

Course Outline

COURSE: LAWS 3908D - Approaches to Legal Studies II

PREREQUISITES: LAWS 2908 and Third year Honours standing

TERM: Fall 2011

CLASS: **Day & Time:** Thursday 2:30–5:30pm
 Room: Please check with Carleton Central for current room location.

INSTRUCTOR: Zeina Bou-Zeid, PhD

CONTACT: **Office:** D580 Loeb
 Office Hrs: Wednesday 11:30-12:30 & Thursday 1:30-2:30
 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://www2.carleton.ca/pmc/students/accommodations> . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by 11 November 2011 for December exams and 7 March 2012 for April 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. Some of the readings are located in print form while others are available in electronic form on the Library RSV site (under 3908 Bou-Zeid).

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 6, 2011*

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

Critical Review # 2: Due (in class): *November 3, 2011*

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

Final Assignment 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 3, 2011.

Due (Law Dep. Drop Box by 4:00pm): ***December 5, 2011.***

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 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. Sept 8****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. Sept 15**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. Sept 22**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: Sep 29**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.

Class 5: Oct 6**Critical Review # 1 Due****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 6: Oct 13**Feminist Perspectives & Sexuality Studies**

- Leti Volpp, "Blaming Culture for Bad Behaviour" (2000) 12 Yale Journal of Law & Humanities pp. 89-116.
- Martin F. Manalansan IV, "Queer Intersections: Sexuality and Gender in Migration Studies" (2006) International Migration Review 40(1) pp. 224-249.

Class 7: Oct 20**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: Oct 27**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: Nov 3**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.

Class 10: Nov 10**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: Nov 17**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: Nov 24**Course Overview**

- Course wrap-up and summary of key concepts
- Final Assignment Workshop

Final Assignment: Due at Law Department Drop Box 4:00pm (Dec 5)