

Course Outline LAWS 2105C

COURSE:	LAWS 2105C – Social Justice & Human Rights
TERM:	Winter 2023
PREREQUISITES:	1.0 credit from LAWS 1001, LAWS 1002, or HUMR 1001 [1.0], or PAPM 1001 and PSCI 2003.
CLASS:	Day & Time: Mondays 11:35 - 14:25 Room: University Centre 180
INSTRUCTOR:	Helyeh Doutaghi
CONTACT:	Office: B442 Loeb Building Office: By appointment on Zoom Hrs: Email: Helia.doutaghi@carleton.ca

CALENDAR COURSE DESCRIPTION

Theories and practices of law and social justice. Issues examined may include: civil democracy and repression; global governance and the rule of law; democratic movements and social power; human rights instruments, regimes and remedies; armed conflict; and humanitarian intervention.

COURSE DESCRIPTION

Human rights discourse is significant in contemporary discussions about law, social justice, and politics at both the domestic and the international level. From access to drinking water and the protection of the environment, to challenging gender-based violence, racial segregation, class conflicts, decolonialization, and anti-imperialist struggles, human rights have become an important language in struggles around the world. In this class we study the foundations of international human rights law and its instruments, and interrogate the claims of universality of human rights and their implications on social justice. What are the political and economic underpinnings and consequences for existing human rights projects? What are the racial and gendered notions of human rights? How have transnational social justice movements been impacted by human rights discourse? What are the various hierarchies and taxonomies

that have been developed to organize the field of human rights? Particular attention is paid to the limits of human rights when approaching four important subjects: the Black & Indigenous, the Woman, the Refugee, and the Other.

The course is organized around class discussions and activities, lectures and seminars delivered by the instructor, as well as lectures given by invited guest speakers. Guest speakers are scholars with expertise in different areas of human rights. The objective of inviting guest speakers to the module is to give you the opportunity to gain in-depth knowledge of different areas of human rights (in particular in terms of how human rights come to deal with the needs of specific subjects), and to familiarize you with different ways to think, theorize and use human rights today.

Please ensure that your interaction with other students and the instructor is respectful and tolerant of opposing views, different ways of learning and participating.

Some classes may be conducted online through zoom due to the planned structure of the session.

Learning Objectives

By the end of the course, students will be able to:

- **Analyze the basic theories and architecture of human rights and social justice movements.** This includes the ability to:
 - Identify plural human rights perspectives
 - Compare and contrast mainstream human rights discourse and critical theories that challenge the Eurocentric context of human rights discourse and its emancipatory notions
 - Identify and explain social justice movements and human rights issues faced by communities under study
 - Examine the claims and efforts of contemporary transnational social movements in the context of human rights and social justice using critical decolonial theories of human rights
- **Develop sustained analytical reading of texts that are informed by close reading.** This includes the ability to:
 - Identify the main argument(s) of the author(s) in works under study, and explain the significance of authors' choices
 - Identify and explain the strength and limits of the arguments
 - Explicate and analyze passages from works under study in support of an argument

- **Write a research paper on a topic related to social justice and human rights that employs the techniques of an effective essay.** This includes the ability to:
 - Write effective introductions, thesis statements, and analysis
 - Formulate independent question and thesis statement about the claims and efforts of contemporary or historical social justice movement/initiative and answer those questions by drawing on learnings in class
 - Organize arguments in a coherent fashion, using complementary but distinct subpoints that derive from, and accurately reflect, the texts being analyzed
 - Engage effectively and responsibly with primary and secondary source
- **Practice their role as informed, principled, and concerned community members in social justice initiatives based on principles and ideas learned in class and their understandings of their own subjectivity and positionality**

REQUIRED TEXTS

No required textbook for this course. Readings will be available online or through the library. Students can also access course reserve materials using Ares or directly through your course in Brightspace.

EVALUATION

Assessments:

1. Reading reflection (2-3 pages) 15% - Due Feb 10th, 2023
You are required to draft a reading commentary during the course that allow them to summarize the main arguments, critically reflect on and analyze the work under study in class. Students may select at one (maximum 2) of the readings required for the course to use for this assignment. Commentaries should be 2-3 pages. Students must identify the authors' main arguments and discuss the article's significance and limitations using other readings and discussions in class. This assignment will be done in an essay format and students are expected to follow the principle of a good essay.
2. Essay Proposal (3-4 pages including bibliography) (15%) Due March 3rd, 2023
You are required to prepare an outline of the essay that you intend to submit in this course. It must be at least 1000 words and include a bibliography comprising no less than ten primary and secondary sources. You will be expected to identify and describe briefly a social justice initiative/movement/cause or a human rights issue you would like to focus on, the question(s) you intend to ask, which theories/readings (primary and secondary

sources) you will draw on to respond to questions.

3. Online discussion (week 2-11) (10%)

You are responsible to post one 200~ word reflection and respond to another about the readings every week prior to class due Mondays at 9 am. This is designed to ensure that students stay on top of the assigned readings every week and come prepared for class discussions. You can miss one week with no penalty.

4. Active class participation (10%)

Class participation will be assessed on the basis of your consistent attendance and active participation in class and discussion groups, your demonstrated familiarity with the assigned readings, and the frequency with which you engage in serious and sustained discussion. As a seminar style class, it also requires that you prepare for class and engage actively in discussion. You are also required to introduce yourself on week 1 in the designated post on Brightspace.

5. Participation in a social justice initiative (15%) - Can be done throughout the term, no later than April 1st.

Students will be asked to participate in a social justice initiative of their choice (and one that they are passionate about). This can include attending an anti-oppression training (i.e., online or in person offered by the University or campus/local organizations on anti-black racism/ anti-islamophobia/anti-indigenous racism); support labour movement; actions organized by local/campus social justice organizations including but not limited to OPIRG-Carleton. Students will be required to write a 500-750 words reflection to share what they participated in and reflect on what they learned/unlearned through this experience. Options will be provided in class.

6. Essay (8-10 pages) (35%) Due April 12, 2023

To help students contextualize what they learn about social justice and human rights in the contemporary world, they will be required to write an essay on the topic of their choosing broadly related to social justice movement/ human rights issue studied in class. Students will be asked to utilize the learnings in class to critically evaluate and analyze the movement/human rights issue in question. The goal of the essay is to show how the ideals of rights and justice are achieved (or not) in practice by formulating questions and answering them drawing on materials discussed throughout the course. Options will be provided in class.

All components must be successfully completed to get a passing grade.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Course assignments shall be submitted to through the Brightspace assignment dropbox. Please retain a copy of all assignments—if one of your assignments is not received by me because it is lost, misplaced or otherwise goes missing, you will be responsible for submitting a backup copy immediately upon request. Assignments will be marked within a 14-21 day timeline, depending on workload.

There is a 5% penalty for each day that an assignment is late.

If you are struggling with a deadline, please reach out. I will address extenuating circumstances and I am here to help support your achievement. Given that this course is taking place during an ongoing pandemic, I firmly believe that your health and well-being should come first, before course requirements. In accordance with the Carleton student policies and health guidelines, I will honour all policies regarding COVID19 accommodations.

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**Weekly Schedule****Week 1****Date: Jan 9, 2023****Introduction***Reading:* no required reading

Reviewing course outline & ground rules

Week 2**Date: Jan 16, 2023 The (mainstream) origins of international human rights(I)**Malcolm N. Shaw, *International Law* (2008), 265, 302.Marie-Bénédicte Dembour, 'What Are Human Rights? Four Schools of Thought' (2010) 32(1) *Human Rights Quarterly* 1.**Week 3****Date: Jan 23, 2023 The (mainstream) origins of international human rights(II)**Malcolm N. Shaw, *International Law* (2008). 302-337.

We Charge Apartheid? Palestine and the International Criminal Court, Noura Erakat & John Reynolds

<https://twailr.com/we-charge-apartheid-palestine-and-the-international-criminal-court/>**Week 4****Date: Jan 30, 2023 Decolonizing human rights: alternative practices (I)**Rajagopal, Balakrishnan. "Counter-hegemonic international law: rethinking human rights and development as a Third World strategy." *International Law and the third world*. Routledge-Cavendish, 2008. 73-90.Susan Marks, 'Human Rights and Root Causes' (2011) 74 *Modern Law Review* 57

Optional:

Barreto, José-Manuel. "Decolonial strategies and dialogue in the human rights field: A manifesto." *Transnational Legal Theory* 3.1 (2012): 1-29.**Week 5****Date: Feb 6, 2023 Decolonizing human rights: alternative practices (II)**Mutua, 'Savages, Victims, and Saviors: The Metaphor of Human Rights' (2001) 42(1) *Harvard*

International Law Journal 20

Ratna Kapur, 'Human Rights in the 21st Century: Take a Walk on the Dark Side' (2006)28(4)
Sydney Law Review 665

Discussion group #1: Workshop reflection papers (Attend with an initial draft of your reflection)

Week 6

Date: Feb 13, 2023

What is social justice?

Galtung, Johan. "Violence, peace, and peace research." *Journal of peace research* 6.3 (1969): 167-191.

Cotula, Lorenzo. "Between hope and critique: Human rights, social justice and re-imagining international law from the bottom up." *Ga. J. Int'l & Comp. L.* 48 (2019): 473. (471-485)

Feb 20-24 Winter Break

Week 7

Date: Feb 27, 2023

The Black & Indigenous: Legalized Racism

Horvath, R. J. (1972). A Definition of Colonialism. *Current Anthropology*, 13(1), 45–57.
<https://doi.org/10.1086/201248>

Maynard, Robyn. *Policing Black lives: State violence in Canada from slavery to the present*. Fernwood Publishing, 2017. Introduction, 24-62.

“Ignored to Death: Systemic Racism in the Canadian Healthcare System” Submission to EMRIP the Study on Health Brenda L Gunn, Associate Professor, Robson Hall Faculty of Law, University of Manitoba, Canada. Available
<https://www.ohchr.org/sites/default/files/Documents/Issues/IPeoples/EMRIP/Health/UniversityManitoba.pdf>

Discussion group #2: workshop research proposals (attend with an initial draft of proposal)

Week 8

Date: March 6, 2023

The Women: Do Muslim Women Need Saving?

Abu-Lughod, Lila. "Do Muslim Women Need Saving?" *The Hedgehog Review*, vol. 16, no. 1,

spring 2014

Class case study: Afghan Women, The US Saviour Complex & The Need For Transnational Feminism <https://feminisminindia.com/2021/08/30/transnational-feminism-afghan-women-us-saviour-complex/>

Week 9

Date: March 13, 2023 The Refugee: Subcontinental Defiance to the Global Refugee Regime

Guest lecture: Professor Jay Ramasubramanyam

Ramasubramanyam, Jay. "Subcontinental Defiance to the Global Refugee Regime: Global Leadership or Regional Exceptionalism?." *Asian Yearbook of International Law, Volume 24* (2018). Brill Nijhoff, 2020. 60-79.

Optional: Cascading toward "De-Solidarity"? The Unfolding of Global Refugee Protection, Available <https://twair.com/cascading-toward-de-solidarity-the-unfolding-of-global-refugee-protection/>

Discussion Group #3: social justice initiative (attend with ideas for the assignment)

Week 10

Date: March 20, 2023 The Other: War on Terror

Guest lecture: Professor Safiyah Rochelle

Denike, Margaret. "The human rights of others: sovereignty, legitimacy, and "just causes" for the "war on terror"." *Hypatia* 23.2 (2008): 95-121.

Omar Khadr case: <https://www.ctvnews.ca/canada/khadr-case-timeline-of-key-events-1.976639>

class case study: <https://www.cbc.ca/news/politics/hassn-diab-trial-france-2023-1.6325401>

Week 11

Date: March 27, 2023 Weaponizing Human Rights: Sanctions

Bahdi, Reem. "Iraq, sanctions and security: A critique." *Duke J. Gender L. & Pol'y* 9 (2002): 237.

Davis, Stuart, and Immanuel Ness. "Sanctions as War, Anti-Imperialist Perspectives on American Geo-Economic Strategy." *Series: Studies in Critical Social Sciences* (2021). Read Introduction chapter 1-12

Joy Gordon , The Legacy of the Iraq Sanctions Regime is Alive and Well in US Foreign Policy Today
https://ecommons.luc.edu/cgi/viewcontent.cgi?article=1050&context=philosophy_facpubs

Eva Nanopoulos, Woodrow Wilson's racist legacy and decolonising modern sanctions
<https://www.aljazeera.com/opinions/2020/7/16/woodrow-wilsons-racist-legacy-and-decolonising-modern-sanctions>

Week 12

Date: April 3, 2023 **Wrap up & space for thinking and research**

No required reading

Discussion Group # 4: Workshopping the Essay (attend with an initial draft of your essay)

Week 13

Date: April 10, 2023 **Space for writing**

Class cancelled.

Winter 2023 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/</i>	
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.

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/>.