

**Course Outline**

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<b>COURSE:</b>	<b>LAWS 5903W – Contemporary Topics: Regulating Labour in the 21<sup>st</sup> Century – Bodies, Spaces, Flows, Utopias</b>
<b>TERM:</b>	<b>WINTER 2021</b>
<b>PREREQUISITES:</b>	<b>Must be enrolled in one of the following Classifications: Graduate - Normal</b>
<b>CLASS:</b>	<b>Day &amp; Time: Thursdays 11:35am-2:25pm (3hrs) Room: Online (BBB; BBB links provided on CULearn)</b>
<b>INSTRUCTOR:</b>	<b>Dr Ania Zbyszewska</b>
<b>CONTACT:</b>	<b>Office: Zoom, BBB or phone Office Hrs: Fridays 12-1pm, or by appointment Email: ania.zbyszewska@carleton.ca</b>

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**CALENDAR COURSE DESCRIPTION**

Adopting a range of critical (feminist, heterodox political economy, post-colonial, critical disability, ecological, etc.) perspectives, in this course we will consider historical and contemporary developments in how labour is conceptualized, organized, and regulated, and reflect on the human and more-than-human consequences of these moves.

**COURSE DESCRIPTION**

Labour is an act, a process, a concept that is ubiquitous yet escapes easy categorizations. A site of, at once, freedom and exploitation, power and dis-empowerment, solidarity and fragmentation, resistance and acquiescence, love and domination, creation and destruction, labour – with all its contradictions – is integral to the re/production of political economies (capitalist, colonial and otherwise), different forms of sociality and community life, and socio-ecologies. Crucially, labour is socially (and legally) constituted, with legal norms, regulation and governance techniques playing key roles in delineating what work and whose labour is valued and deserves protection. Jurisdictional, geographical, normative and conceptual boundaries erected by law and regulation are always historically constituted and variously instantiated. Whether material, ideational or imagined, these boundaries have major consequences for recognition (what and whose labour is deemed to be of value) and distribution (of power, access, opportunities, entitlements), making labour a key site of inequalities. These boundaries are, however, also imperfect and porous, subject to challenge, contestation, and change.

Adopting a range of critical (feminist, heterodox political economy, post-colonial, critical disability, ecological, etc.) perspectives, in this course we will consider historical and contemporary developments in how labour is conceptualized, organized and regulated, and reflect on the human and more-than-human consequences of these moves. We will pay particular attention to law's constitutive role and the way in which it institutionalizes and reproduces labour processes and (unequal) labour relations. We will also critically

scrutinize the effectiveness of policy and regulatory initiatives devised to address various contemporary problems, including exclusions, 'gaps', and 'misfits' stemming from global political-economic, technological, ecological and social transformations. We end by considering provocations, imaginaries and heterotopias that de-center paid and 'productive' work and instead foreground care, community, sustainability and socially-useful labour. Can – and should – law play a role in bringing these sorts of post-work, more-than capitalist worlds about?

To explore these various questions, the course is organized around a series of themes: work and labour, bodies, temporalities, spaces, flows, socio-ecologies, solidarities, resistance, post-work, utopias. Working with and through these themes, each week, we will engage with theoretical and empirical works that examine the historical antecedents and contemporary realities of labour's many facets, and the role of law in their constitution.

### **REQUIRED TEXTS**

- Adelle Blackett, *Everyday Transgressions: Domestic Worker's Transnational Challenge to International Labor Law*. Ithaca, London: Cornell University Press, 2019. (available for purchase, as print or e-book)
- Sarah Swider, *Building China: Informal Work and the New Precariat*. Ithaca, London: Cornell University Press, 2015. (e-book, university library)
- Kathi Weeks, *The Problem with Work: Feminism, Marxism, Antiwork Politics, and Postwork Imaginaries*. Duke University Press, 2011. (e-book, university library)

**NOTE: Other essential weekly readings (with links) will be posted on cuLearn.**

### **DELIVERY AND APPROACH**

This seminar is delivered through weekly discussion sessions (via BBB or Zoom, links provided through CULearn) held on Thursdays, starting at 11:35am and lasting around 3 hours. Attendance in these sessions is mandatory. We will revisit the structure 3 weeks into the course and make adjustment if necessary.

### **EVALUATION**

**(All components must be completed in order to get a passing grade)**

*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.*

- 15% Participation
- 25% Critical reflections on readings x 5 (5% each)
- 20% Class discussion facilitation
- 40% Final research project

**Participation**

You are responsible for attending and actively engaging in our synchronous sessions.

**Reflections**

You will write five (5) short reflection papers (3-4 pages) on readings or sources of your choice. Each of the reflections has to be associated with a unique course theme. These should not be summaries of the readings, but rather identify and explore key discussion points, and connect them to course themes. The reflections will be due (submitted to CULearn) on Thursdays, before the start of our session at 11:35am.

**Class discussion facilitation**

Students will be responsible for leading class discussion on a selected reading(s) on a chosen week, beginning with week 2. I will prompt you to submit your preferences in week 1, and will do my best to accommodate everyone's choices. You will be responsible for summarizing the reading, reflecting on its link with the week's theme, identifying issues for discussion, and developing class activities pertaining to that reading. You may choose to coordinate with other colleagues who are facilitating discussion on the same day.

**Final project**

The final project in this course will be a research-based output. Students can choose either to write a research paper (10-12 pages, excluding references) or a curate a multi-media essay (photo essay or audio-essay/podcast of 20-30mins) accompanied by a written script/explanation and a list of references documenting the research process. Students will receive some training on visual methodologies and on podcasting and a range of free resources (on podcasting, and podcasting software/tech) will be made available for their use.

**LATE POLICY**

Assignments that are due through cuLearn are deemed late if not submitted by the times indicated. Late assignments will be penalized 5% per day or part of day that they are late. Late assignments are to be submitted through cuLearn, just like those submitted on time. Please note that I will not respond to questions or extension requests submitted on the weekend. Unless you are really dealing with an emergency, please write me between 8am and 5pm, Monday to Friday.

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor **prior to the assignment due date**: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

**Extensions for longer than 7 days will normally not be granted.** In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

**WEEKLY SCHEDULE**

**Session 1/ January 14****Work, Labour and Law**

- Kathi Weeks, 'Introduction: The Problem with Work' in *The Problem with Work*, 1-36.
- Pamhidzai H. Bamu, 'Labour Law as Luxury?', in Diamond Ashiagbor (ed.), *Re-Imagining Labour Law for Development: Informal Work in the Global North and South*. Oxford: Hart, 2019.
- Eloise Betti, 'Historicizing Precarious Work: Forty Years of Research in the Social Sciences and Humanities,' (2018) *International Review of Social History*, 63(2), 273-319.
- Barbara Ellen Smith and Jamie Winders, 'Whose Lives? Which Work? Class Discrepancies in Life's Work' in Katie Meehan and Kendra Strauss (eds.) *Precarious Worlds: Contested Geographies of Social Reproduction*, 101-117. The University of Georgia Press, 2015.

**Session 2/ January 21****Labouring Bodies**

- Silvia Federici, *Caliban and the Witch*, 61-160. New York: Autonomedia, 2014.
- Prabha Kotiswaran, 'The Laws of Social Reproduction: A Lesson in Appropriation' (March 22, 2013). *Northern Ireland Legal Quarterly* 64(3), 317-33.
- Rachel Lara Cohen and Carol Wolkowitz, 'Feminization of Body Work,' (January 2018) *Gender, Work and Organization* 25(1), 42-62.
- Kendra Coulter, 'The Work Done By Animals: Identifying and Understanding Animals' Work' in *Animals, Work, and the Promise of Interspecies Solidarity*, 55-95. Palgrave Macmillan, 2016.

**Session 3 /January 28****Temporalities**

- Lydia Hayes, "Two a penny" in *Stories of Care, Labour of Law: Gender and Class at Work*. Palgrave, 2016.
- Tracy Warren, "Work-life balance/imbalance: the dominance of the middle class and the neglect of the working class" (2015) *British Journal of Sociology* 66(4).
- Emily Grabham, "Balance", in *Brewing Legal Times: Things, Form, and the Enactment of Law*, 143-169. University of Toronto Press, 2016.
- Kathi Weeks, "Mapping the Work Ethic" and "Hours for What We Will: Work, Family and the Demand for Shorter Hours" in *The Problem with Work*. Durham: Duke University Press, 2011.

**Session 4/ February 4****Spaces of Labour and Law's Boundaries**

- Adelle Blackett, *Everyday Transgressions: Domestic Worker's Transnational Challenge to International Labor Law*. Ithaca, London: Cornell University Press, 2019.
- Judy Fudge, "Feminist Reflections on the Scope of Labour Law: Domestic Work, Social Reproduction, and Jurisdiction." 2014 *Feminist Legal Studies* 22: 1–23.
- Onyanta Adama, "Criminalizing Informal Workers: The Case of Street Vendors in Abuja, Nigeria." *Journal of Asian and African Studies*. June 2020.

### **Session 5/February 11**

#### **Flows: Migration**

- Sarah Swider, *Building China: Informal Work and the New Precariat*. Ithaca, London: Cornell University Press, 2015 (excerpts).
- A. Cohen, 2019. "‘Slavery Hasn’t Ended, it Has Just Become Modernized’: Border Imperialisms And The Lived Realities Of Migrant Farmworkers in British Columbia, Canada." *ACME: An International E-Journal for Critical Geographies* 18(1): 130-148.
- Tonia Novitz, "Supply Chains and Temporary Migrant Labour: The Relevance of Trade and Sustainability Frameworks", in Diamond Ashiagbor, *Re-Imagining Labour Law for Development*, 191-211.

*Week of Feb 15*

*No Class/Reading Break*

### **Session 6/ February 25**

#### **Special Session on Methodologies**

- Texts on visual and audio methodologies (TBA)

### **Session 7/ March 4**

#### **Flows: Supply Chains**

- Genevieve LeBaron, 'Labour Exploitation in Supply Chains', in *Combating Modern Slavery*, Polity Press, 2020.
- Alessandra Mezzadri, "The Sweatshop Regime: Labouring Bodies, Exploitation and Garments Made in India". Recorded Talk at SOAS (1hr 25mins)
- Anna Lowenhaupt Tsing, *The Mushroom at the End of the World: On the Possibility of Life in Capitalist Ruins*. Princeton University Press, 2015 (excerpts).

### **Session 8/ March 11**

#### **Socio-Ecologies**

- Ania Zbyszewska, "Regulating Work with People and 'Nature' in Mind: Feminist Reflections". 2018 *Comparative Labor Law and Policy Journal* 40(1): 9-28.

- Supriya Routh, “Embedding Work In Nature: The Anthropocene And Legal Imagination Of Work As Human Activity.” 2018 *Comparative Labor Law and Policy Journal* 4(1), 29-60.
- Jason W. Moore, “Anthropocene or Capitalocene? On the Nature and Origins of Our Ecological Crisis” in *Capitalism in the Web of Life: Ecology and the Accumulation of Capital*. Verso, 2015.
- F. Capra and U. Matei. *The Ecology Of Law: Toward a Legal System in Tune with Nature and Community*. Oakland, CA.: Berrett-Koehler Publishers, 2015.

### **Session 9/ March 18**

#### **Solidarities**

- Judith Marshall, “Behind the Image of South-South Solidarity at Brazil’s Vale.” In *Brics: An Anti-Capitalist Critique*. Edited by P. Bond and A. Garcia, 62-185. London: Pluto Press.
- Norah Rathzel and David Uzzell. 2012. “Mending The Breach Between Labor And Nature: Environmental Engagements Of Trade Unions And The North-South Divide.” *Interface: A Journal For And About Social Movements* 4(2): 81-100.

### **Session 10/ March 25**

#### **Resistance**

- Sarah Swider, ‘Protest and Organizing among Informal Workers under Restrictive Regimes,’ in *Building China: Informal Work and the New Precariat*, 101-122.
- Adrian Smith, 2013. “Racialized in Justice: The Legal and Extra-legal Struggles of Migrant Agricultural Workers in Canada.” *Windsor Yearbook of Access to Justice* 31: 15-38.
- Kathi Weeks, (2009) “Marxism, Productivism, and the Refusal of Work” in *The Problem with Work*. Durham: Duke University Press.

### **Session 11/April 1**

#### **Post-work**

- Bertrand Russell, (2004, original 1935), “In Praise of Idleness” in B. Russell *In Praise of Idleness*, Abingdon, New York: Routledge (1-15).
- Anna Coote, J. Franklin, and A. Simms (2010) *21 Hours*, London: New Economics Foundation.
- Kathi Weeks, ‘The Future is Now: Utopian Demands and the Temporalities of Hope’ in *The Problem with Work*.
- J.K. Gibson-Graham, Cameron J. & Healy, S. “Take Back Work: Surviving Well” in *Take Back the Economy: An Ethical Guide for Transforming our Communities*. Minneapolis: University of Minnesota Press, 2013.

### **Session 12/ April 8**

#### **Utopias**

- Alberto Acosta, “From the Ghost of Development to Buen Vivir (Living Well): Building Utopias. In *Handbook on Development and Social Change*, edited by G.H. Fagan and R. Munck, 433-454. Edward Elgar, 2018.
- Eduardo Gudynas, “Value, Growth, Development: South American Lessons for a New Ecopolitics.” 2019 *Capitalism Nature Socialism* 30(2): 234-243.
- Christa Wichterich, “Contesting Green Growth, Connecting Care, Commons and Enough.” In *Practising Feminist Political Ecologies: Moving Beyond The Green Economy*. Edited by W. Harcourt and I. L. Nelson, 72. London: Zed Books, 2015.

### **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://carleton.ca/studentssupport/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/>