

Course Outline

COURSE: LAWS 3908A Approaches to Legal Studies II

PREREQUISITES: LAWS 2908

TERM: Fall 2012

CLASS: **Day & Time:** Tuesday 6:00-9:00pm
 Room: Please check with Carleton Central for current room location

INSTRUCTOR: Zeina Bou-Zeid, PhD

CONTACT: **Office:** B442 Loeb
 Office Hrs: Tuesday 5:00-6:00pm
 Email: Zeina_Bou-Zeid@carleton.ca

Students with disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (PMC) for a formal evaluation of disability-related needs. Documented disabilities could include but are not limited to mobility/physical impairments, specific Learning Disabilities (LD), psychiatric/psychological disabilities, sensory disabilities, Attention Deficit Hyperactivity Disorder (ADHD), and chronic medical conditions. Registered PMC students are required to contact the PMC, **613-520-6608**, every term to ensure that I receive your Letter of Accommodation, no later than two weeks before the first in-class test/midterm requiring accommodations. If you only require accommodations for your formally scheduled exam(s) in this course, please submit your request for accommodations to PMC by the deadlines published on the PMC website. <http://www1.carleton.ca/pmc/students/dates-and-deadlines/>. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

COURSE OBJECTIVE AND CONTENT

This course will focus on theoretically informed analysis, critical thinking, interdisciplinary approaches to legal research and the study of different interdisciplinary research methods and designs. The course will ask you to go beyond the study of traditional sources of law (cases & statutes), for a broader exploration of a legal topic.

The course theme is the experiences of immigrants and refugees. The course focuses on Canada, but will also include comparison with the immigration and refugee laws and policies of other countries. The following core themes are emphasized throughout the course: multiculturalism policies; citizenship theories; immigrant rights; the labour market experiences of migrant workers; discrimination & inequality; some gendered aspects and Canada's response to refugees.

REQUIRED TEXTS

The required readings include articles and books placed on reserve in the library. Some of the readings are located in print form while others are available in electronic form. You can access these readings through CuLearn.

COURSE EVALUATION

Class Participation & Attendance 15%

This class is structured around discussions and class participation. The success of this course depends on informed and lively student leadership and participation. Regular attendance in class is necessary, but not sufficient, to constitute class participation. You are absolutely expected to do the readings carefully before class and come prepared to discuss them. You will be expected to bring questions and contributions to each class. Your analysis of the readings should reflect a critical analysis of the materials and address problems you detect in the readings. The professor will be monitoring the level of class participation by each student throughout the course.

Two Critical Review Papers 25% each

You are being asked to submit 2 critical review papers based on the readings for a particular class. Your analysis should go beyond mere summaries. Your critical review papers should include the key arguments or issues that you have identified in the class readings. The critical review papers are a maximum of 6 pages (double-spaced).

Critical Review #1: Due (in class): **October 9, 2012**

This paper will be based on the readings from one the following classes: Class 3 or 4.

Critical Review # 2: Due (in class): **November 6, 2012**

This paper will be based on the readings from one the following classes: Class 5, 6 or 7.

Final Assignment 35%

You are being asked to complete a short essay. The essay format is short answer style questions. It will contain questions based on the readings from the course. The essay will be a maximum of 12 pages (double-spaced).
Date Handed Out in Class: November 6, 2012.

Due: in Class: **November 27, 2012.**

More detailed instructions for assignments will be provided in class.

ASSIGNMENTS

Students should check CuLearn regularly for course updates and assignments.

Any written work submitted must be typewritten, double-spaced, 12pt Times New Roman font with standard 1inch margins. All assignments **must** include a title page with the course code, your name and your student number and my name on it. Title pages, bibliographies and endnotes are **not** counted in calculating page length for an assignment.

All assignments must be completed in order to pass the course.

All assignments must be handed to me personally in class. Assignments **will not** be accepted by e-mail, posted on CuLearn or under the door of my office.

Students must keep a hard copy of anything submitted for marking for 3 months after submission.

LATE ASSIGNMENTS

Late assignments will be marked down by 10% for each day the assignment is late. Assignments must be submitted within 7 days of the due date. If they are submitted after 7 days they will receive a grade of F.

Requests for an extension must be made to me prior to the due date and will only be considered if there is an extreme reason (requests must be accompanied by supporting documentation). Computer failure, work conflicts or similar problems are not valid excuses for failing to submit an assignment on time.

PLAGIARISM AND OTHER INSTRUCTIONAL OFFENCES

The University's policy concerning plagiarism and other instructional offences is outlined in the Undergraduate Calendar. In particular, students should note that a student commits an instructional offence if he or she "submits substantially the same piece of work to two or more courses without the prior written permission of the instructors from all courses involved. Minor modifications and amendments, such as changes of phraseology in an essay or paper, do not constitute a significant and acceptable reworking of an assignment." Students should also note that it is an instructional offense to commit plagiarism, which is using the words or thoughts of another person without expressly acknowledging it.

CLASS SCHEDULE & READINGS

Class 1. September 11

Introduction and Course Overview

- Discussion of critical analysis & relationship of theory and method.
- Broad overview of course requirements and assignments.
- Broad overview of immigration & refugee law and policy in Canada.

Class 2. September 18

Citizenship Theory & Migration

- Linda Bosniak, "Citizenship" in Peter Cane & Mark Tushnet (eds.) *The Oxford Handbook of Legal Studies* (Oxford University Press, 2003) pp. 183-201.
- Tanja Brøndsted Sejersen "I Vow to Thee My Countries" – The Expansion of Dual Citizenship in the 21st Century" (2008) 42(3) *International Migration Review* pp. 523-549.
- Eleonore Kofman, "Citizenship, Migration and the Reassertion of National Identity" (2005) 9 *Citizenship Studies* pp. 453-467.

Class 3. September 25

Group Rights & Migration

- Bhikhu Parekh, "Cultural Pluralism and the Limits of Diversity" (1995) 20 *Alternatives* pp. 431-457.
- Will Kymlicka, "Three Forms of Group-Differentiated Citizenship" in Seyla Benhabib (ed.) *Democracy and Difference: Contesting the Boundaries of the Political* (Princeton University Press, 1996), pp. 153-70.
- Natasha Bakht, "Were Muslim Barbarians Really Knocking On the Gates of Ontario?: The Religious Arbitration Controversy" (2006) *Ottawa Law Review* pp. 67-82.

Class 4: October 2

Narratives & Migration

- Yvonne Brown, "Ghosts in the Canadian Multicultural Machine: A Tale of Absent Presence of Black People" (2008) 38 *Journal of Black Studies* pp. 374-387.
- Marita Eastmond, "Stories as Lived Experience: Narratives in Forced Migration Research" (2007) 20(2) *Journal of Refugee Studies* pp. 248-264.

Class 5: October 9**Critical Review # 1 Due****Feminist Perspectives & Sexuality Studies**

- Leti Volpp, "Blaming Culture for Bad Behaviour" (2000) 12 Yale Journal of Law & Humanities pp. 89-116.
- Sean Rehaag, "Patrolling the Borders of Sexual Orientation: Bisexual Refugee Claims in Canada (2008) 53 McGill L.J. pp. 59-102.

Class 6: October 16**Racial Discrimination & Migration**

- Alan Simmons, "Racism & Immigration Policy" in V. Satzewich (ed.) *Racism & Social Inequality in Canada* (Toronto: Thompson Educational Pub., 1998) pp. 87-114.
- Avvy Go, "Whose Charter Is It Anyways? An Examination of Charter Litigation as It Relates to the Chinese Canadian Community" (2007) 22 Nat'l J. Const. L. pp. 93-118.

Class 7: October 23**National Security & Migration**

- Audrey Macklin, "Mr. Suresh and the Evil Twin" (2002) 20(4) *Refuge* pp. 15-22.
- Bijon Roy, "A Case Against Biometric National Identification Systems (NIDS): Trading-Off Privacy Without Getting Security (2005) 19 W.R.L.S.I. 45.

Class 8: October 30**Policy Research & Activists**

- Kitty Calavita, "Engaged Research, "Goose Bumps," and the Role of the Public Intellectual" (2002) 36(1) *Law & Society Review* pp. 5-20.
- Patrick Grady, *Is Canadian immigration too high? A labor market and productivity perspective* (The Fraser Institute, 2009) pp. 73-96.
- Laura Pulido, "Frequently (Un)Asked Questions about Being a Scholar Activist" in Charles Hale (ed). *Engaging Contradictions: Theory & Politics & Method of Activist Scholarship* (Berkeley: University of California Press, 2008) pp. 341-365.

Class 9: November 6**Critical Review # 2 Due****Ethnographic Research & Migration**

- Samia Bano, "Standpoint, Difference and Feminist Research" in Reza Banakar & Max Travers, *Theory and Method in Socio-Legal Research* (Portland, Hart Publishing, 2005) pp. 91-111.
- Film: El Contrato

Class 10: November 13

Qualitative Research (Interviews) & Migration

- Serin D. Houston, et al., “The Methods and Meanings of Collaborative Team Research” (2010) 16(4) *Qualitative Inquiry* pp. 285-297.
- Judith K. Bernhard, *et al.*, “Living with Precarious Legal Status in Canada: Implications for the Well-Being of Children and Families” (2007) 24(2) *Refuge* pp. 101-114.
- Naima Bouteldja, “Integration, discrimination and the Left in France: a roundtable discussion” (2007) 49(3) *Race & Class* pp. 76-87.

Class 11: November 20

Discourse Analysis & Migration

- Harald Bauder, “Dialects of Humanitarian Immigration and National Identity in Canadian Public Discourse” (2008) 25(1) *Refuge* pp. 84-93.
- Shiao-Yun Chiang, “‘Well, I’m a lot of things, but I’m sure not a bigot’: Positive self-presentation in confrontational discourse on racism” (2010) 21(3) *Discourse & Society* pp. 273-294.

Class 12: November 27

Course Overview

- Course wrap-up and summary of key concepts

Final Assignment: Due in Class on (November 27)