UNSW Course Outline

LAWS3139 Law and Society in Asia - 2024

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General Course Information

Course Code : LAWS3139
Year : 2024
Term : Term 3
Teaching Period : T3
Is a multi-term course? : No
Faculty : Faculty of Law and Justice
Academic Unit : School of Global and Public Law
Delivery Mode : In Person
Delivery Format : Standard
Delivery Location : Kensington
Campus : Sydney
Study Level : Undergraduate
Units of Credit : 6

Useful Links

[Handbook](#) [Class Timetable](#)

Course Details & Outcomes

Course Description

This course will provide students with an introduction to law and society studies in the context of Asia. Central to the study of law and society is the idea that law does not only exist on the books, but also in action. Further, this course introduces students to critical questions about law in

postcolonial societies in Asia and asks when and why law matters, and in whose interests it matters. The course will primarily draw on the case of Indonesia in comparative context. Core themes of the course include: the origins of socio-legal studies in Indonesia; Islam and the state; constitutionalism; human rights; the role of courts; processes of law reform; and legal pluralism.

This elective may run in Sydney or may run in Indonesia. When run in Indonesia it will provide students with a unique opportunity for a cross-cultural and immersive learning experience.

Course Aims

The course will primarily draw on the case of Indonesia in comparative context. Core themes of the course include: the origins of socio-legal studies in Indonesia; Islam and the state; constitutionalism; human rights; the role of courts; processes of law reform; and legal pluralism.

Relationship to Other Courses

This course is broadly related to other courses in the area of international/regional and comparative law.

Course Learning Outcomes

Course Learning Outcomes
CLO1 : Display a clear knowledge of the origins and development of the field of law and society studies generally, and in Indonesia specifically; (PLOs 1 & 3)
CLO2 : Evidence an advanced understanding of relevant theoretical perspectives in law and society studies (PLOs 1, 2, 3 & 7)
CLO3 : Navigate and apply constitutional provisions and statutes, as well as court decisions, in Indonesia (PLO 4)
CLO4 : Engage in critical analysis of the role and function of constitutions and courts in Asia; (PLOs 5 & 6)
CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9 & 10)
CLO6 : Demonstrate the timely composition of effective and sophisticated written communication for a specialist audience (PLOs 9 & 12)

Course Learning Outcomes	Assessment Item
CLO1 : Display a clear knowledge of the origins and development of the field of law and society studies generally, and in Indonesia specifically; (PLOs 1 & 3)	• Class participation • Research Essay Proposal (1000 Words) • Research Essay (5000 words)
CLO2 : Evidence an advanced understanding of relevant theoretical perspectives in law and society studies (PLOs 1, 2, 3 & 7)	• Class participation • Research Essay Proposal (1000 Words) • Research Essay (5000 words)
CLO3 : Navigate and apply constitutional provisions and statutes, as well as court decisions, in Indonesia (PLO 4)	• Class participation • Research Essay Proposal (1000 Words) • Research Essay (5000 words)
CLO4 : Engage in critical analysis of the role and function of constitutions and courts in Asia; (PLOs 5 & 6)	• Class participation • Research Essay Proposal (1000 Words) • Research Essay (5000 words)
CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9 & 10)	• Class participation • Research Essay Proposal (1000 Words) • Research Essay (5000 words)
CLO6 : Demonstrate the timely composition of effective and sophisticated written communication for a specialist audience (PLOs 9 & 12)	• Class participation • Research Essay Proposal (1000 Words) • Research Essay (5000 words)

Learning and Teaching Technologies

Moodle - Learning Management System

Additional Course Information

Assessments: class participation; research proposal, research essay

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Class participation Assessment Format: Individual Short Extension: Yes (2 days)	25%	Start Date: 09/09/2024 09:00 AM Due Date: 09/10/2024 01:00 PM
Research Essay Proposal (1000 Words) Assessment Format: Individual Short Extension: Yes (2 days)	25%	Start Date: 02/09/2024 Due Date: 17/10/2024 10:00 AM
Research Essay (5000 words) Assessment Format: Individual Short Extension: Yes (2 days)	50%	Start Date: 02/09/2024 12:00 AM Due Date: 18/11/2024 10:00 AM

Assessment Details

Class participation

Assessment Overview

Class participation – When run as an intensive elective, whether in country or in Sydney, students will be required to participate in all classes in person. Students may be required to give a presentation and participate in group work during class, as well as comment on set readings.

See the Term specific course information for further detail about this assessment.

Course Learning Outcomes

- CLO1 : Display a clear knowledge of the origins and development of the field of law and society studies generally, and in Indonesia specifically; (PLOs 1 & 3)
- CLO2 : Evidence an advanced understanding of relevant theoretical perspectives in law and society studies (PLOs 1, 2, 3 & 7)
- CLO3 : Navigate and apply constitutional provisions and statutes, as well as court decisions, in Indonesia (PLO 4)
- CLO4 : Engage in critical analysis of the role and function of constitutions and courts in Asia; (PLOs 5 & 6)
- CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9 & 10)
- CLO6 : Demonstrate the timely composition of effective and sophisticated written communication for a specialist audience (PLOs 9 & 12)

Detailed Assessment Description

Class participation will be assessed on the extent to which students participate and engage in class, including generating critical questions and issues for debate, and contributing to class discussion based on the set readings. Students are expected to come to class having already read the required readings set for that class, which represents the minimum for students to participate effectively in class. From the readings, students should be able to contribute to class discussion on the key issues and arguments that are raised in the readings, how the readings fit together or offer different perspectives on similar themes, their opinion is on these issues, and any questions that arise from the readings. .

Depending on class size, students may be allocated readings and will be expected to introduce these readings and contribute to discussions on these materials. Students may also be expected to present to the class on news items related to the course, and analyse and explain their relevance to the themes and ideas of the course. A key element of class participation also includes presenting your draft research proposal and draft research essay in class.

Submission notes

Class participation is assessed throughout the term. Students have the option of submitting a CP self-assessment in Week 5

Assessment information

This class follows the Law Faculty's requirement of 80% class attendance to complete the course. If less than 80% of classes are attended, and if a student receive special consideration, then CP mark will be assessed and awarded based on participation performance during classes that the student attends.

Assignment submission Turnitin type

Not Applicable

Generative AI Permission Level

No Assistance

This assessment is designed for you to complete without the use of any generative AI. You are not permitted to use any generative AI tools, software or service to search for or generate information or answers.

For more information on Generative AI and permitted use please see here.

Research Essay Proposal (1000 Words)

Assessment Overview

The proposal is a short 1,000 word assessment that must include – essay title, research question, outline of essay, main argument, list of references (not included in word count). Students will be able to choose their own essay topic, as long as it relates to one or more of the key themes of the course. If needed, the lecturer will create a set list of topic questions that students can instead choose from.

Course Learning Outcomes

- CLO1 : Display a clear knowledge of the origins and development of the field of law and society studies generally, and in Indonesia specifically; (PLOs 1 & 3)
- CLO2 : Evidence an advanced understanding of relevant theoretical perspectives in law and society studies (PLOs 1, 2, 3 & 7)
- CLO3 : Navigate and apply constitutional provisions and statutes, as well as court decisions, in Indonesia (PLO 4)
- CLO4 : Engage in critical analysis of the role and function of constitutions and courts in Asia; (PLOs 5 & 6)
- CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9 & 10)
- CLO6 : Demonstrate the timely composition of effective and sophisticated written communication for a specialist audience (PLOs 9 & 12)

Detailed Assessment Description

Students are required to submit a research proposal on a topic of their choice related to the themes of the course, which will form the basis for their research essay. The research proposal should be no more than 1,000 words, plus a one page bibliography. The proposal must include a heading, a research question, an explanation of why the topic is significant, a brief outline, and a list of references. Students will be given further detailed guidance and support in class. The research proposal is an important part of the course assessment because it will provide students with valuable feedback on the progress of their research paper.

Assessment Length

1000 words (excluding references)

Assessment information

Detailed instructions on the research essay proposal will be provided in class and on Moodle

Assignment submission Turnitin type

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

<u>Generative AI Permission Level</u>

Simple Editing Assistance

In completing this assessment, you are permitted to use standard editing and referencing functions in the software you use to complete your assessment. These functions are described below. You must not use any functions that generate or paraphrase passages of text or other media, whether based on your own work or not.

If your Convenor has concerns that your submission contains passages of AI-generated text or media, you may be asked to account for your work. If you are unable to satisfactorily demonstrate your understanding of your submission you may be referred to UNSW Conduct & Integrity Office for investigation for academic misconduct and possible penalties.

For more information on Generative AI and permitted use please see here.

Research Essay (5000 words)

<u>Assessment Overview</u>

The research essay is a 5,000 essay related to a course theme of the course and based on the students own research combined with readings from the course. Detailed instructions on the essay and workshopping of essay proposals will be undertaken in class.

<u>Course Learning Outcomes</u>

- CLO1 : Display a clear knowledge of the origins and development of the field of law and society studies generally, and in Indonesia specifically; (PLOs 1 & 3)
- CLO2 : Evidence an advanced understanding of relevant theoretical perspectives in law and society studies (PLOs 1, 2, 3 & 7)
- CLO3 : Navigate and apply constitutional provisions and statutes, as well as court decisions, in Indonesia (PLO 4)
- CLO4 : Engage in critical analysis of the role and function of constitutions and courts in Asia; (PLOs 5 & 6)
- CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner (PLOs 9 & 10)
- CLO6 : Demonstrate the timely composition of effective and sophisticated written communication for a specialist audience (PLOs 9 & 12)

<u>Detailed Assessment Description</u>

Students are required to submit a research paper of no more than 5,000 words. The paper must be based on the students' own research. The essay provides students with a unique opportunity to enhance their learning and development on a topic of interest to them, within the parameters of the course themes. Detailed instructions on the research essay will be provided in class and students will be required to present their findings in class at the end of

term

<u>Assessment Length</u>

5,000

<u>Assessment information</u>

Detailed instructions will be provided to students in class

<u>Assignment submission Turnitin type</u>

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

<u>Generative AI Permission Level</u>

No Assistance

This assessment is designed for you to complete without the use of any generative AI. You are not permitted to use any generative AI tools, software or service to search for or generate information or answers.

For more information on Generative AI and permitted use please see here.

General Assessment Information

For further information on generative AI use in the Faculty of Law & Justice, please review the section titled 'Academic Honesty and Plagiarism' under the 'Other Useful Information' tab.

<u>Grading Basis</u>

Standard

Course Schedule

Teaching Week/Module	Activity Type	Content
Week 1 : 9 September - 15 September	Other	This class will provide an overview and introduction to the themes of the course, such as the idea of law and society, Asian legal studies, constitutionalism, legal pluralism, and law and authoritarianism. The course will primarily focus on Southeast Asia and South Asia. A clear and detailed set of instructions on the assessments for this course will be provided and students will have the chance to ask questions. Students will familiarise themselves with relevant sources and databases on Asian legal studies relevant to the research essay. Students will also be able to sign up for the readings in this class.
Week 2 : 16 September - 22 September	Other	This class will include discussion of the readings, groupwork, and presentations related to the themes of the course such as constitutionalism, legal pluralism and legal culture. Further instructions and discussion on the research proposal will be provided
Week 3 : 23 September - 29 September	Other	This class will include discussion of the readings, groupwork, and presentations related to the themes of the course such as constitutionalism, legal pluralism and legal culture.
Week 4 : 30 September - 6 October	Other	This class will be based on discussion of the readings, group work and presentations, related to the themes of the course such as constitutionalism and social movements.
Week 5 : 7 October - 13 October	Other	This class will be based on discussion of the readings, group work and presentations. Students will have the opportunity to present their draft research proposal to the class and to receive feedback on their proposal. Students will also have the opportunity to submit a class participation self-assessment and receive feedback.
Week 6 : 14 October - 20 October	Other	Reading week - there is no class this week. Students will submit their research proposal
Week 7 : 21 October - 27 October	Other	This class will be based on discussion of the readings, group work and presentations such as law and authoritarianism. Collective feedback will be given on the research proposals in class.
Week 8 : 28 October - 3 November	Other	This class will include discussion of the readings, groupwork, and presentations such as law and authoritarianism
Week 9 : 4 November - 10 November	Other	This class will include discussion of the readings, groupwork, and presentations such as law and authoritarianism
Week 10 : 11 November - 17 November	Other	Students will present their research essays in this class. There will be the opportunity to review and sum up the course. Class may include some final readings, group work and discussion. Students will have the opportunity to complete the course evaluation for this course, and to provide additional feedback on the course.

Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

Course Resources

Prescribed Resources

All readings will be available on Moodle or via the UNSW library

Course Evaluation and Development

Student feedback on the course will be gathered iteratively throughout the course, including through discussion based and written opportunities in the first and last class. Previous feedback from students has led to the class participation mark and research proposal mark being increased, and the research essay mark reduced. Previous feedback has also expanded the scope of the course from Southeast Asia to Asia more broadly, to cater for a wider range of student interests in the region.

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Melissa Crouch					Yes	Yes

Other Useful Information

Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the UNSW Law & Justice Assessment Policy & Student Information. This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at Assessment & Exam Information.

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact Student Services via The Nucleus Hub for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit Handbook for information.

Academic Honesty and Plagarism

As a student at UNSW you are expected to display academic integrity in your work and interactions. Where a student breaches the UNSW Student Code with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the Working with Academic Integrity module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

Generative AI

Using generative AI to conduct research or to organise your argument is not prohibited but is not encouraged. We note that the output from generative AI tools is often incorrect and almost always more superficial than is required to achieve a passing grade. Moreover, any substantive errors in the assessment, such as inappropriate references or incorrect statements, will be regarded negatively by the marker, just as they would if not generated by AI. You should limit your use of AI to simple editorial assistance, such as standard editing and referencing functions in word processing software in the creation of your submission. You must not use any functions that generate or paraphrase passages of text, whether based on your own work or not. If your marker or Turnitin identify the wrongful use of generative AI in the text of your assessment submission, including the use of paraphrasing software, your assessment may be referred to the

Student Integrity team for investigation. Please go to the link for further information about [referencing and acknowledging the use of artificial intelligence tools](#).

Prohibition on use of translation apps

With limited exceptions for language study, the course of study and assessment in Australian universities must be in English (Higher Education Standard Framework (Threshold Standards) 2021 1.5 6(c)).

In Law & Justice many classes have assessable class participation. This must be in English. **Use of a translation device to assist with contributions to class discussion is not allowed.** Marks for class participation may be reduced where use of translation devices is detected. Similar prohibitions apply to use of any other generative text app that is not specifically permitted by the class teacher. However, use of translation software to assist a student to understand material outside of class, or to assist with preparation for assessment is generally permitted.

Further considerations apply to LLB and JD students. International lawyers who seek to be admitted in NSW must satisfy an English proficiency test. That test is expressed as equivalent to IELTS scores of 7.0 -8.0 across the tests. It is assumed that UNSW graduates are at or above those levels of English proficiency. Use of translation apps can impede the attainment of that level of proficiency. Students should avoid behaviours that put them at risk of breach of legal requirements which can have significant consequences, including potential consequences for your admission as a lawyer.

Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior

to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

Faculty-specific Information

Additional support for students

- Student support: https://www.student.unsw.edu.au/support
- Academic Skills and Support: https://student.unsw.edu.au/academic-skills
- Student Wellbeing, Health and Safety: https://student.unsw.edu.au/wellbeing
- Equitable Learning Services: https://student.unsw.edu.au/els
- UNSW IT Service Centre: https://www.myit.unsw.edu.au

Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

School Contact Information

Please contact Nucleus Student Hub for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.