

Course Outline

COURSE:	LAWS 5903H–Contemporary Topics: Migration, Border and Social Justice
TERM:	Fall 2022
PREREQUISITES:	Open to MA and PhD Legal Studies students
CLASS:	Day&Time: Thursdays @ 11:35 am – 2:25 pm Room: Loeb Building D492
INSTRUCTOR:	Gülay Kilicaslan (she/her)
CONTACT:	Office: Loeb Building D598 Office Hrs: Thursdays @ 2:45-3:45pm or By Appointment Telephone: (613) 520-2600 ext: 8069 Email: GulayKilicaslan@cunet.carleton.ca

CALENDAR COURSE DESCRIPTION

This course is designed to provide students with a comprehensive introduction to the critical border and migration studies in relation to social justice perspectives. Some of the topics that this course will cover include border construction, governance and nation-states; partition of nation, location, and identities; immigrant settlement and incorporation; migrant rights advocacy, state and subnational regulations, and rise of anti-immigrant discourse; the production of borders, immigrant figures and migrant “illegality”; migrant and refugee deservingness; bordering and migration management; criminalization of migrants and securitization of borders; migrant agency and activism and cross-border migrant solidarities.

COURSE DESCRIPTION

Contemporary migrations and border regimes generate challenging theoretical, methodological, legal and policy debates. This seminar course is designed to provide students with a comprehensive introduction to the studies of migration and borders by giving particular attention to the discussions on structural injustices that current border regimes perpetuate for migrants, particularly those from the Global South. In this seminar course, we will examine border and migration regimes in relation to discussions on extraterritorial membership, political community and governance; partition of nations, locations, and identities; immigrant settlement and incorporation; migrant rights advocacy, state and subnational regulations, and rise of anti-immigrant discourse; the production of borders, immigrant figures and migrant “illegality”; migrant and refugee deservingness; bordering and migration management; criminalization of migrants and securitization of borders; migrant agency and activism and cross-border migrant solidarities, and so forth. Many of these debates are marked by boundaries and bordering attempts, whether at the level of legal and ideological boundaries,

national borders or social boundaries related to belonging, rights and membership. The unpacking of the processes of border construction, and nation-state formation in relation to the movement of people across and against borders as well as perspectives on im/mobility within the frame of social justice will be at the center of this seminar course. It will also include a brief introduction to the mainstream approach to migration and social justice. Literature on border and state sovereignty, displacement, migrant mobilization, and social change will provide one frame for discussion and analysis; others will include citizenship, non-citizenship, belonging and boundary work. We will examine key dimensions of the social contexts, borders, institutions, networks, identities, practices, politics, and policies that contribute to shaping human mobility and social fields as part of a project of developing comparative and historically and geographically grounded analytical practice.

COURSE SPECIFIC LEARNING OBJECTIVES

- 1) To understand border construction, migration regimes, reception contexts and immigration and refugee law in a historical context.
- 2) To develop critical analysis of national and global policies on migration related issues.
- 3) To understand how migration and border have impacted social, economic, political, and cultural dynamics of society.
- 4) To be able to extend critical race, gender, and class analyses to border, im/migration and settlement related issues.
- 5) To learn about migrants' experiences, migration policies and migrant right advocacy from primary sources of knowledge, i.e., migrants' narratives.

REQUIRED TEXTS

All course materials and instructions about the course assignments will be made available on Brightspace prior to the first week of the course. All books (both required and optional) will be made available as library e-books. I also encourage you to buy physical copies of the books. This will help you to minimize your screen time and to make notes and comments in and on the margins. I will make sure that Octopus Books (<https://octopusbooks.ca/>, 116 3rd Avenue in Ottawa), a small independent bookstore with a history of supporting students, will have these books available for you. They can also hold or ship books to you.

Reading assignments include books, book chapters and articles from diverse sources. Some readings may change in conversation with the class participants to take account of class interests and concerns. We may also cover topics other than the ones listed for each week depending on the current national and global developments in the related field.

Required:

El-Enany, Nadine. 2020. *(B)Ordering Britain: Law, Race and Empire*. Manchester: University Press.

Mongia, Radhika Vyas. 2018. *Indian Migration and Empire: A Colonial Genealogy of the Modern State*. Durham: Duke University Press.

Walia, Harsha. 2021. *Border & Rule: Global Migration, Capitalism, and the Rise of Racist Nationalism*. Chicago, Illinois: Haymarket Books.

Optional:

Johnston, Caleb. 2019. *Migration in Performance: Crossing the Colonial Present*. Abingdon, Oxon; Routledge.

Mudu, Pierpaolo, and Sutapa Chattopadhyay, eds. 2016. *Migration, Squatting and Radical Autonomy: Resistance and Destabilization of Racist Regulatory Policies and b/ Ordering Mechanisms*. London: Routledge.

Saberi, Parastou. 2022. *Fearing the Immigrant: Racialization and Urban Policy in Toronto*. University of Minnesota Press.

LEARNING ACTIVITIES & ASSIGNMENTS

The primary objective of the learning activities is to enhance your skills in theoretical analysis and engaged/critical reading and writing of texts. In assessing your learning, I will pay particular attention to the following factors:

1. An active level of participation.
2. Evidence of your ability to integrate new knowledge and to effectively communicate your understanding in writing.
3. Evidence of your ability to critically analyse and engage with alternative perspectives.
4. Quality, clarity, and engagement in writing.

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.

Course Component	Weight	Due Date
Participation	20%	N/A
Reading commentaries (x8)	20% (2.5% each x 8)	By 9pm on Wednesdays
Presentation of Two Readings	10%	Chosen Week
Research Paper-Short Proposal	5%	October 20
Research Paper-Long Proposal	10%	November 21
Final Research Paper	35%	December 19

General note: MA and PhD students are generally marked based on different expectations. The mark for the final paper may include an assessment of improvement from the initial proposal to the final paper.

Participation (20%)

Attendance is extremely important for full engagement in this course. Your presence and active engagement are expected to have a collective discussion. I strongly encourage you to discuss with me any circumstances that may affect your attendance & participation in class. It is expected that you will join the class having completed the assigned readings. The seminars will be primarily discussion-oriented and you should be prepared to discuss readings with your peers. Participation points will be allocated based on active engagement with course content and peers; a critical reading of course materials as well as other readings or experience; and brief presentation of final research paper topics.

Reading Commentaries (20% in total- 2.5% each): You are required to write brief weekly reflections on readings (8 out of 11 weeks-first week is excluded). These commentaries are not supposed to be summaries, but thoughtful analysis, critiques, comparisons with other readings in the outline, or discussions in relation to personal work and/or experiences, or current relevant events and developments. No need to provide outside sources/citations. Commentaries should be between **270-350** words and posted to the class (via Brightspace) by **9 pm the day before class (Wednesdays)**.

Presentation of Two Readings (10%) and Leading in-Class Discussions: You are required to prepare a brief presentation on two readings and lead in-class discussions. You will let me know your choice of a week/topic by **September 15**. After signing up for a week, it is up to you to decide on the two readings you will present. You need to let the class know which readings you will present **a week ahead of your presentation**. The presentation should be no more than 15 minutes in total. You should briefly introduce the text, might give some context on the text or author, discuss two or three issues raised in the text and provide at least two discussion questions for the class. The questions should use readings as a point of departure, and may draw on other materials (concepts, literature, events, or global developments). The presentations cannot and should not aim to give a comprehensive summary or critique of the text.

Short Research Proposal and Annotated Bibliography (5%)

You are required to prepare a short proposal for the paper you plan to write as your final research paper. The proposal should include the following elements: 1. The problematic you want to address, 2. The rationale for investigating this topic (i.e., explain why you focus on this question?) 3. The kinds of literature you plan to consult, 4. Tentative ideas about the kinds of arguments, positions or approaches you plan to present in the final essay. I expect you to also prepare an annotated

bibliography of 6-10 academic sources with proper citation information. The annotations should indicate how you plan to use the source in question in relation to your chosen topic; you do not need to write extended summaries for the annotated bibliography so you may include a copy of the abstract for the academic sources if one is available. If you are not familiar with bibliographic data management software (such as Zotero, EndNote, RefWorks etc.), you might want to take a library course on this. I highly recommend this.

The short proposal should be about 750-1000 words (excluding bibliography and annotation and double-spaced). The short proposal is due on **October 20th**.

Long Research Proposal (10%)

You will prepare a slightly longer proposal that will be read and commented by me and one or two seminar participants. This longer version should include the following elements: 1.

Problematic/question/debate; 2. Rationale/Justification; 3. Schematic literature review that identifies key relevant debates on your topic and indicate how they inform your question or problematic; 4. Outline of the body of your paper with section titles, some of which expected to be developed.

The overall argument of your own, or your thesis statement, doesn't have to be ready at this point. The long proposal should be around 2500 words and double spaced. It is due on **November 21**.

Final Research Paper (35%)

You will write a final paper that builds and expands upon a topic covered in class, or a related topic. Topics or readings that are not directly related to the course are not acceptable. Please consult with me before mid-October if you are not sure about the topic of your paper. The papers should not be more than 6,000 words (excluding bibliography). The final essay is due in-class on **December 19th**.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

In this course, deadlines are set for different reasons including to stay on a track. If you experience any difficulties (medical or otherwise) to attend the classes or meet the deadlines, please contact me beforehand to discuss alternative options that can accommodate your requests. It is very important to come up with solutions that will be fair to every participant of this class. Asking for accommodations, you don't need to provide me with a detailed reason but only a hint that can help me to come up with an efficient plan for both parties. Depending on the reasons, we can modify the deadlines or provide you with reasonable extensions.

For longer extensions and requests to modify the assignment or evaluation structure, I might ask you to complete this form <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf> and send it to me via email.

SCHEDULE**September 8****Week 1: Introduction**

Getting to know each other & exchanging views on our expectations from the seminar

- ◇ Before coming to the seminar, please read the poem, [Imagine the Angels of Bread](#), by Martín Espada & check the art pop-up installation, [Hostile Terrain 94](#).

(No required readings except for the poem)

September 15**Week 2:****(B)order, Nation-State, and Migration**

Walia, Harsha. 2021. *Border & Rule: Global Migration, Capitalism, and the Rise of Racist Nationalism*. Chicago, Illinois: Haymarket Books. (Read only Ch 1 and 2)

El-Enany, Nadine. 2020. *(B)Ordering Britain: Law, Race and Empire*. Manchester: University Press. (Read only Ch 1 and 2)

(Highly) Recommended:

Mongia, Radhika Viyas. 2018. *Indian Migration and Empire: A Colonial Genealogy of the Modern State*. Durham: Duke University Press. (Ch 2)

September 22**Week 3:****Global Migration Regime, Colonialism and Im/migration Law**

Walia, Harsha. 2021. *Border & Rule: Global Migration, Capitalism, and the Rise of Racist Nationalism*. Chicago, Illinois: Haymarket Books. (Ch 3 and 4)

Mongia, Radhika Viyas. 2018. *Indian Migration and Empire: A Colonial Genealogy of the Modern State*. Durham: Duke University Press. (Ch 3 and 4)

Bhatia, Amar. 2018. "Re-Peopling in a Settler-Colonial Context: The Intersection of Indigenous Laws of Adoption with Canadian Immigration Law." *AlterNative: An International Journal of Indigenous Peoples* 14(4):343–53.

September 29

Week 4:

“National Order of Things” and Boundaries

Malkki, Liisa H. 1995b. “Refugees and Exile: From ‘Refugee Studies’ to the National Order of Things.” *Annual Review of Anthropology* 24(1):495–523.

Wimmer, Andreas, and Nina Glick Schiller. 2003. “Methodological Nationalism, the Social Sciences, and the Study of Migration: An Essay in Historical Epistemology.” *International Migration Review* 37:576-610.

Scheel, Stephan, and Martina Tazzioli. 2022. “Who Is a Migrant? Abandoning the Nation-State Point of View in the Study of Migration.” *Migration Politics* 1(1): 1-23. doi: [10.21468/MigPol.1.1.002](https://doi.org/10.21468/MigPol.1.1.002).

Crawley, Heaven, and Dimitris Skleparis. 2018. “Refugees, Migrants, Neither, Both: Categorical Fetishism and the Politics of Bounding in Europe’s ‘Migration Crisis.’” *Journal of Ethnic & Migration Studies* 44(1):48–64.

Recommended:

Sharma, Nandita. 2006. “Home(lessness) and the Naturalization of ‘Difference.’” Ch. 1 in *Home Economics: Nationalism and the Making of ‘Migrant Workers’ in Canada*. University of Toronto Press.

De Genova, Nicholas. 2007. “The Production of Culprits: From Deportability to Detainability in the Aftermath of ‘Homeland Security.’” *Citizenship Studies* 11:421-448.

October 6

Week 5:

Statelessness and Cross-Border Mobility

Liew, Jamie. (2020) “The Law’s Broken Promises to Stateless Persons.” *The Brown Journal of World Affairs* 26(2): 1-13.

Blum, Joshua. 2020. “When Law Forgets: Coherence and Memory in the Determination of Stateless Palestinian Refugee Claims in Canada.” *International Journal of Refugee Law* 32 (2): 254–282.

Eliassi, Barzoo. 2016. “Statelessness in a World of Nation-States: The Cases of Kurdish Diasporas in Sweden and the UK.” *Journal of Ethnic and Migration Studies* 42 (9): 1403–1419.

Dirik, Dilar. “Mexmûr: From Displacement to Self-determination” in *The Kurdish Women’s Movement: History, Theory, Practice*. London: Pluto Press (2022): 156-169.

Recommended:

Film: Farah Nabulsi. 2020. **The Present**. Available on Netflix.

October 13

Week 6:

Securitization and Criminalization: Border Violence, Detention and Deportation

Bourbeau, Philippe. 2019. “Detention and Immigration: Practices, Crimmigration, and Norms.” *Migration Studies* 7 (1): 83–99.

Atak, Idil, Graham Hudson, and Delphine Nakache. 2019. “Policing Canada’s Refugee System: A Critical Analysis of the Canada Border Services Agency.” *International Journal of Refugee Law* 31(4):464–91.

Abji, Salina. 2020. “Punishing Survivors and Criminalizing Survivorship: A Feminist Intersectional Approach to Migrant Justice in the Crimmigration System.” *Studies in social justice* 14: 67–89.

Moffette, David. 2021 “Immigration Status and Policing in Canada: Current Problems, Activist Strategies and Abolitionist Visions.” *Citizenship Studies* 25(2): 273-291

Recommended:

Furman, Rich, Douglas Epps, and Greg Lamphear. 2016. *Detaining the Immigrant Other: Global and Transnational Issues*. First edition. New York, New York: Oxford University Press. (Ch 10, 11, 12, 13, 14, 15, 16)

Check this website for the Global Detention Project: <https://www.globaldetentionproject.org/>

October 20

Week 7:

Migrant Agency, Autonomy and Political Action

Papadopoulos, Dimitris, and Vassilis S. Tsianos. 2013. “After Citizenship: Autonomy of Migration, Organisational Ontology and Mobile Commons.” *Citizenship Studies* 17(2):178–96.

McNevin, Anne. 2013. “Ambivalence and Citizenship: Theorising the Political Claims of Irregular Migrants.” *Millennium: Journal of International Studies* 41(2): 182-200.

Nyers, Peter. (2015) "Migrant Citizenships and Autonomous Mobilities." *Migration, Mobility, & Displacement* 1(1): 22-37.

Mainwaring, Cetta. 2016. "Migrant Agency: Negotiating Borders and Migration Controls." *Migration Studies* 4(3):289–308.

Recommended:

Scheel, Stephan. 2019. *Autonomy of Migration?: Appropriating Mobility within Biometric Border Regimes*. London; Routledge, Taylor & Francis Group.

October 27

NO CLASS (READING WEEK)

November 7

Week 8:

Critical Migration and Border Studies through Intersectional Lenses

Walia, Harsha. 2010. "Transient Servitude: Migrant Labour in Canada and the Apartheid of Citizenship." *Race and Class* 52: 71-84.

Ferguson, Susan and David McNally. 2015. "Precarious Migrants: Gender, Race and the Social Reproduction of a Global Working Class." *The Socialist Register* 51: 1-23.

Saberi, Parastou. 2022. *Fearing the Immigrant: Racialization and Urban Policy in Toronto*. University of Minnesota Press. (Ch. 1, 2, and 3)

Recommended:

Bezwan, Naif. 2021. "Borders, Authoritarian Regimes, and Migration in Kurdistan: An Intersectional Inquiry." Pp. 27–64 in *Jahrbuch Migration und Gesellschaft / Yearbook Migration and Society 2020/2021*. Vol. 2. Bielefeld: transcript Verlag.

November 14

Week 9:

Resistance and Migrant Justice

Mudu, Pierpaolo, and Sutapa Chattopadhyay, eds. 2016. *Migration, Squatting and Radical Autonomy: Resistance and Destabilization of Racist Regulatory Policies and b/ Ordering Mechanisms*. London: Routledge. (Selected chapters: TBA)

Franck, Anja. 2022. "Laughable Borders: Making the Case for the Humorous in Migration Studies." *Migration Politics* 1(1): 1-16. doi: [10.21468/MigPol.1.1.004](https://doi.org/10.21468/MigPol.1.1.004).

Sheringham, Olivia Yvette, and Helen Taylor. 2022. "On Stories, Storytelling, and the Quiet Politics of Welcome." *ACME: An International Journal for Critical Geographies* 21(3):284–302.

November 21

Week 10:

Topics and Geographies of Interest

The readings will be decided in conversation with seminar participants in late September.

November 28

Week 11:

Migration and Transnationalisms

Glick Schiller, Nina, Linda Basch and Cristina Szanton Blanc. 1995. "From Immigrant to Transmigrant: Theorizing Transnational Migration." *Anthropological Quarterly* 68(1): 48-63.

Hyndman, Jennifer, and Margaret Walton-Roberts. 2000. "Interrogating borders: A transnational approach to refugee research in Vancouver." *The Canadian Geographer* 44:244-58.

Rodriguez, Robyn M. 2010. *Migrants for Export: How the Philippine State Brokers Labor to the World*. University of Minnesota Press. (Ch. 3 and 4)

December 5

Week 12:

Term Wrap-up: *Feedback Session* (No required readings)

[The final research paper is due on December 19]

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/>.