

Course Outline

COURSE: LAWS 3908D Legal Studies Methods and Theory II

PREREQUISITES: LAWS 2908

TERM: Fall 2010

CLASS: **Day & Time:** Monday 2:30-5:30
 Room: Please check with Carleton Central for current room location.
 (417 Southam Hall)

INSTRUCTOR: Zeina Bou-Zeid, PhD
(CONTRACT)

CONTACT: **Office:** D484 Loeb
 Office Hrs: Mondays 1:00-2:00 & Thursdays 2:30-3:30
 Email: Zeina_Bou-Zeid@carleton.ca

"Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see: http://www.carleton.ca/pmc/students/accom_policy.html . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by **November 15, 2010 for Fall exams and March 12, 2010 for Winter exams.**

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. They are organized in folders by class number.

Some of the articles will also be available on WebCT.

Students should check WebCT regularly for course updates and assignments.

COURSE EVALUATION

Class Participation & Attendance 10%

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 will be between 5-6 pages (double-spaced).

Critical Review #1: Due (in class): **October 7, 2010**

This paper will be based on the readings from one the following classes: Class 2 to 4.

Critical Review # 2: Due (in class): **November 15, 2010**

This paper will be based on the readings from one the following classes: Class 5 to 8.

Short Essay 40%

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 between 10-12 pages (double-spaced).
Date Handed Out in Class: November 15, 2010.

Short Essay: Due (Law Dep. Drop Box by 4:00pm): **December 6, 2010**.

More detailed instructions for assignments will be provided in class.

ASSIGNMENTS

Any written work submitted must be typewritten, double-spaced, 12pt Times New Roman font with standard 1 inch 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 in at the Law Department office drop box by 4:00 pm on the due date or to me personally in class. Assignments **will not** be accepted by e-mail, posted on WebCT 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 one-half letter grade (e.g. B to B-, B- to C+) 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).

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 13****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 20**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 27**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.

Class 4: October 4**Narratives, National History & 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.
- David Austin, "Narratives of power: historical mythologies in contemporary Québec and Canada" (2010) 51(2) *Race & Class* pp. 19-32.

Critical Review # 1 Due (Thursday October 7)

October 11: Statutory Holiday (No Class or Office Hours)

Class 5: October 18**Policy Research, Legal Reform & Migration**

- Kitty Calavita, "Engaged Research, "Goose Bumps," and the Role of the Public Intellectual" (2002) 36(1) *Law & Society Review* pp. 5-20.
- Sarah V. Wayland, *Unsettled Legal and Policy Barriers for Newcomers to Canada* (Community Foundations of Canada and the Law Commission of Canada, 2006) pp. 1-29.
- Patrick Grady, *Is Canadian immigration too high? A labor market and productivity perspective* (The Fraser Institute, 2009) pp. 73-96.

Class 6: October 25**Feminist Perspectives & Migration**

- Kitty Calavita, "Gender, Migration, and Law: Crossing Borders and Bridging Disciplines" (2006) 40(1) *International Migration Review* pp. 104-132.
- Leti Volpp, "Blaming Culture for Bad Behaviour" (2000) 12 *Yale Journal of Law & Humanities* pp. 89-116.

Class 7: November 1**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 8: November 8**National Security & Migration**

- Audrey Macklin, "Mr. Suresh and the Evil Twin" (2002) 20(4) *Refuge* pp. 15-22.
- Michelle Lowry, "Creating Human Insecurity: The National Security Focus in Canada's Immigration System" (2002) 21(1) *Refuge* pp. 28-39.

Class 9: November 15**Critical Review # 2 Due****Ethnographic Research & Migration**

- Nandita Sharma, "On Being Not Canadian: The Social Organization of Migrant Workers in Canada" (2001) 38(4) *Canadian Review of Sociology and Anthropology* pp. 415-439.
- 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.

Class 10: November 22

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 29

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: December 6

Course Overview

Short Essay: Due at Law Department Drop Box 4:00pm