

Course Outline

COURSE:	LAWS 4902 – Activism and Academic Freedom: Seminar in Advanced Human Rights Advocacy
TERM:	Winter
PREREQUISITES:	Academia and Activism (LAWS 4901)
CLASS:	Day & Time: January and February classes will be held via zoom online; We meet in person on Wednesdays from 2.30-5.30 as of March 1, 2023 Room: Learning Lab (Discovery Center)
INSTRUCTOR:	Dr. Adrian
CONTACT:	Office: Loeb D-593 Office Hrs: By Appointment Telephone: 613-520-2600 x. 2085 Email: melanie.adrian@carleton.ca

COURSE DESCRIPTION

Building on *Academia and Activism*, this course is at once a sustained examination of the legal, political and institutional intersections of academic freedom, and, an experiential engagement in this field. In our discussion sessions we will take up the history of academic freedom and ask, is academic freedom a human right? If so, is it a distinct right, or a sub-right of the freedom of speech? What are the consequences of the individual expression of freedom?

These theoretical discussions will be underpinned through our work collaborating with Scholars at Risk (SAR), an international NGO. SAR is an international network of institutions and individuals whose mission it is to protect scholars and promote academic freedom. The purpose of this “living class” is to work as the case-responsible entity for a scholar who is being persecuted for their ideas.

Please note: This course will meet in a virtual space in January and February. We will meet in person starting March 1st. This will give groups the flexibility to meet outside of class hours as they organize their advocacy events.

Learning Outcomes

1. Identifying, describing and explaining different positions/perspectives on the right to speak and academic freedom;
2. Engaging in and critically reflecting on work related to human rights protection or promotion;
3. Analyzing competing arguments and arrive at own informed conclusions;
4. Experience working on a real-world case with a reputable NGO;

5. Teambuilding and teamwork; advocacy group work;
6. Presenting and leading discussions;
7. Professionalization in written and oral forms;

REQUIRED TEXTS

1. Reichman, Henry. *The Future of Academic Freedom*. Baltimore: Johns Hopkins University Press, 2019.
2. Sussman, Amanda. *The Art of the Possible: (a handbook for political activism)*. Toronto: McClelland & Stewart Ltd., 2007.

Non-required texts that are excellent resources:

1. Choudry, Aziz, Jill Hanley, and Eric Shragge, eds. 2012. *Organize! Building from the Local for Global Justice*. Oakland: PM Press.
2. Shaw, Randy. 2013. *The Activist's Handbook*. 2nd ed. Berkeley: University of California Press.

REQUIRED PODCAST

We will listen to various episodes of a podcast taking up free expression in Canada. It is best if you listen to the entire season at your convenience. You can download this series for free on any podcast software of your choosing.

- Dorazio, Dax. 2022. [*Free Expression: The Future of a Fundamental Freedom*](#). Podcast audio.

SUPPLEMENTARY TEXTS

All other materials are available on Brightspace and Ares.

EVALUATION

All students will be asked to read the required reading and viewing each week.

Grading Requirements:

1. Pop Quizzes on readings (20%): each student is required to finish a pop quiz for 10/11 weeks of the course. (January 11, 18, 25, February 1,8, 15, March 1,8,15, 22, 29). These quizzes must be completed by 12 noon each Tuesday on the Brightspace course website. Pop quizzes will be available for 24 hours. Students will answer 5 questions and will be limited to 4 minutes in total. The lowest mark of 10 will be dropped.

2. Advocacy Strategy (20%): This document will outline the advocacy strategy that each group will follow during the semester. Please see the guidelines and grading rubric for more information.
Due January 25th at 11pm on Brightspace.

3. Organization of at least 3 advocacy interventions throughout the semester (20%): In their case groups, students will be responsible for organizing at least 3 advocacy events/interventions throughout the term. Each student will be responsible for one role in each of these events. Challenges and successes will be discussed in the tutorial. Each group will be responsible for delivering a short report on their activity the week after the activity. This should be submitted on the Brightspace portal and a copy sent to Dr. Adrian, Bruna Santos and their Advocacy Mentor before class. See the *advocacy activity guide for more information*. Groups must have organized an advocacy event by **February 15, March 8, March 22.**

4. Assessment of Professional Communications (15%): Each student will write at least 4 letters/e-mails to an organization, government unit or Member of Parliament or Senator. These letters will be evaluated for their professionalism (grammar and spelling; writing style) and content (substantive accuracy; phrasing of asks). See grading rubric for more detailed information. Please submit all 4 to the drop box. **Due Date: March 29 at 11pm on Brightspace.**

5. Advocacy Toolkit (Revision and Additional Written Submission) (25%): This requirement consists of two elements:

A) Each group will be responsible for writing new text pieces for at least TWO sub-sections of section 1 of the Advocacy Toolkit (Why Pursue Advocacy?). **This component is Due March 15 at 11pm on the Brightspace drop box.** This will be worth 15% of the 25% for this requirement.

B) Each group will line edit, proofread (they are not the same thing) and check all citations of another group's chapter and section 1 submission. **This component is Due March 29 at 11pm on the Brightspace drop box.** This will be worth 10% of the 25% for this requirement.

Important Due Dates - Summarized:

What	Where	When
Weekly Pop Quiz	Brightspace	January 11, 18, 25 February 1,8, 15 March 1,8,15, 22, 29
Advocacy Strategy	Brightspace drop box	January 25
Advocacy Event or Intervention	Dependent on location of event or intervention	By Feb 15, March 8 and March 22...and any time before and in between
Advocacy Event/Intervention Report	Dr. Adrian, Bruna Santos and the Advocacy Mentor; and submit a copy on brightspace	No later than 1 week following an event
Additional Paragraphs for Advocacy Toolkit	Brightspace drop box	March 15
Reviewed and revised AT chapter	Upload to google docs	March 15
Editorial Review of Advocacy toolkit chapter	Upload to google docs – each group member will work under their own name	March 29
Assessment of professional communication	Brightspace drop box	March 29

SCHEDULE

Class 1: Course Expectations and The History of Academic Freedom

January 11

Required Readings:

- Sussman, Amanda. *The Art of the Possible: (a handbook for political activism)*. Toronto: McClelland & Stewart Ltd., 2007. Chapter 6 (When Is a Good Time?). P.157-180.

Required Listening:

- Dorazio, Dax. 2022. [Free Expression: The Future of a Fundamental Freedom](#). Podcast audio. Episode 2: How is Free Expression Protected in Canada? Aug. 24.

Required Viewing:

- [No Safe Spaces](#) (documentary – 112 minutes)
 - Terrifying violence on college campuses across America. Students lashing out at any speaker brave enough to say something they disagree with. Precious snowflakes demanding "Safe Spaces" to protect them from any idea they haven't heard from their liberal professors. In *No Safe Spaces*, Dennis Prager and Adam Carolla expose the attack on free speech and free thought.

Additional Readings:

- Metzger, Walter P. 1961. *Academic Freedom in the Age of the University*. New York: Columbia University Press.
- Universities Canada. 2011. [Statement on Academic Freedom](#).
- Dea, Shannon. 2018. "[A Brief History of Academic Freedom](#)" in *University Affairs*.
- Fish, S. 1992. *Versions of Academic Freedom. From Professionalism to Revolution*. Chicago: Chicago University Press. Chapter One: 'Academic Freedom Studies'.

Class 2: Is Academic Freedom Needed?

January 18

Required Readings:

- [Dangerous Questions: Why Academic Freedom Matters](#) - Please complete Week 1 (What is Academic Freedom?) of this online course. Brought to you by SAR.
- Sussman, Amanda. *The Art of the Possible: (a handbook for political activism)*. Toronto: McClelland & Stewart Ltd., 2007. Chapter 7 (Which method is Best?). P.181-210; Chapter 8 (How Do You Get Your Message Out?). P. 211-233.

Additional Readings:

- Dea, Shannon. 2019. "[The Price of Academic Freedom](#)" in *University Affairs*.

- Karran, T. 2009. 'Academic Freedom: In Defense of a Universal Ideal' *Studies in Higher Education* 34(2).

ALL - Please review from December:

- Reichman, Henry. *The Future of Academic Freedom*. Baltimore: Johns Hopkins University Press, 2019. Chapter 1 (Does Academic Freedom Have a Future?) P. 1-27.
- Scholars at Risk. "Advocacy Guide: Creating a Successful Action Alert." (Available [here](#))
- Sussman, Amanda. *The Art of the Possible: (a handbook for political activism)*. Toronto: McClelland & Stewart Ltd., 2007. Chapters 1 (Where Do You Start?) and 2 (What Do You Have to Offer?). P. 24-72.

Class 3: Is Academic Freedom a Human Right?

January 25

Required Readings:

- Quinn, Robert, and Jesse Levine. 2014. "Intellectual-HRDs and claims for academic freedom under human rights law." *The International Journal of Human Rights* 18:7-8: 898-920. (Available on Ares)
- [UDHR Article 19](#)
- [ICCPR Article 19](#)

Additional Readings:

- Rajagopal, B. 2003. 'Defending Academic Freedom as a Human Right: An Internationalist Perspective' *Academe-Journal of the American Association of University Professors* (May-June): 25-28.

ALL - Please review from December:

- Jonathan R. Cole. 2017. Academic Freedom as an Indicator of a Liberal Democracy, *Globalizations*, 14:6, 862-868. (available on course website)
- Reichman, Henry. *The Future of Academic Freedom*. Baltimore: Johns Hopkins University Press, 2019. Chapter 2 (How Can Academic Freedom Be Justified?) P. 28-50.
- Sussman, Amanda. *The Art of the Possible: (a handbook for political activism)*. Toronto: McClelland & Stewart Ltd., 2007. Chapters 3 (What Do you Want To Achieve?) and 4 (What Do You Need To Know?). P. 73-137.

Class 4: Why Academic Freedom Matters

February 1

Required Readings:

- [Dangerous Questions: Why Academic Freedom Matters](#) - Please complete Week 2 (Threats to Academic Freedom and Impacts on Society) of this online course. Brought to you by SAR.
- Sussman, Amanda. *The Art of the Possible: (a handbook for political activism)*. Toronto: McClelland & Stewart Ltd., 2007. Chapter 9 (Who Do You Need To Know?). P.234-248.

Class 5: Academic Freedom and Freedom of Speech - I

February 8

Required Readings:

- Universities Canada. 2011. [Statement on Academic Freedom](#). (pay close attention to the distinction between academic freedom and freedom of speech.)
- Sussman, Amanda. *The Art of the Possible: (a handbook for political activism)*. Toronto: McClelland & Stewart Ltd., 2007. Chapter 10 (What Happens When You're Face-to-Face?). P.249-285.

Required Viewing:

- [Does Tenure Really Encourage Free Speech?](#) Megan McArdle Tackles Issues in Higher Ed (7.37)
 - Megan McArdle understands the importance of free expression on campus. As an undergraduate at the University of Pennsylvania in 1993, she witnessed firsthand her school's prosecution of student Eden Jacobowitz in the infamous "water buffalo" case.

Class 6: Academic Freedom and Freedom of Speech - II

February 15

Required Reading:

- Docherty, T. 2016. 'On Academic and Other Freedoms' in *Why Academic Freedom Matters. A Response to Current Challenges* (eds) C. Hudson and J. Williams, 96-111. London: Civitas.
- [Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#) (2016)
 - In this report, the Special Rapporteur underscored that 'hate speech' legislation must meet the requirements of legality, necessity and proportionality, and legitimacy, in order to meet the requirements of international human rights law. The Special Rapporteur noted that States should generally deploy tools at their disposal other than criminalization and prohibition – such as education, counter-speech, promotion of pluralism, and so forth – to address hateful speech that does not constitute incitement to discrimination, hostility, or violence.

Required Viewing:

- [Without academic freedom, we might never see the truth. Here's why.](#) | Nicholas Christakis (6.28)
 - In academia, communication is supposed to be somewhat provocative. The reaction to a provocative idea can't be to silence the one expressing it, but to approach it from the other side of the argument. One way to think about this is that if you don't understand the other side of an issue, then you can't claim to understand the issue.

February 22 – Fall Break – No Classes Meet

Class 7: Academic Freedom and Hate Speech

March 1

Required Reading:

- Moon, Richard (2008-9) "Hate Speech Regulation in Canada" in *Florida State University Law Review* 79-97.

Required Listening:

- Dorazio, Dax. 2022. [Free Expression: The Future of a Fundamental Freedom](#). Podcast audio. Episode 9: What Does Expressive Harm Look Like? Nov. 30.

Required Viewing:

- [When is Free Speech Hate Speech?](#) (50:26)
 - William Whatcott is presenting one of the most important freedom of speech cases before Canada's top court. When does freedom of speech and religion trump the rights of homosexuals? The Agenda analyzes the limits of free speech.
- [Countering "Hate Speech"](#) (1:28:55)
 - Canadians and Canadian universities are struggling with the rise of hate and hateful speech. Demands for censorship are growing. But do tougher laws and university regulations against "hate speech" work? Are there other alternatives? Join one of the world's leading authorities for a talk and discussion of this vital issue. Speaker: Nadine Strossen, Professor of Constitutional Law, New York Law School and former President of the American Civil Liberties Union

Additional Readings:

- Walker, Julian. *Hate Speech and Freedom of Expression: Legal Boundaries in Canada*. Library of Parliament, 2018.

Class 8: The Citizen Academic and the Right to Free Speech

March 8

Required Readings:

- Reichman, Henry. *The Future of Academic Freedom*. Baltimore: Johns Hopkins University Press, 2019. Chapter 3 (Can Faculty Speak Freely as Citizens?). P. 51-63.

Additional Reading:

- Bhandar, Brenna. 2009. "The Ties that Bind: Multiculturalism and Secularisms Reconsidered." *Journal of Law and Society* 36 (3):301-326.

Class 9: Can I Tweet that?

March 15

Required Readings:

- Reichman, Henry. *The Future of Academic Freedom*. Baltimore: Johns Hopkins University Press, 2019. Chapter 3 (Can Faculty Speak Freely as Citizens?). P. 51-63.
- Shaw, Randy. 2013. *The Activist's Handbook*. 2nd ed. Berkeley: University of California Press. Chapter 5 (The Media: Winning More Than Coverage). O, 7-40; Chapter 6 (The Internet and Social Media: Maximizing the Power of Online Activism). P139-168.

Class 10: Do Students Have Academic Freedom?

March 22

Required Readings:

- Reichman, Henry. *The Future of Academic Freedom*. Baltimore: Johns Hopkins University Press, 2019. Chapter 7 (Do Students Have Academic Freedom?). P. 151-170.
- Macfarlane, B. 2012. 'Re-framing Student Academic Freedom: a Capability Perspective' *Higher Education* 63: 719-732.

Required Listening:

- Dorazio, Dax. 2022. [Free Expression: The Future of a Fundamental Freedom](#). Podcast audio. Episode 8: Is there a Crisis on Campus? Nov. 16.

Required Viewing:

- [Academic Freedom at Laurier](#) (14:39)
 - Deborah MacLatchy, president and vice-chancellor of Wilfrid Laurier University joins The Agenda to discuss the recent controversy involving one of the school's teaching assistants.

Class 11: Academic Freedom and Democracy

March 29

Required Readings:

- Woodhouse, Howard. "The Contested Terrain of Academic Freedom in Canada's Universities: Where Are We Going?" *American Journal of Economics and Sociology* 76, no. 3 (2017): 618-647.
- Cole, Jonathan R. "Academic freedom as an indicator of a liberal democracy." *Globalizations* 14, no. 6 (2017): 862-868.

Additional Readings:

- Dillon, Sara. "On Academic Tenure and Democracy: The Politics of Knowledge." *UIC J. Marshall L. Rev.* 52 (2018): 937.
- Juergensmeyer, Erik, Anthony J. Nocella II, and Mark Seis. *Neoliberalism and Academic Repression: The Fall of Academic Freedom in the Era of Trump*. Brill, 2019.

Class 12: Year Wrap-up

April 5

University and Departmental Policies

DEPARTMENT POLICIES AND REGULATIONS

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements:
<https://carleton.ca/law/student-experience-resources/>.

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/>.

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

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 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 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/>.

Winter 2023 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website:</i> https://calendar.carleton.ca/academicyear/	
January 9, 2023	Winter term begins.
January 20, 2023	Last day for registration and course changes (including auditing) in full winter and late winter courses.
February 20, 2023	Statutory holiday. University closed.
February 20-24, 2023	Winter break. No classes.
March 15, 2023	Last day for academic withdrawal from full winter, late winter, and fall/winter courses.
April 7, 2023	Statutory holiday. University closed.
April 12, 2023	Winter term ends. Last day of full winter, late winter, and fall/winter classes.
April 15-27, 2023	Final examinations in full winter, late winter, and fall/winter courses will be held. Examinations are normally held all seven days of the week.
April 27, 2023	All final take-home examinations are due on this day.