and the law;
- 4. Analyse the intersections of law and religion relating to laws governing sacred site protection, voluntary euthanasia, blasphemy, same-sex marriage and clergy employment.
- 5. Critically analyse and applying relevant legal principles to problem situations;
- 6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

Active Participation

Due: **Weekly**

Weighting: **20%**

Substantive requirements in relation to class participation 10%

Students will be assessed on the basis of their knowledge, understanding and ability to critically evaluate the weekly readings and contribute to the discussion of questions set in relation to these readings. To fulfil these criteria students will be expected to contribute to class discussions in the weekly seminars.

Participation through weekly answers to the tutorial problems 10%

Students will be required to submit weekly responses to tutorial questions.

Full details of the weekly questions will be provided on iLearn.

A grading rubric for participation will be available on iLearn

On successful completion you will be able to:

- 1. Demonstrate an understanding of the basis for religious freedom principles and their operation in the constitutional law of states such as Australia, the United States, Canada and South Africa;
- 2. Examine the relationship between church and state with an examination of states such as the United Kingdom, the United States, France and Australia;
- 3. Analyse the relationship of Islam and Buddhism and the law;
- 4. Analyse the intersections of law and religion relating to laws governing sacred site protection, voluntary euthanasia, blasphemy, same-sex marriage and clergy employment.
- 5. Critically analyse and applying relevant legal principles to problem situations;
- 6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

Delivery and Resources

The course will consist of a series of lectures and weekly tutorials. Lectures will be pre-recorded.

Course readings will be available via Leganto.

The unit schedule contains weekly readings and questions. Students must prepare a brief written attempt at answering all of the week's questions, maximum total 2, A4 pages

Unit Schedule

Unit Schedules

WEEK ONE, THE ROLE OF RELIGION AND ITS IMPORTANCE

NO TUTORIAL IN WEEK ONE

WEEK TWO WHAT IS RELIGION AND DOES IT REQUIRE SPECIAL PROTECTION?

Readings

M. Evans 'Religious Freedom: The Australian Context', in M. Evans Legal Protection of Religious Freedom, Federation Press, 1-15.

Readings and Tutorial Questions – (Some Material for this tutorial was covered by the previous lecture)

1. Is religion a special category of experience that needs protection?
2. Should religion be separated from the state?
3. Is Australia a Christian country?
4. How does Australia protect religious freedom and is stronger protection needed?

WEEK THREE, LOCKE AND RELIGIOUS FREEDOM

Readings

'Toleration', *Stanford Encyclopaedia of Philosophy*- available on line

J.Locke, 'A Letter Concerning Toleration', in J Gough *The Second Treatise of Civil Government and a Letter Concerning Toleration*, Blackwell Oxford 1946, 123,126-137-139, 145-147, 154-158.

J. Waldron, 'Lo><http://www.smh.com.au/national/free-speech-appeal-fails-over-critical-letters-to-diggers-20130227-2f66g.html>.

Read *Monis v The Queen* [2013] HCA 4 (27 February 2013) available from > <http://www.austlii.edu.au/>. Do you agree with the conclusion?

WEEK FOUR, CAN RELIGION BE DEFINED

Readings

R. Ahdar and I. Leigh, 'The Religious versus the Secular: The Problem of Defining 'Religion' in R. Ahdar and I. Leigh *Religious Freedom in the Liberal State* , Oxford University Press 110-125

B.Leiter, 'Why To Tolerate Religion?' available on line from Social Science Research Network

F.Gedicks, 'An Unfirm Foundation: The Regrettable Indefensibility of Religious Exemption' 20 UALR LJ (1998) 81-95.

R.Dworkin *Religion and Dignity in Is Democracy Possible Here* Princeton, 53-89.

Discussion Questions

What are the difficulties attached to defining religion in a legal context?

2. Discuss Dworkin's distinction between a tolerant religious nation and a tolerant secular state. Why does Dworkin find the latter model more attractive? Do you agree?

3. Why does Leiter think that there is no credible principled argument for tolerating religion qua religion? Do you agree?

4. Why does Gedicks think that differential treatment of religiously and morally motivated practice cannot be justified? Do you agree

WEEK FIVE, THE INTERPRETATION OF RELIGIONS AND FOREGIVENESS

The Conflict of Interpretations, in Belsky, Law and Theology, 9-22.

Samuel J. Levine, Jewish Legal Theory and American Constitutional Theory: Some Comparisons and Contrasts, 24 Hastings Const. L.Q. 441, 478-501 (1997).

Sanford Levinson, On Interpretation: The Adultery Clause of the Ten Commandments, 58 S. Cal. L. Rev. 719 (1985).

'Interpretation : Stanford Encyclopedia of Philosophy available on line.

C. Fishman, Old Testament Justice, 51 Catholic U. L. Rev. 405 (2002).

J.Hall, Biblical Atonement and Modern Criminal Law, 1, J.L. & Religion 279 (1983).

D. Horigan, Of Compassion and Capital Punishment: A Buddhist Perspective on the Death Penalty, 41 Am. J. Juris. 271 (1996).

K.L. Seshagiri Rao, Practitioners of Hindu Law: Ancient and Modern, 66 Fordham L.Review. 1185 (1998).

L. Rocher, Hindu Conceptions of Law, 29 Hastings L.J. 1283 (1978).

Luke T. Lee & Whalen W. Lai, The Chinese Conceptions of Law: Confucian, Legalist, and Buddhist, 29 Hastings L.J. 1307 (1978).

P. Ingram & David R. Loy, The Self and Suffering: A Buddhist-Christian Conversation, 44 Dialog 98 (2005).

A. Thurschwell, Ethical Exception; Capital Punishment in the Figure of Sovereignty available in Social Science Research Network

J. Braithwaite 'What's wrong with the Sociology of Punishment, Theoretical Criminology (2003) 81-105.

B. Clarke Law, religion and violence: a human rights-based response to punishment of apostasy Adelaide Law Review, 30, 1, 2009, 111-147

Discussion Question for Tutorial

1 Read the Levinson article and answer the questions, 1-5 on pages 216-217 of the article.

2 Make an assessment on the validity of religious reasons for punishment by the law. Students should refer to **two** out of the three major religions, namely Islam, Christianity or Buddhism.

3 What is forgiveness? Are all definitions of forgiveness culturally relative? When is it possible to speak of it in universal terms? Who can grant forgiveness? What is the nature self-forgiveness? Is there a Marxist notion of forgiveness? Is there a difference between secular and religious notions of forgiveness? Can states forgive?

WEEK SIX, RELIGION WAR AND VIOLENCE

'War' in *Stanford Encyclopedia of Philosophy*- available on line.

J.Yoo 'Using Force' 71 *Chicago Law Review*(2003) 729-797.

K.Ferzan 'Defending Imminence *Arizona Law Review* (2004)214-262.

Buddhism and Law *Encyclopedia of Religion and War* ed G. Palmer- Fernandez Routledge 290-299.

M Rigstad, [://www.justwartheory.com/](http://www.justwartheory.com/) (material under the headings 'Introductory Materials' and 'Classic Sources');

H Zawati, *Is Jihad a Just War?* Edwin Mellen Press, 2001, Chapter 1, 9 – 47.

G Weigel, 'The Development of Just War Thinking in the Post-Cold War World: an American Perspective' in Charles Reed & David Ryall (eds), *The Price of Peace: Just War in the Twenty-First Century* 19 – 36.

Mohammad Taghi Karoubi, *Just or Unjust War?*, Ashgate, 2004, Chapter 5, 'Just or Unjust War? International Law and Unilateral Use of Armed Force by States at the Turn of the 20th Century' 151 – 233.

Tutorial questions

1. In a 2003 interview, [Jacques Chirac](#), President of [France](#) at that time, affirmed that President [George W. Bush](#) asked him to send troops to Iraq to stop [Gog and Magog](#), the "Bible's satanic agents of the Apocalypse." According to Chirac, the American leader appealed to their "common faith" (Christianity) and told him: "Gog and Magog are at work in the Middle East.... The biblical prophecies are being fulfilled.... This confrontation is willed by God, who wants to use this conflict to erase his people's enemies before a New Age begins

(Quote from) http://en.wikipedia.org/wiki/Rationale_for_the_Iraq_War#Divine_inspiration

Consider to what extent the Iraq war is a religious war?

To answer this question please research outside of the materials

2. 2 Is the death penalty justified? Is it an effective deterrent? A just retribution for horrendous crimes? Or a racist, classist form of state-sanctioned murder?

WEEK SEVEN, BUDDHIST ETHICS AND HUMAN RIGHTS

D. Philpott, Religion, Reconciliation, and Transitional Justice:

The State of the Field', available at <http://kroc.nd.edu/sites/default/files/workingpaperphilpott.pdf>

D.Philpott, (2007). 'What Religion Brings to the Politics of Transitional Justice' *Journal of International Affairs* 61(1): 93-110.

T.Bartholomeusz *In Defence of Dharma. Just War Ideology in Buddhist Sri Lanka*, Routledge 2001.

A further reading to be supplied as regards Nepal as the situation develops there. See <http://ictj.org/about/transitional-justice>

Discussion Questions.

1. Is the rationale given by Sri Lanka for a 'just war' convincing? (students might like to see D. Keown 'Some problems with particularism' in *Journal of Buddhist Ethics* 20, 2013 – on line.

Consider the case made for 'moral particularism' made by Keown in the above article. Does Buddhism have a different form of reasoning than that in western philosophy?

WEEK EIGHT, THE SOCIAL AND LEGAL BACKGROUND OF EARLY BUDDHISM AND THE DEVELOPMENT OF THE RULES FOR BUDDHIST MONKS

Readings

G. Omvedt 'The Background to Buddhism' in *Buddhism in India* Sage, 1-32. Read as background.

David DeMoss (2011) 'Empty and Extended Craving: An Application of the Extended Mind Thesis to the Four Noble Truths', *Contemporary Buddhism*, 12, 2, 310, from journal search from library.

Tapas Aich (2013) 'Buddha Philosophy and Western Psychology' *Indian Journal of Psychiatry* 55 (supplement 2) 165, from journal search from library.

Discussion Questions

1. What are the Four Noble Truths and how do they relate to each other?
2. Is Buddhism a philosophy or religion?

WEEK NINE, THE RULES OF BUDDHIST MONKS

Readings

Voyce 'The Communal Discipline of the Buddhist Order of Monks: The Sanction of the Vinaya Pitaka', *American Journal of Jurisprudence*, 29 (1984) 123-150.

Voyce 'The Legal Authority of Buddha over the Buddhist Order of Monks', *Journal of Law and Religion*, 1, 2 (1983) 307-323.

Malcolm Voyce '[From Ethics to Aesthetics: A Reconsideration of Buddhist Monastic Rules in the Light of Michel Foucault](#)'

In *Contemporary Buddhism* 2015, pages 1-30.

Discussion Questions

1. What was the role of confession in the Vinaya? Are the ideas of Bataille and his notions on transgression appropriate in the context of the Vinaya?

2. What is the role of beauty in Theravada Buddhism and to what degree does it assist mental cultivation?

3. What is the role of the Vinaya? Should we consider it a legal text? Were the rules generalizations for all occasions or just rules for particular instances?

WEEK TEN, ISLAMIC LAW

Readings

J. Eposito 'Introduction to Islamic Law' in J. Eposito *Islamic Society*, 1-27.

J. Hussain, 'Family Law and Muslim Communities' in *Islam: Its Law and Society* Federation Press 28-45-87.

Discussion Questions

What are the sources of Islamic law? What is the role of the Sharia? What are the rules as regards family life as regards divorce and inheritance?

WEEK ELEVEN, SHARIA LAW AND HUMAN RIGHTS

Readings

An-Na'im. (2006). 'Why should Muslims abandon Jihad? Human rights and the future of international law.' *Third World Quarterly* 27(5): 785-797.

H. Bielefeldt (2000). 'Western" versus "Islamic" Human Rights Conceptions?: A Critique of Cultural Essentialism in the Discussion on Human Rights, *Political Theory* 28(1): 90-121

Discussion Questions

How do western and Islamic legal rights differ? What is the role of the individual in these traditions? Consider the issue over religious dress. Formulate your position on this issue.

WEEK TWELVE, SHARIA LAW: SHOULD IT BE ADOPTED IN AUSTRALIA

Yilmaz, 'Law as Chameleon: The Question of Incorporation of Muslim Personal Law into English Law' *Journal of Muslim Minority Affairs* [2001 21](#), 2.

'Group Rights' *Stanford Encyclopedia of Philosophy* , on line

Sayad 'The Accommodation of Minority Customs in Sweden', *European Journal of Law Reform* 2010, 12, 319, available from journal search.

Doppelt 'Illiberal Cultures and Group Rights' 12, *Journal of Contemporary Legal Issues*, 2001-2, 661, available from multi- search in library.

Discussion question

1. Is it appropriate to have group rights for religious minorities? Demonstrate the validity of the argument by examining the theorists in the Doppelt article as regards family law and inheritance rights. Do the normative limits of liberalism fail to capture Muslim subjectivity as regards family law?
2. Should sharia law be adopted in Australia?

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

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

- 1. Demonstrate an understanding of the basis for religious freedom principles and their operation in the constitutional law of states such as Australia, the United States, Canada

and South Africa;

- 2. Examine the relationship between church and state with an examination of states such as the United Kingdom, the United States, France and Australia;
- 3. Analyse the relationship of Islam and Buddhism and the law;
- 4. Analyse the intersections of law and religion relating to laws governing sacred site protection, voluntary euthanasia, blasphemy, same-sex marriage and clergy employment.
- 5. Critically analyse and applying relevant legal principles to problem situations;
- 6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

Assessment tasks

- Research Essay: Assessment 1
- Research Essay: Assessment 2
- Active Participation

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 outcomes

- 5. Critically analyse and applying relevant legal principles to problem situations;
- 6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

Assessment tasks

- Research Essay: Assessment 1
- Research Essay: Assessment 2
- Active Participation

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

- 5. Critically analyse and applying relevant legal principles to problem situations;
- 6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

Assessment tasks

- Research Essay: Assessment 1
- Research Essay: Assessment 2
- Active Participation

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

- 1. Demonstrate an understanding of the basis for religious freedom principles and their operation in the constitutional law of states such as Australia, the United States, Canada and South Africa;
- 2. Examine the relationship between church and state with an examination of states such as the United Kingdom, the United States, France and Australia;
- 3. Analyse the relationship of Islam and Buddhism and the law;
- 4. Analyse the intersections of law and religion relating to laws governing sacred site protection, voluntary euthanasia, blasphemy, same-sex marriage and clergy employment.

Assessment tasks

- Research Essay: Assessment 1
- Research Essay: Assessment 2
- Active Participation

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

- 2. Examine the relationship between church and state with an examination of states such as the United Kingdom, the United States, France and Australia;
- 5. Critically analyse and applying relevant legal principles to problem situations;

Assessment tasks

- Research Essay: Assessment 1
- Research Essay: Assessment 2
- Active Participation

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

- 1. Demonstrate an understanding of the basis for religious freedom principles and their operation in the constitutional law of states such as Australia, the United States, Canada and South Africa;
- 2. Examine the relationship between church and state with an examination of states such as the United Kingdom, the United States, France and Australia;
- 5. Critically analyse and applying relevant legal principles to problem situations;
- 6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

Assessment tasks

- Research Essay: Assessment 2
- Active Participation

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

- 1. Demonstrate an understanding of the basis for religious freedom principles and their operation in the constitutional law of states such as Australia, the United States, Canada and South Africa;
- 5. Critically analyse and applying relevant legal principles to problem situations;
- 6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

Assessment tasks

- Research Essay: Assessment 1
- Research Essay: Assessment 2
- Active Participation

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

- 4. Analyse the intersections of law and religion relating to laws governing sacred site protection, voluntary euthanasia, blasphemy, same-sex marriage and clergy employment.
- 5. Critically analyse and applying relevant legal principles to problem situations;
- 6. Critically explain, analyse and evaluate the relevant theoretical bases of relevant legal principles.

Assessment tasks

- Research Essay: Assessment 1
- Research Essay: Assessment 2
- Active Participation

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 outcome

- 1. Demonstrate an understanding of the basis for religious freedom principles and their operation in the constitutional law of states such as Australia, the United States, Canada and South Africa;