

Course Outline

COURSE:	LAWS 5903G – Contemporary Topics: Regulating Labour in the 21st Century – Bodies, Spaces, Flows, Utopias
TERM:	Fall 2022
PREREQUISITES:	Must be enrolled in one of the following Classifications: Graduate - Normal
CLASS:	Day & Time: Tuesdays, 8:35-11:25 Room: LA B454 (But please check Carleton Central for current Class Schedule)
INSTRUCTOR:	Dr Ania Zbyszewska
CONTACT:	Office: Room C475 Loeb Building Office Hrs: Tuesdays 12-1pm; Thursdays 3-4pm, or by appointment (in person or zoom) Telephone: N/A Email: Ania.zbyszewska@gmail.com

CALENDAR COURSE DESCRIPTION

Adopting a range of critical (feminist, heterodox political economy, decolonial, 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, decolonial, 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. (e-book, university library)
- 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 Brightspace.

DELIVERY AND APPROACH

This seminar is delivered through weekly discussion sessions held on Tuesdays, starting at 8:35am and lasting around 2.5 hours (with a break). Attendance and active engagement in these sessions are integral to the seminar design and, as such, are mandatory.

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.

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

All components must be successfully completed in order to get a passing grade

Participation

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

Reflections

You will write five (5) short reflection papers (3-4 pages) on readings or sources of your choice. Each of the reflections must 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 Brightspace) on Mondays by 5pm, before our weekly session on Tuesday morning.

Class discussion facilitation

Students will be responsible for leading class discussion on a selected theme on a chosen week, beginning with week 3. I will prompt you to submit your preferences by the end of 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 and other themes already explored, identifying issues for discussion, and developing class activities pertaining to that reading.

Final project

The final project in this course will be a research-based output. Students can choose either to write a research paper (12-15 pages, excluding references) or curate a multi-media essay (photo essay or audio-essay/podcast of 20-30mins) accompanied by a written

script/explanation contextualizing the piece, as well as a list of references documenting the research process. Students will receive some materials 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 PENALTIES AND REQUESTS FOR EXTENSIONS

Assignments that are due through Brightspace 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 Brightspace, 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).

SCHEDULE

Session 1/ 13 September Work, Labour and Law

- Kathi Weeks, "Introduction: The Problem with Work" and "Mapping the Work Ethic" in *The Problem with Work*, 1-36, Durham: Duke University Press, 2011.
- Barbara E. 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. University of Georgia Press, 2015.
- 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*. Hart, 2019.
- Judy Fudge, "Feminist Reflections on the Scope of Labour Law: Domestic Work, Social Reproduction, and Jurisdiction." *2014 Feminist Legal Studies* 22: 1–23.

Optional:

- 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.

Session 2/ 20 September**Labouring Bodies**

- Silvia Federici, *Caliban and the Witch*, 61-160. New York: Autonomedia, 2014.
- Gargi Bhattacharyya, Chapter 2, “Social Reproduction: Gender, Racism, Nature” in *Rethinking Racial Capitalism: Questions of Reproduction and Survival*. Rowman and Littlefield, 2018.
- Prabha Kotiswaran, “The Laws of Social Reproduction: A Lesson in Appropriation” 2013 *Northern Ireland Legal Quarterly* 64(3), 317-33.
- Kendra Coulter, “The Work Done by Animals: Identifying and Understanding Animal Work” in *Animals, Work, and the Promise of Interspecies Solidarity*, 55-95. Palgrave Macmillan, 2016.

Optional:

- Rachel Lara Cohen and Carol Wolkowitz, “Feminization of Body Work,” (January 2018) *Gender, Work and Organization* 25(1), 42-62.

Session 3 /27 September**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, “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/ 4 October**No meeting this/individual work on Methodologies**

- Carol Wolkowitz, "Flesh and Stone Revisited: The Body Work Landscape of South Florida." *Sociological Research Online*, (2012), 12(2).
- Eden Kinkaid, Kelsey Emard, and Nari Senanayake, "The Podcast-as-Method? Critical Reflections on Using Podcasts to Produce Geographic Knowledge, *Geographical Review*, 110:1-2, 78-91.
- Linda H. Edwards, "Speaking of Stories and Law" in *Legal Communications and Rhetoric*, (2016) 13: 157-180.
- Larissa Behrendt, "Indigenous Storytelling: Decolonizing Institutions and Assertive Self-Determination: Implications for Legal Practice" in *Decolonizing Research: Indigenous Storywork as Methodology*, Jo-ann Atchibald, Q'um Xiiem, Jenny Bol Jun Lee-Morgan, Jason De Santolo (eds.), Zed, 2019.

Session 5/ 11 October

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.
- Onyanta Adama, "Criminalizing Informal Workers: The Case of Street Vendors in Abuja, Nigeria." *Journal of Asian and African Studies*. June 2020.
- Re-read Judy Fudge's piece from week 1.

Session 6/ 18 October

Flows: Migration

- Sarah Swider, *Building China: Informal Work and the New Precariat*. Ithaca, London: Cornell University Press, 2015 (Chapters 1 and 2).
- Tracey Banivanua Mar, 'The Contours of Agency: Women's Work, Race, and Queensland's Indentured Labor Trade', in *Indigenous Women and Work: From Labor to Activism*, Carol Williams, ed. University of Illinois Press, 2012.
- Amy 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.
- Re-read Blackett's discussion of migration of domestic workers in chapters 5 and 6.

Week of 24 October

No session/Reading Break

Session 7/ 1 November

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)
- 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.
- Anna Lowenhaupt Tsing, *The Mushroom at the End of the World: On the Possibility of Life in Capitalist Ruins*. Princeton University Press, 2015 (Chapter 4).

**Session 8/ 8 November
Socio-Ecologies**

- Fritjof Capra and Ugo Matei. *The Ecology of Law: Toward a Legal System in Tune with Nature and Community*. Oakland, CA.: Berrett-Koehler Publishers, 2015 (excerpts).
- Ania Zbyszewska, “Regulating Work with People and ‘Nature’ in Mind: Feminist Reflections”. 2018 *Comparative Labor Law and Policy Journal* (2018) 40(1): 9-28.
- Sara Seck, “Transnational Labour Law and the Environment: Beyond the Bounded Autonomous Worker, (2018) *Canadian Journal of Law and Society* 33(2): 137-157.
- Susan Roy and Ruth Taylor, “‘We Were Real Skookum Women’ The shishalh Economy and the Logging Industry of the Pacific Northwest Coast” in *Indigenous Women and Work: From Labor to Activism*, Carol Williams, ed. University of Illinois Press, 2012.

Optional

- Danielle DiNovelli-Lang and Karen Hebert, “Ecological Labor” in *Theorizing the Contemporary, The Naturalization of Work Series*, Society for Cultural Anthropology, 26 July 2018.
- 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.

**Session 9/ 15 November
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.
- Lynne Fernandez and Jim Silver, *Indigenous People, Wage Labour and Trade Unions: The Historical Experience in Canada*. CCPA, 2017.
- Verónica Gago, #We Strike: Towards a Political Theory of the Women’s Strike, in *Feminist International: How to Change Everything*, London: Verso, 2020.
- Look back to Blackett’s *Everyday Transgression* on the transnational solidarity of domestic workers.

Session 10/22 November

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, “Racialized in Justice: The Legal and Extra-legal Struggles of Migrant Agricultural Workers in Canada.” 2013 *Windsor Yearbook of Access to Justice* 31: 15-38.
- *24 Days in Brooks*, NFB (documentary, 42 mins).
- Leanne Betasamosake Simpson, “Indigenous Anticapitalism” and “Conclusion: Towards Radical Resurgent Struggle” in *We Have Always Done: Indigenous Freedom Through Radical Resistance*, University of Minnesota Press, 2021.
- Kathi Weeks, “Marxism, Productivism, and the Refusal of Work” in *The Problem with Work*. Durham: Duke University Press, 2009.

Session 11/29 November

Post-work

- Bertrand Russell, (2004, original 1935), “In Praise of Idleness” in B. Russell *In Praise of Idleness*, Abingdon, New York: Routledge (1-15).
- Kathi Weeks, “Working Demands: From Wages for Housework to Basic Income” in *The Problem with Work*.
- Anna Coote, J. Franklin, and A. Simms (2010) *21 Hours*, London: New Economics Foundation.

Session 12/6 December

Utopias

- Kathi Weeks, “The Future is Now: Utopian Demands and the Temporalities of Hope” and “A Life beyond Work” in *The Problem with Work*.
- Alberto Acosta, “Living Well: Ideas for Reinventing the Future.” *Third World Quarterly* 38.12(2017): 2600-2616.
- Eduardo Gudynas, “Value, Growth, Development: South American Lessons for a New Ecopolitics.” 2019 *Capitalism Nature Socialism* 30(2): 234-243.
- J.K. Gibson Graham, “Surplus Possibilities: The Intentional Economy of Mondragon” in *Postcapitalist Politics*, University of Minnesota Press, 2006.
- “Feminist Degrowth Reflections on COVID-19 and the Politics of Social Reproduction” by the Feminisms and Degrowth Alliance (blog).

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/>: <https://carleton.ca/law/student-experience-resources/>.

COVID Update

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are [a number of actions you can take](#) to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

Feeling sick? Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you must follow Carleton's [symptom reporting protocols](#).

Masks: Carleton has paused the [COVID-19 Mask Policy](#), but continues to strongly recommend masking when indoors, particularly if physical distancing cannot be maintained. It may become necessary to quickly reinstate the mask requirement if pandemic circumstances were to change.

Vaccines: Further, while proof of vaccination is no longer required as of May 1 to attend campus or in-person activity, it may become necessary for the University to bring back proof of vaccination requirements on short notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible, and submit their booster dose information in [cuScreen](#) as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the [University's COVID-19 website](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca.