

## Course Outline

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Course:	LAWS 4106 A - Law and Violence
Term:	Fall 2021
Prerequisites:	LAWS 2908 or PAPM 3000 and fourth-year Honours standing.
Class:	Day & Time: Wednesdays, 18:05-20:55 (EST)
	Where: Zoom
Instructor:	Dr. Safiyah Rochelle
Contact:	Office Hrs: By appointment, on Zoom
	Email: safiyah.rochelle@carleton.ca

### CALENDAR COURSE DESCRIPTION

Examination of how law defines, justifies, and addresses individual, collective, and state violence: contemporary and historical case studies; theoretical inquiries into the relationship between law, legality and different forms of violence.

### COURSE DESCRIPTION

There is a paradox that lies at the heart of the relationship between law and violence. On the one hand, law and its mechanisms confront and regulate violence; while on the other, law both enables and is a form of violence. Violence is necessary not only to the modern state's ability to guarantee order and maintain the rule of law - it also intertwines with law in order to dispossess, exclude, and target populations. How do systems and practices of law encounter, produce, and justify violence? What forms of violence occur within, alongside, and in the wake of law? Throughout the term, we will pay particular attention to state violence and its multiple manifestations, and also

consider the specific forms of resistance that arise in answer to it. In approaching these issues, we will engage with key theoretical texts and tackle a broad array of topics that demonstrate both the complexity of this paradoxical relationship, and its centrality to our everyday lives.

### REQUIRED TEXTS

All articles, excerpts, and other materials can be found on Brightspace, online, or through the Carleton library (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.

### **Seminar Participation and Weekly Discussion Lead 25% (15% + 10%)**

Obviously, these are strange times. Despite our best efforts, it’s virtually (no pun intended) impossible to recreate the seminar experience over Zoom. With that said, this is a seminar course. There is no lecture component to this class, and so it really lives and dies with your participation and engagement. I have tried to structure this portion of the class in a way that will both encourage participation, and give opportunities for those who do not thrive with the online format (which is most of us, I think). The following are guidelines and expectations for participation:

- You are expected to attend each seminar class, during the class time. I am splitting the class into two groups: Group A and Group B. Group A will attend our Zoom class from 18:05-19:25, and Group B will attend our Zoom class from 19:35-20:55. I will assign Groups during the first class, but it will likely be alphabetical. You may miss one seminar class with no explanation or penalty, but please note that more than one absence will impact your mark. If illness or some other issue precludes you from attending, please reach out to me and we can make accommodations
- Mere attendance is the bare minimum. To ensure you receive full marks, please come to class with the readings done, and ready to engage in discussion. “Discussion” can take many forms: you can use your camera, or you may choose not to. You can use the microphone, or you may choose to use the chat box. You will also get marks for “leading” a weekly discussion (see next bullet)

- You are responsible for taking the lead on ONE week's topic/readings. You may choose which week you would like to take on (**with the exceptions of Weeks One and Thirteen**), and it will be on a first-come, first-serve basis. I will circulate a sign-up sheet at the end of our first class.
- As the lead, you are expected to prepare **3-4 questions/prompts** to stimulate our discussion (you do not have to "present" during class). This means that you must carefully read the materials for your week, think critically about what is being discussed, and consider which aspects will facilitate discussion (lingering questions, connections to or disagreement with other readings, critiques/criticisms, theoretical and/or practical implications, etc.)
- You must submit your questions/prompts **24 HOURS before** the start of class, on Brightspace. Please note this exercise is meant to spark engagement with the readings and conversation – consider it a jumping off point, from which the discussion may wander to various places. That is to be expected, and encouraged!

*Due Dates: Throughout Term*

**Reading Response x 2 (4-5 pages each) 20%**

Over the course of the term, you can submit a reading response to any week's material of your choosing, with one caveat – submission for the responses must be done PRIOR to the last week's class (December 8<sup>th</sup>). Responses should critically engage with the materials, make connections, and raise question/critiques – they are not meant to be a summary. Detailed information will be provided on Brightspace and in class.

*Due Dates: Throughout Term*

**Research Proposal (1-2 pages) 15%**

You are asked to submit a research proposal that provides a summary of the topic you would like to write your research paper on, the theoretical lens(es) through which you will be examining it, and a short bibliography (3-4 sources). The proposal will provide me an opportunity to give you suggestions and feedback on your research paper topic.

*Due Date: November 3<sup>rd</sup>*

**Research Paper (12-15 pages) 40%**

A research paper on your proposed topic of interest. Papers must be between 12-15 pages in length. A detailed guideline will be provided on Brightspace, and I will give time during class to discuss expectations. Papers must be submitted online, through Brightspace. Your paper should use Times New Roman 12 point font, and be formatted as a Word doc (no PDFs). Please use Chicago-style for footnotes and bibliography.

*Due Date: December 8<sup>th</sup>*

### LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Deadlines are for the benefit of individual students and are a necessary component to ensuring the class runs smoothly. We also want to be able to stay relatively on track when it comes to the readings and assignments, and to make sure that everyone is held to the same standards and expectations. Of course, life happens, and deadlines (rightfully so) sometimes have to take a backseat. I am flexible and open to discussing accommodation options when things happen (medical issues, family responsibilities, having to juggle too many responsibilities at once, etc) that may put you behind during the course of the semester. Please be sure, however, to communicate with me so that I am aware and can provide you with support. Of course, you don't have to provide personal details, but please keep me in the loop.

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, you will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

SCHEDULE

<b>Week One – September 8th</b>	<b>Introduction to Law and Violence</b>
<ul style="list-style-type: none"> <li>· Introductions</li> <li>· Core Themes and Questions</li> <li>· Syllabus Overview and Expectations for the Term</li> </ul> No readings	
<b>Week Two – September 15th</b>	<b>Confronting Law’s Mythologies</b>
Cover, Robert, “Violence and the Word”, Yale Law School, 1601-1629  Benjamin, Walter, “A Critique of Violence”, in <i>Walter Benjamin: Selected Writings Volume 1: 1913-1926</i> , Cambridge: Harvard University Press, 236-252.  Scheper-Hughes, Nancy and Bourgois, Phillipe, “Introduction: Making Sense of Violence,” from <i>Violence in War and Peace: an Anthology</i> , London: Wiley-Blackwell, 1-31.	
<b>Week Three – September 22<sup>nd</sup></b>	<b>Expansion and Domination</b>
Barker, Adam J, The Contemporary Reality of Canadian Imperialism: Settler Colonialism and the Hybrid Colonial State, <i>American Indian quarterly</i> .33, no.3 (2009): 325-351  Fanon, Frantz, “Concerning Violence” in <i>The Wretched of the Earth</i> , New York: Grove Press, 1-38  Blomley, Nicholas. "Law, Property, and the Geography of Violence: The Frontier, the Survey, and the Grid." <i>Annals of the Association of American Geographers</i> 93, no. 1 (2003): 121-41	
<b>Week Four – September 29<sup>th</sup></b>	<b>(Extra)Ordinary Violence</b>
Arendt, Hannah, “The Decline of the Nation-State and the End of the Rights of Man” in <i>Origins of Totalitarianism</i> , 267-302	

<p>Foucault, Michel, "Right of Death and Power Over Life", in <i>History of Sexuality</i>, 133-159 and "Lecture 11", in <i>Society Must Be Defended: Lectures at the College de France 1975-1976</i>", New York: Picador, 1997: 239-263</p> <p>Mbembe, Achille. "Necropolitics." <i>Public Culture</i> 15, no. 1 (2003): 11-40.</p>	
<b>Week Five - October 6th</b>	<b>Confinement</b>
<p>Alexander, Michelle, "Introduction" in <i>The New Jim Crow: Mass Incarceration in the Age of Colorblindness</i>, 1-58</p> <p>Dayan, Colin. "With Law at the Edge of Life." <i>South Atlantic Quarterly</i> 113, no. 3 (2014): 630- 639.</p> <p>Rodriguez, Dylan. "(Non) scenes of captivity: The Common Sense of Punishment and Death". <i>Radical History Review</i> 96, (2006): 9-32.</p>	
<b>Week Six - October 13th</b>	<b>Securitization</b>
<p>Basaran, Tugba, "Security, law, borders: Spaces of exclusion", <i>International Political Sociology</i>, 2008, 2(4): 339-354.</p> <p>Walia, Harshia "What is Border Imperialism?", in <i>Undoing Border Imperialism</i>, Oakland, CA: AK Press, 2013, 35-80.</p> <p>Howell, Alison, and Melanie Richter-Montpetit. "Is Securitization Theory Racist? Civilizationism, Methodological Whiteness, and Antiracist Thought in the Copenhagen School." <i>Security Dialogue</i> 51, no. 1 (February 2020): 3-22.</p>	
<b>Week Seven - October 20th</b>	<b>Exclusions I: Expulsion</b>
<p>Agamben Giorgio. <i>Homo Sacer: Sovereign Power and Bare Life</i>. Stanford: Stanford University Press, 1998. 1-12, 126-135, and 166-180</p> <p>Ziarek, Ewa. "Bare Life on Strike, Biopolitics of Race and Gender." <i>South Atlantic Quarterly</i></p> <p>Khalili, Laleh, "From Island Prisons to Guantanamo Bay", in <i>Time in the Shadows: Confinement in Counterinsurgencies</i>, Stanford University Press, 2012: 65-100</p>	
<b>Week Eight - October 27th</b>	<b>Fall Break, No class</b>

No Seminar	
<b>Week Nine - November 3rd</b>	<b>Exclusions II: Displacement</b>
<p>Feldman, Ilana. "What is a Camp: Legitimate Refugee Lives in Spaces of Long-term Displacement." <i>Geoforum</i> 66 (2015): 244-252</p> <p>Midzain-Gobin, L., "Come out and live on your land again': sovereignty, borders and the Unist'ot'en camp', <i>Int. J. Migration and Border Studies</i>, Vol. 5, Nos. 1/2, 2019: 12-28.</p> <p>De Genova, Nicholas, "Spectacles of migrant 'illegality': the scene of exclusion, the obscene of inclusion", <i>Ethnic and Racial Studies</i>, 2013, 36:7, 1180-1198</p>	
<b>Week Ten - November 10<sup>th</sup></b>	<b>Legibility</b>
<p>Zevnik, Andreja. "Becoming-Animal, Becoming-Detainee: Encountering Human Rights Discourse in Guantanamo." <i>Law Critique</i> 22, no. 2 (2011): 155-169.</p> <p>Butler, Judith, "Violence, mourning, politics" in <i>Precarious life</i>, New York, NY: Verso, 2004: 19-49</p> <p>Özsu, Umut, "Genocide as Fact and Form", <i>Journal of Genocide Research</i>, (2020) 22:1, 62-71</p>	
<b>Week Eleven - November 17<sup>th</sup></b>	<b>Slow Violence</b>
<p>Scott, Dayna Nadine, "Law's Slow Violence: A Review of Rob Nixon's "Slow Violence and the Environmentalism of the Poor" (HUP, 2010)</p> <p>Horsti, Karina Horsti and Pirkkalainen, Päivi, "The Slow Violence of Deportability", 2021 <a href="https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2021/01/slow-violence">https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2021/01/slow-violence</a></p> <p>Davies, Thom. "Slow Violence and Toxic Geographies: 'Out of Sight' to Whom?" <i>Environment and Planning C: Politics and Space</i>, (April 2019)</p>	
<b>Week Twelve - November 24<sup>th</sup></b>	<b>Bodily Resistance: Self-Sacrifice</b>

<p>Bargu, Banu. "The Silent Exception: Hunger Striking and Lip-Sewing." <i>Law, Culture and the Humanities</i>, May 2017: 1-28.</p> <p>Fierke K. M., 2013. "Political self-sacrifice" in <i>Political Self-Sacrifice</i>, Cambridge: Cambridge University Press, p. 33-54 (21).</p> <p>Wilcox, Lauren B., "Explosive Bodies: Suicide Bombing as an Embodied Practice and the Politics of Abjection", in <i>Bodies of Violence: Theorizing Embodied Subjects in International Relations</i>. New York: Oxford University Press, 2015, 80-103</p>	
<b>Week Thirteen - December 1st</b>	<b>Non-Violence?</b>
<p>Butler, Judith, "Introduction" in <i>The Force of Nonviolence: An Ethico-Political Bind</i>, New York: Verso, 2020, 11-26.</p> <p>Gandhi, Mahatma, "Non-Violence as Political Action," in <i>Essential Writings</i>, Oxford: Oxford University Press, 2008, 309-74</p> <p>King, Martin Luther, "Love, Law and Civil Disobedience," in <i>A Testament of Hope: The Essential Writings and Speeches of Martin Luther King Jr</i>, San Francisco, CA: Harper San Francisco, 1995, 263-72;</p>	
<b>Week Fourteen - December 8<sup>th</sup></b>	<b>TBD: Likely, free class to complete final paper</b>
Final Paper Due!	

### COVID-19 PREVENTION MEASURES

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).



All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g. directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the [University's COVID-19 webpage](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca)

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

## ACADEMIC ACCOMMODATIONS

### Academic Accommodation

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy 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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

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 [click here](#).

Academic Accommodations for Students with Disabilities: [The Paul Menton Centre for Students with Disabilities](#) (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact 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 to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

### 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 where 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/equity/sexual-assault-support-services>

### 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 will be provided to students who compete or perform at the national or international level. 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: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

### 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/>.

#### 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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please 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/student-experience-resources/>.