

LAWS70453 Human Rights and Culture

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	This subject is not offered in 2016.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	For more information: Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>This subject examines the human rights system from an anthropological perspective, as a social system. It studies the practices of international conventions and conferences as well as local communities and non-governmental organisations. This subject focuses on tensions and translations between human rights and culture, including opposition to human rights in the name of protecting cultural differences. To resolve the apparent opposition between culture and rights, it is important to understand how human rights are mobilised in specific contexts. Issues will be explored through case studies including the International Criminal Tribunals for Rwanda and the former Yugoslavia, current cases before the International Criminal Court, the World Social Forum and Global Justice Movement, and the unfolding impact of the UN Declaration on the Rights of Indigenous Peoples. The lecturer is an anthropologist and former lawyer who has worked on human rights issues in Australia, the United States and Europe.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # The human rights system in practice: major conventions, procedures and organisations # Historical genealogies of 'culture' and 'human rights' # The meanings of universalism and relativism

	<ul style="list-style-type: none"> # Contestation, resistance and critique of human rights # Culture and Indigenous rights # Human rights and social movements # The translation of human rights into local contexts: the process of vernacularisation # Rethinking the human rights system as a set of social practices as well as a system of law.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the meanings of culture and the nature of human rights as a system of law and as one of practice # Be able to critically examine, analyse, interpret and assess areas of apparent contradiction between culture and rights and develop creative ways of analysing these conflicts # Have a sophisticated appreciation of the theoretical concepts and tools to articulate these issues in the practice of human rights law that will facilitate doing human rights law # Have an advanced understanding of the social science language necessary to think about human rights as a social process as well as a system of law # Have a detailed understanding of the concept of cultural pluralism and legal pluralism in an international human rights context # Have the cognitive and technical skills to generate critical and creative ideas relating to human rights law, and to critically evaluate existing legal theories, principles and concepts with creativity and autonomy.
Assessment:	Take-home examination (100%) (16-19 October) or 10,000 word research paper (100%) (25 November) on a topic approved by the subject coordinator
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70453/2015
Notes:	This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists.
Related Course(s):	<ul style="list-style-type: none"> Graduate Diploma in Human Rights Law Graduate Diploma in International Law Graduate Diploma in Legal Studies Master of Human Rights Law Master of Law and Development Master of Laws Master of Public and International Law