

Course Outline

COURSE:	LAWS 3908A - Approaches in Legal Studies II
PREREQUISITES:	LAWS 2908 and third-year Honours standing.
TERM:	Summer 2015
CLASS:	Day & Time: Mondays & Wednesdays 11:30am – 2:30pm Room: Please check with Carleton Central for current room location Southam Hall 404
INSTRUCTOR:	Zeina Bou-Zeid, PhD
CONTACT:	Office: D598 Loeb Office Hrs: Wednesdays 10:30-11:30am Telephone: (613) 520- 2600 ext. 2591 Email: zeina.bouzeid@carleton.ca

Academic Accommodations

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/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn

from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:

<http://www.carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

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.

Building on the research skills students acquired in LAWS 2908 this course will focus on the following objectives through an examination of:

- how knowledge is produced
- claims about truth and objectivity in legal studies and the social sciences
- the role of theory in informing critical analysis
- the relation of theory to method
- how to form research questions
- research design, and collecting evidence, primary and secondary sources

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. The readings are available in electronic form. You can access these readings through cuLearn (View Course in Ares).

COURSE EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

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.

Weekly Discussant: Each week 5-6 students will act as an informed discussant. These students will have completed the readings and will be prepared to discuss the readings in greater detail than the rest of the class. 5% of the attendance/participation mark will be reserved for this element.

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: **July 20, 2015 handed in at the start of class**

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

Critical Review # 2: Due: **August 5, 2015 handed in at the start of class**

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

Final Assignment 35%

You are being asked to complete a final assignment. The 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: July 29, 2015.

Due: **August 14, 2015 on cuLearn by 12:00pm**

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.

LATE ASSIGNMENTS

Late assignments will be marked down by 5% 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 0.

Requests for an extension must be made to the Instructor 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.

CLASS SCHEDULE & READINGS

Class 1. July 6

Introduction and Course Overview

- Discussion of critical analysis & relationship of theory and method.
- Overview of course requirements and assignments.
- 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* 523.
- Eleonore Kofman, "Citizenship, Migration and the Reassertion of National Identity" (2005) 9 *Citizenship Studies* 453.

Class 3. July 13

Group Rights & Migration

- Bhikhu Parekh, "Cultural Pluralism and the Limits of Diversity" (1995) 20 *Alternatives* 431.
- 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* 67.

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* 374.
- Marita Eastmond, "Stories as Lived Experience: Narratives in Forced Migration Research" (2007) 20(2) *Journal of Refugee Studies* 248.

Class 5: July 20

***Critical Review # 1 Due* Feminist Perspectives & Sexuality Studies**

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

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. 93.
- Emma Kaufman, "Finding Foreigners: Race and the Politics of Memory in British Prisons" (2012) 18 Popul. Space Place 701.

Class 7: July 27**National Security, Policing & Migration**

- Audrey Macklin, "Mr. Suresh and the Evil Twin" (2002) 20(4) Refuge 15.
- Ana Aliverti, "Enlisting the Public in the Policing of Immigration" (2015) 55 British J. Criminol. 215.

Class 8: July 29**Policy Research & Activists**

- Eric Omeziri & Christopher Gore, "Temporary Measures: Canadian Refugee Policy and Environmental Migration" (2014) 29:2 Refuge 43.
- 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: August 5***Critical Review # 2 Due*
Temporary Workers**

Film: El Contrato (to be Watched in Class)

Sarah, Marsden, "Assessing the Regulation of Temporary Foreign Workers in Canada" (2011) 49 Osgoode Hall L. J. 39.

Class 10: August 10**Qualitative Research & Migration**

- Cecile Rousseau, *et al.*, "The Complexity of Determining Refugeehood: A Multi-disciplinary Analysis of the Decision Making Process of the Canadian Immigration and Refugee Board" (2002) 15:1 Journal of Refugee Studies 43.
- 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 101.
- Naima Bouteldja, "Integration, discrimination and the Left in France: a roundtable discussion" (2007) 49(3) Race & Class 76.

Class 11: August 12

The Media, Discourse Analysis & Migration

- 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* 273.
- Harald Bauder, “Dialects of Humanitarian Immigration and National Identity in Canadian Public Discourse” (2008) 25(1) *Refuge* pp. 84-93.

Course Overview: Course wrap-up and summary of key concepts

Final Assignment: Due August 14 on cuLearn by 12:00pm