

**Course Outline**

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<b>COURSE:</b>	<b>LAWS 4607A – Immigration and Refugee Law</b>
<b>TERM:</b>	<b>WINTER 2021</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: Thursdays 11:35am – 2:25pm (Ottawa Time)</b> <b>Room: All Courses in the Winter 2021 term are offered online.</b> <b>Please check Carleton Central for current Class Schedule.</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>Megan Gaucher (She/Her)</b>
<b>CONTACT:</b>	<b>Office Hrs: By appointment (Zoom, phone, carrier pigeon)</b> <b>Telephone: 613-520-2600 x. 4207</b> <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).

**COURSE OBJECTIVES/EXPECTATIONS**

- 1) **We didn't sign up for this** – not for a global pandemic, not for online classes, not for the current pause of our collective campus experience. While this is the safest option, I can only imagine how frustrated some of you must feel about all of this. Please know you're not alone. That being said, the current in-class structure is not without flaw – specifically with respect to accessibility – and as such, parts of the course will try to emulate the traditional 4<sup>th</sup> year seminar experience and others will involve features of online learning platforms to foster engagement that are hopefully valuable and accessible for all of us. Simply put, even though we're online, this course can still be a space for us to come together and create community.
- 2) **Be kind to yourself and others.** This unprecedented situation creates potential learning challenges for all of us (e.g. access to technology, care responsibilities; financial hardship; physical and mental health, etc.). As we navigate these challenges together, please remember to be patient and understanding with yourselves and others.
- 3) **Privacy will be respected.** Please do not share class Zoom links, meeting information or screenshots with anyone who is not enrolled in our course. Students are welcome to participate on Zoom using audio functions only (i.e. there is no requirement for video participation). Children and pets are more than welcome – the more, the merrier.
- 4) **We will remain flexible and adjust to the situation.** We don't know what will happen over the next few months. If you are in need of a personal accommodation, please contact me and we will figure out a reasonable plan that enables you to succeed in this 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.

Type of Assignment	Weighting	Due Date
Attendance/Participation	25%	N/A
Guest Speaker Reflection Assignment (2)	20%	Chosen Week
Group Presentation	10%	Chosen Week
Final Essay Proposal/Outline	10%	March 4 <sup>th</sup>
Final Essay	35%	April 15 <sup>th</sup>

All written assignments are to be uploaded in the appropriate cuLearn drop-box.

**Attendance/Participation (25%)**

We will hold weekly class discussions on Zoom on Thursday mornings from 11:35am - 12:55pm (Group One) and 1:05pm – 2:25pm (Group Two). On weeks that we have a guest speaker coming in, we will be having a single group discussion from 11:35am – 1:00pm. All of this information can be found in the “Course Schedule” below.

The third hour of our allotted class time is reserved for post-seminar “hallway chats” and office hour appointments.

I know that life happens and sometimes things come up that are out of our control (especially in 2021) – to accommodate this, I am giving each student **TWO** free absences. This means that you can miss two

online sessions without explanation and without penalty. If illness or other unavoidable issues cause you to miss multiple classes, please keep me advised of the situation and we can figure out a reasonable accommodation plan.

Since this is a seminar, active participation is a key element. Minimal participation from students will make for a long Zoom chat; therefore, while you will get marks for attendance, you will not get full participation marks just for showing up.

Attendance/Participation will be broken down as follows:

- **1) Live Discussion Attendance/Participation (15%)** – Discussion can take place via microphone or the chat function. You get full marks if you attend 10/12 seminars (see above).
- **2) Introductory Message/Video/Sound File (2%)** - You are required to upload a short message/video/voice message (3 mins max) that tells us your story (who are you, why you chose this course – basically anything you think is important for me to know). Your file is to be uploaded on cuLearn by **January 20<sup>th</sup>**. **This will be graded on a pass/fail basis.**
- **3) Discussion Forum Posts (8%)** – I will be posting discussion questions pertaining to the reading(s) each week and everyone is encouraged to either comment/answer on my post or add your own that builds on that particular discussion. Posts should be no more than 200 words. You are required to upload four posts to get the full 8%.

### **Guest Speaker Reflection Assignment (20%)**

You are required to submit two one page (single spaced) reflections on two guest speakers of your choice (Weeks Five, Seven, Nine, Ten and Eleven). To be clear, this is not an evaluation of the speaker themselves; rather, I want you to reflect on what you got from that discussion (e.g. what you learned, relevance to course/current events, questions you still have, etc.). This assignment does not require any outside sources/citations. Your reflection assignments are due the week **AFTER** the guest speaker; if you are writing a reflection on the week five guest speaker, the assignment is due before class on week six). Zoom discussions with a guest speaker will be recorded and posted on cuLearn.

### **Group Presentation (10%)**

Each group is required to do a 5 minute presentation on an assigned reading. I will assign the groups and then you will be able to decide which reading you would like to present on. You can let me know which presentation the group would like during class discussion on January 21st. Presentations are to be recorded and emailed to me by **Wednesday at 9:00am** the week that you're presenting. That way I can upload them and the class can view them prior to Thursday's class.

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. connections to current events, relevance/importance, etc.) - Basically the "Why should we care?!" question
- Two discussion questions (Make sure these are questions that will generate discussion rather than yes/no questions)

Because this is an online course and because you are probably all way more technologically skilled than I am, you can absolutely be creative with this assignment. Groups are more than welcome to do a recorded PowerPoint, or if you're feeling bold, you can do a short video, podcast, etc. **This presentation will be graded on a pass/fail basis.**

**Research Paper Proposal (10%)**

You are required to submit a 2-3 page paper proposal for your upcoming research paper outlining your research question, thesis statement, and primary arguments. In addition to the proposal, you must also provide an annotated bibliography highlighting six academic sources with proper reference information as well as a brief summary of how each source relates to your chosen topic. Further information will be posted on cuLearn. This assignment is due in-class on **March 4<sup>th</sup>**.

**Final Essay (35%)**

You are required to submit a 10-12 page paper on a topic that builds and expands on some of the course readings. Further information will be posted on cuLearn. This assignment must be uploaded on cuLearn by **April 15<sup>th</sup>**.

**LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

This course has assignment deadlines for two reasons: (1) fairness to everyone, and (2) we want to be able to stay on track. That being said, I recognize that meeting all deadlines might not be possible for everyone and as such, some flexibility is required.

All I ask is that if you find yourself falling behind, please just keep me in the loop. If you are dealing with circumstances (medical or otherwise) that prevent you from dedicating the usual amount of time to this class and you require an extension on any of the assignments, please let me know. Undertaking an MA is stressful enough when you aren't starting it during a global pandemic. That being said, it is challenging for me to help you when I don't know what is going on. This does not mean you have to divulge all personal information – you can share what you're comfortable with. But the sooner I know that we need to figure out a reasonably adjusted game plan that enables you to complete all course requirements, the better.

**SCHEDULE**

See "LAWS 4607 – Course Schedule" for course readings, guest speakers, seminar schedule, etc.

## **ACADEMIC ACCOMMODATIONS**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

### **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 Department of Equity and Inclusive Communities (EIC): <https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

### **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>

### **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://studentsupport/svpolicy>

### **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://students.carleton.ca/services/accommodation/>

### **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.

<https://carleton.ca/law/current-students/>