

**Course Outline**

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| <b>COURSE:</b>        | <b>LAWS 4607A – Immigration and Refugee Law</b>   |
| <b>TERM:</b>          | <b>FALL 2019</b>  |
| <b>PREREQUISITES:</b> | <b>LAWS 2908 or PAPM 3000, LAWS 2502 and Fourth-Year Honours standing</b>   |
| <b>CLASS:</b>         | <b>Day &amp; Time: Tuesdays 2:35pm - 5:25pm</b><br><b>Room: Please check with Carleton Central for current room location</b>  |
| <b>INSTRUCTOR:</b>    | <b>Dr. Megan Gaucher</b>  |
| <b>CONTACT:</b>       | <b>Office: Room D496 Loeb Building</b><br><b>Office Hrs: Tuesdays 12:00pm - 1:30pm <u>OR</u> By Appointment (In-person, Skype or FaceTime)</b><br><b>Telephone: 613-520-2600 x. 4207</b><br><b>Email: Megan.Gaucher@carleton.ca</b> |

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**CALENDAR COURSE DESCRIPTION**

Immigrants and refugees; demographics; Canadian, international and human rights law and policy. The Canadian Immigration Act. Legal and social problems including entry and removal, family reunion, citizenship, remedies, the rights of clandestine migrants; settlement rights; non-discrimination; asylum; a nation's right to determine membership.

**COURSE DESCRIPTION**

Citizenship and immigration continue to be important legal issues, particularly in Canada where the welcoming and subsequent accommodation of immigrants and refugees is a longstanding part of the national imaginary. Debates on admission criteria, migrant rights, and the legal limits of integration/accommodation dominate academic and non-academic circles alike. Moreover, the question of “who belongs,” continues to underpin political and popular opinion, drawing attention to the complexity of narratives of membership and belonging. The Canadian story of multiculturalism, while no doubt pleasant, often glosses over the inequalities immigrants and refugees experience both in seeking access to Canadian borders and integrating into Canadian society. This seminar will introduce students to a theoretical and empirical examination of these questions, while taking into account the lived experiences of immigrants and refugees. In our examination of topics ranging from questions of citizenship/non-citizenship, temporary foreign labour, and family reunification, to refugee determination, asylum seeking and national security, this seminar will address the gap between immigration and refugee law and the implications of these laws in practice.

**REQUIRED TEXTS**

All articles, cases and other materials can be found either on cuLearn, as an eBook at the library or online (see “Course Schedule” for details).

**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.

| Type of Assignment                             | Weighting | Due Date                        |
|--|-----------|---------------------------------|
| <b>Attendance/Participation</b>                | 20%       | N/A                             |
| <b>Presentation</b>                            | 15%       | <b>Assigned Week</b>            |
| <b>Debate Assignment</b>                       | 20%       | <b>October 15<sup>th</sup></b>  |
| <b>Research Paper Reverse Outline Workshop</b> | 10%       | <b>November 12<sup>th</sup></b> |
| <b>Research Paper</b>                          | 35%       | <b>December 6<sup>th</sup></b>  |

**Attendance/Participation (20%)**

Since this is a seminar, active participation is a key element. Minimal participation from students will make for a long three-hour seminar; therefore, while you will get marks for attendance, you will not get full participation marks just for showing up. Moreover, assessment of participation is based on quality, not quantity. It is important that your comments/questions reflect the course material and/or build on previous discussion. Therefore, by participation, I understand: (1) speaking in an informed way; (2) listening well, even to ideas you may disagree with; (3) respectfully building on others' contributions; and (4) keeping on topic. I recognize that not everyone feels comfortable participating in a large group, so I will provide some additional opportunities to participate such as small-group discussions. That being said, the bulk of your participation assessment will come from class discussion.

Remember, you cannot earn participation marks for missed seminars, so consistent attendance is important. I know that life happens and sometimes things come up that are out of our control – to accommodate this, I am giving each student **ONE** free absence. This means that you can miss a class without explanation and without penalty. This “get out of jail free” card can be used for any week **except for Week Six (Debates) and Week Nine (Paper Workshop)** – for those weeks, you will need proper documentation if you're absent. If illness or other unavoidable issues cause you to miss multiple classes, you need to keep me advised of the situation and an accommodation plan may be considered.

**Presentation (15%)**

Each student is required to do a 10-15 minute presentation on an assigned reading. The sign-up sheet for presentations will be posted on cuLearn and will be on a first-come-first-serve basis. The class will have done the readings (at least this should be the case), so I want to use these presentations to generate discussion.

Your presentation must include the following components:

- Brief summary of the reading (e.g. thesis, main arguments, evidence, etc.)
- Critical review of the reading (e.g. strengths, weaknesses, connection to the course/other readings, connections to current events, etc.)
- Two discussion questions (Make sure that you explain why you chose these questions/why you think they are important – make sure these are questions that will generate discussion rather than yes/no questions)

**Debate Assignment (20%)**

For this assignment, you will be assigned a group and a debate position on a particular issue. As a group, you will be responsible for: (1) presenting your debate position to the class; and (2) engaging with the group that will be presenting the opposite position. This debate will be of traditional format (opening statement, rebuttal, open discussion). Groups will be provided some time in class to work on this. Further information will be provided in-class on September 24<sup>th</sup>. Debates will take place on October 15<sup>th</sup>.

**Research Paper Reverse Outline Workshop (10%)**

In most undergraduate courses, students are required to submit a research paper outline prior to starting the writing of the actual paper. While this approach is useful, it also has its limitations. Quite often, it is difficult to provide a detailed plan of an essay when you have yet to research/think through your main ideas. When I write papers, my thesis statement isn't entirely clear to me until I finish a first draft – it is then that I can look back and see what exactly it is that I'm trying to say.

For this workshop, we will reverse the outline-paper order and work backwards. You are expected to bring two hard-copy full drafts of your research paper (see information on "Research Paper" below) to class on November 12<sup>th</sup>. It doesn't have to be polished, but it does need to be a draft. In this workshop, we will be constructing reverse outlines based on your research paper drafts, requiring you to pinpoint your thesis statement, main arguments, etc. You will be given a worksheet that you'll need to complete/submit on cuLearn by end of day on November 13<sup>th</sup>. This workshop, along with my feedback on your worksheet, will help you edit/refine your final research paper.

In order to be graded on this assignment, you must complete both parts – attending the workshop with a full draft and submitting the worksheet. Because the in-class workshop is a mandatory assignment, you will only be able to receive an extension/accommodation with proper documentation.

**Research Paper (35%)**

You are required to submit a 15-20 page paper on a topic of your choosing within the realm of the course. Further information will be posted on cuLearn. This assignment must be emailed to me by December 6<sup>th</sup>.

***Late Assignments/Accommodations***

I will be imposing a late penalty of 2% points per day, including weekends, with a maximum penalty of two weeks late (28%) for the research paper assignment. After two weeks, I will no longer accept this assignment unless we have worked out an extension. Extensions must be arranged with me before the assignment deadline. A late assignment may be emailed to me if you cannot get in to the university to hand it in right away. In this case, the late penalty will stop on the date of your electronic submission; however, you must still submit a hard copy to me before your assignment will be marked. The email version will simply confirm the date you completed the assignment. The hard copy that you submit must be the same as the copy you emailed. In other words, you cannot take advantage of this time lag to continue working on the assignment. To do so will be considered academic dishonesty.

**SCHEDULE**

Please see the "LAWS 4607A – Course Schedule" on cuLearn.

## **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:** Please contact 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: <https://carleton.ca/equity/accommodation/academic/students/>

**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: <https://carleton.ca/equity/accommodation/academic/students/>

**Academic Accommodations for Students with Disabilities:** If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable). <https://carleton.ca/pmc/students/accommodations/>

### **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: <https://carleton.ca/registrar/academic-integrity/>

### **Survivors of Sexual Violence**

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/sexual-violence-support/>

### **Accommodation for Student Activities**

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: <https://carleton.ca/equity/accommodation/academic/>

### **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://carleton.ca/law/current-students/>