



# ARTS2845

Sex, Human Rights and Justice

Term Two // 2021

## Course Overview

### Staff Contact Details

#### Convenors

Name	Email	Availability	Location	Phone
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### School Contact Information

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## **Course Details**

**Credit Points 6**

### **Summary of the Course**

This course examines the principles and practices of human rights in relation to questions of sex and sexual relations. In particular, the focus of the course is on the adequacy and appropriateness of a human rights approach to justice in exploring those questions. We explore conceptions of freedom, dignity and autonomy of the person which lie at the foundation of human rights understandings, in connection with conceptions of equality, non-subordination, privacy, consent, freedom of contract, markets, and citizenship.

These understandings will be further considered in relation to specific areas such as discrimination, harassment, pornography, prostitution/sex work and trafficking, abortion, sexual violence and rape.

### **Course Learning Outcomes**

1. Grasp that literacy in questions of human rights and of sex/gender is a requirement for all who wish to understand politics and justice properly
2. Develop a reflective awareness of the importance of ethical issues in politics and society
3. Learn to deliberate carefully about these issues in company with your peers
4. Learn how to read a book carefully and profitably
5. Develop disciplined research and writing techniques, including the use of bibliographical materials
6. Develop an ability to produce succinct and relevant notes through reading reports, and to write coherently and analytically during tests and quizzes

### **Teaching Strategies**

Please refer to the information in Moodle

# Assessment

## Assessment Tasks

Assessment task	Weight	Due Date	Student Learning Outcomes Assessed
Test	40%	Week 5 and Week 9	6
Essay	50%	10/08/2021 11:59 PM	1, 2, 4, 5
Tutorial Report	10%	10/08/2021 11:59 PM	3

## Assessment Details

### Assessment 1: Test

**Details:** Two online tests, each worth 20%, will be held in Week 5 and Week 9 of the semester. Each test will be marked within two weeks of submission and the students will receive numerical grades.

### Additional details:

You are required to do the assigned readings every week as the basis for tutorial discussion. These readings and other course work also form the basis for the first assessment, an online quiz/test that involves short answers in Week 5. The second online quiz/test takes the form of an analysis of a short passage related to course questions. Your analysis should be approximately 750-1000 words long. You will not be penalised for going over the word limit, but please remember that it is important to be succinct and to avoid being long-winded in all written work. If the comments on your written work are not sufficiently helpful, we can of course discuss your ideas and questions.

In completing the second quiz, you need to demonstrate that you have read and tried to understand the assigned passage. The best way to do this is, first of all, to decide what you think is the central point of the reading. That is, what is the main claim the author wants you to be persuaded of or to think about, and the main lines of the author's case for that claim? This cannot be done well by simply quoting or paraphrasing certain sentences from the reading. You will have to explain the author's main claim in your own words, the words *you* would use to explain it. Another goal is to go a bit beyond explaining the author's point, in order to assess the work and to make some closely pertinent point of your own. You do not have enough space to launch a big argument of your own, but critical or evaluative arguments can be roughly indicated in a few sentences. However, it is not much use simply to vent an opinion unless you give some reason to hold it. In all, a good analysis should accomplish three main objectives:

1. Critical exposition and analysis of what you see as the focus or most interesting aspect of the reading
2. Indication of the major themes and stages used to develop the argument in the reading passage
3. Assessment of the strength and weakness of the argument, integrated *throughout* your analysis

You can practise doing a reading report before the class assessments by preparing a report on the weekly readings along these lines.

**Turnitin setting:** This assignment is submitted through Turnitin and students do not see Turnitin similarity reports.

## **Assessment 2: Essay**

**Length:** 2501 words

**Details:** Students submit an individual essay (2500 words). Qualitative feedback and a numerical grade are returned to students within ten working days of due date. The assessment criteria are available to students at the start of semester so that they can work towards specified standards. This is the final assessment in this course for the purposes of the attendance requirement.

## **Assessment 3: Tutorial Report**

**Length:** approx 500 words

**Details:** Students submit an individual report on their tutorial preparation and participation (500 words). The assessment criteria are available to students at the start of semester so that they can work towards specified standards. Students will receive feedback within ten working days of submission.

**Turnitin setting:** This assignment is submitted through Turnitin and students do not see Turnitin similarity reports.

## Attendance Requirements

## Course Schedule

[View class timetable](#)

### Timetable

Date	Type	Content
Week 1: 31 May - 4 June		General introduction: Orientation and questions
Week 2: 7 June - 11 June		Understandings of human rights, sex/gender, and justice
Week 3: 15 June - 18 June		Discrimination in public and private
Week 4: 21 June - 25 June		Sexual harassment and intimate relations
Week 5: 28 June - 2 July		Abortion: A question of life, privacy or of sexual equality?
Week 6: 5 July - 9 July		Flexibility week
Week 7: 12 July - 16 July		Consent and harm, autonomy and privacy, and the case of sado-masochism
Week 8: 19 July - 23 July		Rape and sexual assault: Individual and/or social harm?
Week 9: 26 July - 30 July		Rape and sexual slavery in war and armed conflict
Week 10: 2 August - 6 August		Prostitution, sex work and trafficking: A question of contractual freedom or of exploitation?

## Resources

### Prescribed Resources

The essential readings for each week are marked with an asterisk in the weekly schedule.

### Recommended Resources

As noted above, tutorials presuppose that you have read and made an honest attempt to understand the required reading for each week, which is starred in the course guide below.

It is important that as citizens, and students of politics, you read at least one good news source daily (for example, the online *Guardian* or *New York Times* is adequate), as well as weekly and monthly journals that provide information and argument about the state of the world. Please feel free to ask the Course Coordinator for suggestions about other books, articles or websites that might help you to gain understanding in specific areas of interest to you. **And in general, do not allow yourself to fall behind with work because of not asking for help!**

- **Useful reference works on human rights include**

Henry J. Steiner, Philip Alston and Ryan Goodman, ed., *International Human Rights in Context: Law, Politics, Morals*, 3<sup>rd</sup> ed. (Oxford: Oxford University Press, 2007)

Nick O'Neill, Simon Rice and Roger Douglas, *Retreat from Injustice: Human Rights Law in Australia* 2<sup>nd</sup> ed. (Sydney: Federation Press, 2004)

Martin Flynn, *Human Rights in Australia: Treaties, Statutes and Cases* (Sydney: Butterworths, 2003)

Stuart Kaye and Ryszard Piotrowicz, *Human Rights in International and Australian Law* (Sydney: Butterworths, 2000)

Regina Graycar and Jenny Morgan, *The Hidden Gender of Law*, 2<sup>nd</sup> ed. (Sydney: Federation Press, 2002)

Kelly D. Askin and Dorean M. Koenig, ed., *Women and International Human Rights Law* 3 vols. (Ardsey NY: Transnational Publishers, 1999-2001)

Catharine A. MacKinnon, *Sex Equality* (New York: Foundation Press, 2001)

Catharine A. MacKinnon, *Women's Lives, Men's Laws* (Cambridge, Mass.: Harvard University Press, 2005)

Catharine A. MacKinnon, *Are Women Human? And Other International Dialogues* (Cambridge Mass.: Harvard University Press, 2006)

Louis Henkin et al., ed., *Human Rights* (New York: Foundation Press, 1999), also note supplements

- **Useful online sources include**

[Google](#) and [Google Scholar](#)

Of course! You can set up the preferences to link Google Scholar to the UNSW Library even when you are not on campus: go to Google Scholar> settings> library links, and enter 'University of New South Wales' in the box for 'Library'.

[United Nations](#), and [UN Women](#)

The UN site offers access to documents, decisions and everything else to do with the UN (as the site is gigantic, it is sometimes quicker to search for UN documents using [Google](#)).

[Australian Legal Information Institute \(AustLII\)](#)

This site provides access to an extensive selection of primary and secondary Australian legal materials, and has links to many international legal databases and electronic journals.

[Australian Parliament](#)

This site provides access to debates, legislation, committees, parliamentary who's who etc., with a digital search of records from 1901 at [ParlInfo](#), and invaluable publications at the [Parliamentary Library](#).

[High Court of Australia](#)

The Court's home page offers decisions, transcripts, recent speeches, biographies of the judges, etc.

[Human Rights Watch](#), esp. [Women's Rights](#)

[European Court of Human Rights](#)

Cases and other material from the European Court.

[United Kingdom Parliament](#)

This site offers access to both political and legal decisions, plus all the usual stuff on government. There are also separate websites for the [Scottish Government \(Riaghaltas na h-Alba\)](#), the [Welsh Government \(Llywodraeth Cymru\)](#), and the [Northern Ireland Executive](#) [possible].

[The White House](#)

Official web site for the White House and the 45<sup>th</sup> President of the USA.

[Supreme Court of Canada](#)

This site provides access to decisions of the Supreme Court of Canada.

[Supreme Court of the United States](#)

This site offers US Supreme Court decisions as well as lots of other material.

[Oyez](#)



This US Supreme Court Multimedia site provides access to oral arguments, transcripts and cases.

Many other useful databases are available via the [UNSW Library website](#).

## **Course Evaluation and Development**

At UNSW, student evaluative feedback is gathered periodically using, among other means, the myExperience process. Student feedback on this course is gathered through myExperience evaluations at the end of the course, and at any time students are welcome to email or speak to the Convenor about questions or problems. It is sometimes the case that students understand the significance of some of the problems considered only after the course is formally completed, and students are also always welcome to contact the seminar Convenor after classes have finished, even many years after the course has ended. All feedback is carefully considered, reflected upon, and used to evaluate and refine all aspects of the course.

## **Submission of Assessment Tasks**

### **Turnitin Submission**

If you encounter a problem when attempting to submit your assignment through Turnitin, please telephone External Support on 9385 3331 or email them on [externalteltsupport@unsw.edu.au](mailto:externalteltsupport@unsw.edu.au) . Support hours are 8:00am – 10:00pm on weekdays and 9:00am – 5:00pm on weekends (365 days a year). If you are unable to submit your assignment due to a fault with Turnitin you may apply for an extension, but you must retain your ticket number from External Support (along with any other relevant documents) to include as evidence to support your extension application. If you email External Support you will automatically receive a ticket number, but if you telephone you will need to specifically ask for one. Turnitin also provides updates on their system status on Twitter.

Generally, assessment tasks must be submitted electronically via either Turnitin or a Moodle assignment. In instances where this is not possible, it will be stated on your course's Moodle site with alternative submission details.

For information on how to submit assignments online via Moodle: <https://student.unsw.edu.au/how-submit-assignment-moodle>

## Academic Honesty and Plagiarism

Plagiarism is using the words or ideas of others and presenting them as your own. It can take many forms, from deliberate cheating to accidentally copying from a source without acknowledgement.

UNSW groups plagiarism into the following categories:

**Copying:** using the same or very similar words to the original text or idea without acknowledging the source or using quotation marks. This also applies to images, art and design projects, as well as presentations where someone presents another's ideas or words without credit.

**Inappropriate paraphrasing:** Changing a few words and phrases while mostly retaining the original structure and/or progression of ideas of the original, and information without acknowledgement. This also applies in presentations where someone paraphrases another's ideas or words without credit and to piecing together quotes and paraphrases into a new whole, without appropriate referencing.

**Collusion:** working with others but passing off the work as a person's individual work. Collusion also includes providing your work to another student before the due date, or for the purpose of them plagiarising at any time, paying another person to perform an academic task, stealing or acquiring another person's academic work and copying it, offering to complete another person's work or seeking payment for completing academic work.

**Inappropriate citation:** Citing sources which have not been read, without acknowledging the "secondary" source from which knowledge of them has been obtained.

**Duplication ("self-plagiarism"):** submitting your own work, in whole or in part, where it has previously been prepared or submitted for another assessment or course at UNSW or another university.

Correct referencing practices:

- Paraphrasing, summarising, essay writing and time management
- Appropriate use of and attribution for a range of materials including text, images, formulae and concepts.

Individual assistance is available on request from The Learning Centre (<http://www.lc.unsw.edu.au/>). Students are also reminded that careful time management is an important part of study and one of the identified causes of plagiarism is poor time management. Students should allow sufficient time for research, drafting and proper referencing of sources in preparing all assessment items.

UNSW Library also has the ELISE tool available to assist you with your study at UNSW. ELISE is designed to introduce new students to studying at UNSW but it can also be a great refresher during your study.

Completing the ELISE tutorial and quiz will enable you to:

- analyse topics, plan responses and organise research for academic writing and other assessment tasks
- effectively and efficiently find appropriate information sources and evaluate relevance to your needs
- use and manage information effectively to accomplish a specific purpose
- better manage your time

- understand your rights and responsibilities as a student at UNSW
- be aware of plagiarism, copyright, UNSW Student Code of Conduct and Acceptable Use of UNSW ICT Resources Policy
- be aware of the standards of behaviour expected of everyone in the UNSW community
- locate services and information about UNSW and UNSW Library

Some of these areas will be familiar to you, others will be new. Gaining a solid understanding of all the related aspects of ELISE will help you make the most of your studies at UNSW.

<http://subjectguides.library.unsw.edu.au/elise/aboutelise>

## Academic Information

For essential student information relating to:

- requests for extension;
- late submissions guidelines;
- review of marks;
- UNSW Health and Safety policies;
- examination procedures;
- special consideration in the event of illness or misadventure;
- student equity and disability;
- and other essential academic information, see

<https://www.arts.unsw.edu.au/current-students/academic-information/protocols-guidelines/>

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## CRICOS

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## Acknowledgement of Country

We acknowledge the Bedegal people who are the traditional custodians of the lands on which UNSW Kensington campus is located.