

### Course Outline

<b>COURSE:</b>	<b>LAWS 3908A Approaches to Legal Studies II</b>
<b>PREREQUISITES:</b>	<b>LAWS 2908 and third-year Honours standing.</b>
<b>TERM:</b>	<b>Summer 2013 (03 July - 15 Aug)</b>
<b>CLASS:</b>	<b>Day &amp; Time: Monday &amp; Wednesday 6:00-9:00pm</b> <b>Room: Please check with Carleton Central for current room location.</b>
<b>INSTRUCTOR:</b>	<b>Zeina Bou-Zeid, PhD</b>
<b>CONTACT:</b>	<b>Office: B442 Loeb</b> <b>Office Hrs: Monday &amp; Wednesday 5:00-6:00pm</b> <b>Email: Zeina_Bou-Zeid@carleton.ca</b>

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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](mailto: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/>

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### 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): **July 17, 2013**

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

Critical Review # 2: Due (in class): **July 31, 2013**

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

### **E- Group Discussion 5%**

Students must create/post 2 e-group discussions out of 10 available during the semester (2.5 marks per comment). Each e-group discussion is available for 1 week (starting 2 days before the relevant class). A discussion question will be posted by the Instructor for each weekly reading. You can post a response to the question posed by the Instructor, respond to a comment already posted by another student or start a new discussion related to the week readings. You will not receive 'marks' or feedback on the posting. If your postings are serious and substantive that will suffice for the marks.

### **Final Assignment 30%**

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 10 pages (double-spaced). Date Handed Out in Class: July 31, 2013.

Due: in Class: **August 14, 2013.**

**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. July 3**

#### **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. July 8**

#### **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. July 10**

#### **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: July 15****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: July 17****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: July 22****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: July 24****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: July 29****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: July 31****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: August 7****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: August 12****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: August 14****Course Overview**

- Course wrap-up and summary of key concepts

**Final Assignment: Due in Class on (August 14)**