

Course Outline

COURSE:	LAWS 3908A
TERM:	Fall 2013
PREREQUISITES:	LAWS
CLASS:	Day & Time:Monday 6:05pm - 8:55pm Room:Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Adrian Smith
CONTACT:	Office:Loeb C475 Office Hrs:To Be Announced Email:Through cuLearn only (please see my email policy below)

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

COURSE DESCRIPTION

The course engages with alternative approaches to research within the field of legal studies. Pushing students to go beyond the study of traditional sources of law such as statutes and

cases, the course provides in-depth exposure to interdisciplinary and theoretically informed research methods. Students examine the links between theory, methodology and research design placing emphasis on what counts as 'evidence' and what makes up sound academic analysis. Thematic discussion broadly centers around issues of belonging and settler colonialism with an emphasis on historical and ongoing treatment of indigenous peoples and communities, immigrant and migrant workers, and radical activists. We address the empirical and theoretical challenge of how to disprove that Canada is an equitable and tolerant society. Classes will consist of interactive lectures, guest lectures, in-class discussions and debates. Students' views will be solicited and thoughtful interjections welcomed if not expected.

Office Hours & Email Policy

I encourage students to discuss questions and issues related to the course during our weekly in-class meetings, or in my office during my regular office hour (on a first-come first-serve basis). If you cannot make the office hour please contact me to schedule an appointment which likely will be held Monday or Tuesday early morning/afternoons. Unless a question can be answered as a 'yes' or 'no', I do not respond to email questions from students related to the content of the course.

Attendance & Participation

Weekly attendance is expected. Students will read assigned material before coming to class. Although this is a relatively large enrollment course, students are encouraged to participate. To facilitate "meaningful engagement", I will adopt an interactive approach to our weekly meetings. This is not an invitation for you to just talk aimlessly or for the sake of it. Strive for thoughtful and respectful interventions. Those students who do the readings and class preparation ought not to have any difficulty. Shyness is not an acceptable excuse for lack of participation. Effective oral communication is a skill of high importance in university and in future endeavours. I encourage shy students to speak to me immediately about devising strategies for improving the quality of their participation.

I take seriously my responsibility to provide a supportive and equitable learning environment free from unhelpful distractions. As such, students are not permitted to use cell phones or similar devices in the classroom. The use of these devices will not be tolerated. They serve as a distraction to both the user and those in the surrounding vicinity. Anyone found texting, using laptops and the internet inappropriately or otherwise engaging in problematic behaviour, will be required to remove themselves from an in-class meeting. Repeat offenders will not be permitted to remain in the course.

REQUIRED TEXTS

There is no required text for this course. Students will be provided with electronic links to readings and will be expected to undertake independent research into topics in preparation for in-class sessions.

SUPPLEMENTARY TEXTS

I strongly suggest that students consult some or all of the following texts:

Constance Backhouse, *Colour-Coded: A Legal History of Racism in Canada, 1900-1950* (Toronto: University of Toronto Press, 1999).

Himani Bannerji, *The Dark Side of the Nation: Essays on Multiculturalism, Nationalism and Gender* (Toronto: Canadian Scholars' Press, 2000).

Todd Gordon, *Imperialist Canada* (Winnipeg: Arbeiter Ring, 2010).

Vic Satzewich, *Racism and the Incorporation of Foreign Labour: Farm Labour Migration to Canada since 1945* (London: Routledge, 2001).

Nandita Sharma, *Home Economics: Nationalism and the Making of 'Migrant Workers' in Canada* (Toronto: University of Toronto, 2006).

Daiva Stasiulis & Abigail B. Bakan, *Negotiating Citizenship: Migrant Women In Canada and the Global System* (Toronto: University of Toronto Press, 2005).

Sunera Thobani, *Exalted Subjects: Studies in the Making of Race and Nation in Canada* (Toronto: University of Toronto Press, 2007).

EVALUATION

(All components must be completed in order to get a passing grade)

Book Review 25% (Due October 21, 2013)

Students will complete a scholarly review of a book that addresses the course theme of belonging, citizenship and settler colonialism. Students must select a book on their own and will be expected to notify me in writing of their choice by the last class in September. The review is a maximum of 6 pages (double-spaced), 12-point font with proper margins.

Note: An excellent resource on scholarly book review writing can be found at:
<http://www.ohlj.ca/english/bookreview.htm> (Osgoode Hall Law Journal).

Critical Review 25% (Due November 18, 2013)

Students will complete a critical review of one of the readings from weeks #9 or 10. The review will be a maximum of 6 pages (double-spaced), 12-point font with proper margins.

Major Paper 40% (Due December 9th, 2013)

Students will complete a major research paper on a topic of their choosing related to the course's theme. The paper must be a maximum of 12 pages (double-spaced), 12-point font with proper margins and sourcing, including a bibliography.

Participation 10%

Students are expected to attend in-class sessions each week and strive for meaningful participation.

Grading Policy

Late papers will be penalized at the rate of 10% per day. After the fifth day late assignments will not be read.

Note: I will not read drafts of your major paper and comment on them. Carleton University provides a Writing Tutorial Service (within the Student Academic Success Centre). I strongly encourage students to familiarize themselves with the writing and other services as soon as possible. In addition to excellent online resources, the Centre offers opportunities for students to develop effective writing skills and time management skills – both of which are crucial to success in university. This is an invaluable resource. Please use it!

SCHEDULE

1. September 9: *Intro*

Aims, Expectations & Responsibilities

I: On Not Belonging

2. September 16th: *Re/making Canada*

Herbert Grubel, "Canada's Immigrant Selection Policies: Recent Record, Marginal Changes and Needed Reforms" Fraser Institute (August 2013).

<http://www.fraserinstitute.org/uploadedFiles/fraser-ca/Content/research-news/research/publications/canadas-immigrant-selection-policies.pdf>

Darlene Johnston, "First Nations and Canadian Citizenship" in William Kaplan, ed., *Belonging: The Meaning and Future of Canadian Citizenship* (Kingston: Mc-Gill-Queen's University, 1994) 349.

<http://catalogue.library.carleton.ca:80/record=b2589623~S9>

3. September 23rd: *'Discovering' Canada*

David Austin, "Narratives of Power: Historical Mythologies in Contemporary Québec and Canada" (2010) 51:2 *Race & Class* 19.

Nandita Sharma, "On Being Not Canadian: The Social Organization of 'Migrant Workers' in Canada" (2001) 38:4 *Canadian Review of Sociology and Anthropology* 416.

In-Class Exercise: Discover Canada

<http://www.cic.gc.ca/english/resources/publications/discover/index.asp#pdf>

Recommended:

Yvonne Brown, "Ghosts in the Canadian Multicultural Machine: A Tale of Absent Presence of Black People" (2008) 38 *Journal of Black Studies* 374.

4. September 30th: 'Colonial Powers As Shape Shifters'

Taiiaki Alfred & Jeff Corntassel, "Being Indigenous: Resurgences against Contemporary Colonialism" (2005) 40 *Government and Opposition* 597.

<http://web.uvic.ca/igov/uploads/pdf/Being%20Indigenous%20GOOP.pdf>

Todd Gordon, "Canada, Empire and Indigenous People in the Americas" (2006) *Socialist Studies* 47.

<http://www.socialiststudies.com/index.php/sss/article/viewArticle/36>

Recommended:

Mark D. Walters, "Histories of Colonialism, Legality, and Aboriginality" (2007) 57 *U.T.L.J.* 819-32.

<http://law.queensu.ca/facultyAndStaff/facultyDirectory/walters/waltersHistoriesOfColonialism.pdf>

Bonita Lawrence, "Gender, Race, and the Regulation of Native Identity in Canada and the United States: An Overview" (2003) 18:2 *Hypatia* 3.

<http://muse.jhu.edu/login?auth=0&type=summary&url=/journals/hypatia/v018/18.2lawrence.html>

5. October 7th: *Theorizing History, Historizing Theory*

Vic Satzewich, "Unfree Labour and Canadian Capitalism: The Incorporation of Polish War Veterans" (1989) 28 *Studies in Political Economy* 89.

<http://spe.library.utoronto.ca/index.php/spe/article/view/13181>

Donna Baines & Nandita Sharma, "Migrant Workers as Non-Citizens: The Case Against Citizenship as a Social Policy Concept." (2002) 69 *Studies in Political Economy*

<http://spe.library.utoronto.ca/index.php/spe/article/view/6686>

In-Class Movie: *El Contrato* (Min Sook Lee, 51 mins)

Recommended:

Tanya Basok, "Post-national Citizenship, Social Exclusion and Migrants Rights: Mexican Seasonal Workers in Canada" (2004) 8:1 Citizenship Studies 47.

<http://dx.doi.org/10.1080/1362102042000178409>

Life and Debt (Stephanie Black, 80 mins)

*** October 14th: Thanksgiving (No Class)**

II: Citizenship and Its Alternatives

6. **October 21st:** *'On the Lam(b)': Confronting the G20 Security Operation*
(Guest Lecture: Nick Lamb, Doctoral Candidate, Carleton Law & Legal Studies)

Peter Small, "Judge acquits G20 'jester' of carrying Molotov cocktails" (Toronto Star)

http://www.thestar.com/news/gta/g20/2011/05/12/judge_acquits_g20_jester_of_carrying_molotov_cocktails.html

*** October 28th: Fall Break (No Class)**

7. **November 4th:** *Habitual Idling?*

Naomi Klein, "Dancing the World into Being: A Conversation with Idle No More's Leanne Simpson" Yes! (March 2013)

<http://www.yesmagazine.org/peace-justice/dancing-the-world-into-being-a-conversation-with-idle-no-more-leanne-simpson>

Glen Coulthard, "#IdleNoMore in Historical Context"

<http://decolonization.wordpress.com/2012/12/24/idlenomore-in-historical-context/>

Robert Lovelace, "Prologue. Notes from Prison: Protecting Algonquin Lands from Uranium Mining"

<http://www.ubcpres.ca/books/pdf/chapters/2009/SpeakingforOurselves.pdf>

8. November 11th: *Is This What Decolonization Looks Like?*

In-Class Movie: Beasts of the Southern Wild (Benh Zeitlin, 93 minutes)

Recommended:

When the Levees Broke: A Requiem in Four Acts (Spike Lee, 255 minutes)

9. November 18th: *Decolonization and its Limits*

Joyce Green, "Decolonization and Recolonization in Canada" in Wallace Clement & Leah Vosko eds.. *Changing Canada: Political Economy As Transformation* (McGill-Queen's, 2003) 51.

<http://catalogue.library.carleton.ca:80/record=b2589938~S9>

Andrea Smith, "Queer Theory and Native Studies: The Heteronormativity of Settler Colonialism" (2010) 16 *GLQ: A Journal of Gay and Lesbian Studies* 41.

https://muse.jhu.edu/login?auth=0&type=summary&url=/journals/journal_of_lesbian_and_gay_studies/v016/16.1-2.smith.html

10. November 25th: *'New' Ways Backward*

Lawrence, Bonita & Enakshi Dua. "Decolonizing Antiracism" (2005) 32:4 *Social Justice* 120.

Nandita Sharma & Cynthia Wright. "Decolonizing Resistance, Challenging Colonial States" (2008/2009) 35:3 *Social Justice* 120.

<http://nanditasharma.net/writings/sharma-decolonizing-resistance.pdf>

11. December 2nd: *To Be Announced***12. December 9th:** *Summation*