**COURSE DESCRIPTION AND ORGANIZATION**

The course examines the complex relationship between law, race and ethnicity. The legal institutions of late-modern societies intersect with the ideas of race and ethnicity on many fronts. Laws concerning immigration, policing, welfare, minority rights, reproductive rights, etc., are frequently refracted through lenses tinted by issues of race and ethnicity in ways that reproduce the subordination of minorities. At the same time, the persistence of ethnicist, racist and racialist tendencies within society dictate that some sort of response backed by the force of law is imperative to combating the most odious aspects of race and ethnic discrimination and oppression.

The course works from the premise that law exists in a constitutive relation with social reality; that is to say it is simultaneously a condensation of prevailing social relations and a site of social and political contestation and change. Moreover, law is only one of myriad regulatory discourses and practices governing the production (and mediating the reproduction) of racial and ethnic identities and relations.

Thus, the course focuses on law as a complex of discourses, institutions and practices implicated in the mediation of racial and ethnic relations. But, in keeping with the MA program’s interdisciplinary focus, we also explore the intersections of law, modernity and enlightenment, and the role law has played in relation to, and in tandem with, expert and disciplinary discourses and practices in the constitution of social subjects as raced, classed, gendered, ethnicized, and nationalized in historically specific ways.

Ultimately we seek to explore what of value might reside in discourses of race and ethnicity, and what place law might play in the future as we struggle to both recognize and valorize difference whilst seeking to overcome the limitations imposed by essentialisms and the political retreat to separatisms.

The course will follow seminar format. At the end of each week’s session a few students will be assigned (on a rotating basis) one of each of the subsequent week’s readings. The following week, they will be responsible for introducing the main arguments, themes, concepts, etc developed in the article/chapter assigned.

**COURSE REQUIREMENTS AND EVALUATION**

20% Class Participation  
20% Weekly Position Papers  
60% Term Paper  

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"Students with documented disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (PMC) for a formal evaluation of disability-related needs. Documented disabilities include physical, mental, and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, as well as other conditions. Registered PMC students are required to contact the PMC at 613-520-6608, early each term to ensure that your Instructor receives your Letter of Accommodation no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you require accommodations for your formally scheduled exam(s) in this course, please submit your request for accommodations to PMC by November 7, 2008 for December exams and by March 6, 2009 for April exams." Also available at http://www.carleton.ca/pmc/faculty/acom_statement.html. For Religious and Pregnancy accommodations, please contact Equity Services, 613-520-2600 x. 5622 or their website: www.carleton.ca/equity
Class Participation

The seminar nature of this course makes it absolutely essential that everyone actively participates in weekly discussions. Marks for participation will be based on two criteria. First, students will be expected to contribute to general weekly seminar discussions and to lead discussion of particular readings on a rotating basis. Weekly presentation of readings should not consist of summaries of articles, but should reflect a critical engagement with the material.

Weekly Position Papers

Each week students will submit a brief written reflection on the week’s readings. It is understood in advance that you will not be able to cover all readings every week with equal rigour. The purpose of the ‘position papers’ is to have you engage with at least some of the readings in a written form on a weekly basis. The orientation of these papers should be guided by two considerations:

• first, they should attend to a recognition of the relationship between the articles in question and the theme of the week’s readings and the course more generally (Why this reading in this course? And why this reading in combination with the other readings selected for the week in question?);

• secondly, they should address themselves to problems you detect in the readings, or reflections upon what you view as the most important insights you have garnered from the readings.

Like your seminar presentation of weekly readings, these should not be simple summaries of the materials, but a brief critical engagement with some features of the readings. Each paper should be approximately 1-2 pages in length.

While I will read all position papers, I will not have time to comment extensively on them. Nor will I grade each submission. Your final position paper grade will be aggregated from your overall engagement with the course materials on a weekly basis.

Term Papers

Students will submit a brief paper proposal (approximately 1/2 page) on February 23, 2009, so start thinking about topics early. You are welcome to explore a specific case study that is not addressed in the course readings. If you do so, however, you must ensure my prior knowledge of your intention (i.e., your proposal should specify the nature of the case study). Moreover, regardless of your chosen ‘case study’ it is imperative that your paper evidences an effort to seriously engage the theoretical materials explored in class.

Term papers are to be submitted no later than April 7, 2009. All papers should be handed in to me personally, or submitted through the drop-off box at the main office of the Law Department. Under no circumstances should papers be left under my office door. In the absence of a medical certificate late papers will be penalized one grade point per day (an A will be reduced to a B+ etc.).

Papers should be word-processed or typed, of approximately 5,000 to 6,500 words in length (about 20-25 pages, typed and double-spaced). You are strongly advised to retain a copy of your paper.

All submitted work must be original! All papers should be properly referenced. Either in-text or footnote citations are acceptable, just ensure you use one citation method, and do so consistently. Each paper must also include a complete bibliography of all materials cited. Where referencing is concerned, thoroughness and consistency should be your aim. Students should be familiar with departmental regulations regarding plagiarism.

COURSE TEXTS  -  I have ordered copies of the following books:


The books have been ordered through Mother Tongue Books at 1067 Bank Street (between Sunnyside and the Canal) and are now available.
COURSE OUTLINE

Wk 1:  January 5, 2009 Introduction

Wk 2:  January 12, 2009 Legal Discourse and the ‘Others’ of Western Legal Thought I
 Required Reading

Wk 3:  January 19, 2009 Legal Discourse and the ‘Others’ of Western Legal Thought II
 Required Reading

Wk 4:  January 26, 2009 Race, Culture and Modernity
 Required Reading

Wk 5:  February 2, 2009 Justice, Modernity and the Holocaust
 Required Reading

Wk 6:  February 9, 2009 Legal Constructions of Difference
 Required Reading

Wk 7:  February 16, 2009 Reading Week – Classes Suspended

Wk 8:  February 23, 2009 Imagining ‘Us’/Imagining ‘Them’
 Required Reading
Wk 9: March 2, 2009 Designating and Regulating Racial and Ethnic Subjects
Required Reading

Wk 10: March 9, 2009 The Problem of Essentialism
Required Reading

Wk 11: March 16, 2009 Race, Crime and Policing
Required Reading

Wk 12: March 23, 2009 Troublesome Bodies
Required Reading

Wk 13: March 30, 2009 The Colour of Terror
Required Reading