

**Course Outline**

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<b>COURSE:</b>	<b>LAWS 6003/LAWS 5663 - Human Rights, Citizenship and Global Justice</b>
<b>TERM:</b>	<b>Winter 2023</b>
<b>PREREQUISITES:</b>	Must be enrolled in one of the following Classifications: Graduate - Normal
<b>CLASS:</b>	<b>Day &amp; Time: Wednesdays 8:40 - 11:20 am</b> <b>Room: LOEB D492 - but Please check Carleton Central for current or changes to Class Schedule.</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>Doris Buss</b>
<b>CONTACT:</b>	<b>Office: Doris.buss@carleton.ca</b> <b>Office Hrs: Office hours: via zoom: Wednesdays 12:15 pm - 1:30 pm or by appointment (via phone, zoom)</b> <b>Telephone: Ext 8011 (but it is better to email me)</b> <b>Email: Doris.buss@carleton.ca</b>

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**CALENDAR COURSE DESCRIPTION**

The implications of law in selected issues involving human rights, citizenship and global justice. Topics may include justification and legitimation of human rights, contemporary citizenship, struggles for global justice, recognition and democracy, and post-nationalism and global economic regulation.

**COURSE DESCRIPTION**

This course begins with Margaret Davies' call for a plural ethos to the study of law and legality. Davies' analysis is not about legal pluralism per se, but about tracing the limits of monistic conceptions law as a singular 'it' or system. Davies' arguments about the importance of a plural ethos underscores insights from other socio-legal scholars who point to multiple arenas, actors and practices that give rise to legality and normativities that far exceed the singular conception of a 'law' authorized and enforced through the sovereign power of the central state. Attention to legal plurality, in Davies' sense, also challenges debates and conceptions of human rights normativity as existing outside of, or strangely abstracted, from the social and political relations in which rights

claims are made and contested.

In this class we consider the sociality of rights; the kinds of subjectivities, identities, politics and political orders that are configured in and through rights claims. Insisting on a plural ethos shifts focus to the different languages, strategies, coalitions, understandings of rights that might unfold (and that also might be contested, celebrated, re-framed and so on). That is, following a plural ethos leads to a more contextual examination of *what human rights, or claims to justice, might 'do'*, recognizing that the effects can be far reaching but also limiting, banal and possibly unexpected. Rights claims are often intended to shift dominant social relations to address enduring oppression, inequality, as well as the invisibilization and normalization of certain kinds of suffering. The readings in this course explore different aspects of human rights as claims to transformative social change, tracing how rights claims, and identities of rights holders (as citizens or workers, for example), morph over time and across contexts. Linking the broad categories of human rights, citizenship and global justice, the course centers the legal celebration and organizing metaphors of 'the family', with its gendered, racial, imperial and sexual contours that construct political orders through the normalization of hierarchies of rule. Brooke Ackerly's first chapter in her book provides some insights about the concepts from feminist epistemology and methodology that will be useful to guide our analysis throughout the course.

**The class will meet synchronously whether online or in-person.**

### **REQUIRED TEXTS**

All readings are available online through the Carleton library, or publicly available.

### **EVALUATION - Assignments**

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.

Further information on these assignments will be provided in class:

	<b>Assignment</b>	<b># of marks</b>
1.	A short introduction to yourself:  Write a short introduction to yourself (2 – 3 paragraphs), in which you introduce your intellectual self; your area of study, and interests in this topic, pathway to doing a PhD or an MA in Legal Studies. Select one reading you did in the Fall 2021 semester (in any course). What was important about that reading for you in your graduate studies? Maybe you found something in the article resonated deeply with you, or perhaps the converse: you disagreed strongly with it; or maybe the article changed your views, your approach, or suggested a research	3

	<p>topic. Tell me about the reading and why it has left an impression on you.</p> <p>Due: Wednesday 18 January, 11:20 am.</p>	
2.	<p><b>Short commentaries on the readings</b> (5 in total), 4 marks each; (your commentaries should be about 700-1100 words) providing an overview of the readings, focused on distilling the main arguments. Your commentary should include:</p> <ul style="list-style-type: none"> <li>- A discussion of how the readings relate to each other;</li> <li>- an excerpt or concept from at least two of the readings that you found interesting, unclear, or provocative;</li> <li>- one question you think one reading/author poses for another reading in that week OR another reading from the course.</li> </ul> <p>You chose which weeks you will write on but <u>you MUST write at least three short commentaries before we break for reading week</u> (ie 15 February is the last day you can submit a third reading commentary).</p> <p>Submit commentaries online (Brightspace) by the start of the class for which the readings are scheduled.</p>	20
4.	<p><b>Lead class discussion</b> on a select week (sign up in class): Students will be responsible for all readings for the week and must submit 3 <b>discussion questions to the class by the Monday 10:00 am</b> of the week in which the readings are scheduled:</p> <ol style="list-style-type: none"> <li>a. Choose two readings: submit a question for each that relates to the author's key arguments/lines of analysis, and invites a closer interrogation of the author's work in relation to other readings covered in this week/course;</li> <li>b. One question about the authors' methodology /choice of theoretical framework;</li> <li>c. One passage from each of the readings that spoke to you, or that you see as getting at the core significance of the reading (for you).</li> <li>d. One passage or argument or choice of terminology from at least one of the readings that was not clear to you, or about which you disagreed.</li> </ol> <p>Students cannot submit a reading comment for the week for which they are the class lead.</p> <p>A sign up sheet with due dates will be circulated in class time. Where multiple students are acting as presenters for the same week, they can submit separate assignments for this component, but work together in organizing the class.</p>	20

5.	Participation: 12 marks for participation in class that reflects preparation (reading) and thinking;	12
6	Final paper: <ul style="list-style-type: none"> <li>Paper proposal (4-5 pages, 1100-1500 words): <b>DUE March 9, Brightspace midnight</b> (5 marks)</li> <li>Final version of paper: April 14, <b>midnight</b> (40 marks)</li> </ul>	45
	TOTAL	100

### **LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

As a rule, I do not give extensions except for serious illness or emergencies. Handing in assignments on time can be very useful habit to develop; it often leads to the best quality work, helps avoid backlogs of work (that can feel overwhelming), and is a part of learning to manage your time and your intellectual journey. That said, we are in unusual times, and I will do my best to accommodate requests. (see below “Message from the FPA Dean’s Office”).

PLEASE NOTE: Assignments submitted on time will be prioritized when marking. I cannot guarantee that late submissions will be marked before the end of the semester.

Requests for extensions must be sent by email ([doris.buss@carleton.ca](mailto:doris.buss@carleton.ca)) within usual business hours (ie 8:00 – 5:00 pm), Monday to Friday. I will not consider extension requests or last minute assignment questions sent over the weekend.

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).

Late assignments without an extension will be marked if received within 48 hours. A penalty of 20% of the grade value will be deducted if the assignment is received within 24 hours of the due date, or 30% if submitted within 48 hours. Assignments received after 48 hours past the due date, will be awarded a 0.

### **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](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>

**\*\* See end of Schedule of readings for more relevant policies and resources.**

## **SCHEDULE of Readings**

***Please note the following dates:***

<b>January 9</b>	Winter term begins
<b>February 20</b>	Statutory holiday
<b>February 21 – 24</b>	Winter Break
<b>April 12</b>	End winter semester

### **1. January 11 – Situating Law and Human Rights**

- Brooke Ackerly. 2008. *Universal human rights in a world of difference*. Chapter 1 “Challenging our thinking”, Cambridge University Press, pp. 1-31 (Available online)
- Margaret Davies. 2005. “The Ethos of Pluralism”. *Sydney Law Review* 27 (1): 87 (open access: <http://www.austlii.edu.au/cgi-bin/viewdoc/au/journals/SydLawRw/2005/4.html#>)

### **2. January 18 – Gender, Sexuality, Sexual and Political Order**

- Carole Pateman. 1988. *The Sexual Contract*. Chapters 3 and 6 (available online)

### **3. January 25 – Empire, Race, Gender, and ‘The Family of Man’**

- Anne McClintock. 1995. *Imperial Leather: Race, Gender and Sexuality in the Colonial Context*. Routledge, Chapter 1 “The lay of the land: Genealogies of imperialism”, pp. 21-end of first paragraph, p. 62 (available online)
- \_\_\_\_\_. 1991. “No longer in future heaven’: Women and Nationalism in South Africa,” *Transition*, 19 51: 104-123

### **4. February 1 – Legal hegemonies, race and the ‘properties’ of whiteness: Grounding law and citizenship**

- Stuart Hall. “Gramsci’s relevance for the study of race and ethnicity”, reprinted in Kuan-Hsing Chen, David Morley, eds. *Stuart Hall: Critical Dialogues in Cultural Studies*. Taylor & Francis, pp. 411 – 441;
- Michael Goodhart. 2018 *Injustice: Political Theory for the Real World*. Oxford University Press; Read Chapter 6, “Political Theory and Politics of Injustice”, pp. 177 – 192 \*\*see note below
- Cheryl Harris. 1993. “Whiteness as Property” *Harvard Law Review* 106(8): 1707 – 1753.  
*\*NB I am not requiring you to read the whole article as Harris explores her arguments within the specificities of US law on affirmative action. She continues in these sections of her article to outline the ways in which whiteness as property continues to be “ratified and legitimated” (1711) through US law. You can, of course, read the whole article to fully work through her argument.*

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### **5. Feb 8 - What do human rights do? Towards a Social Life of Rights**

- Neil Stammers. 2009. *Human Rights and Social Movements*, Pluto Press: Chapter 1, pp. 8-39; Chapter 6, pp. 160-189
- Balakrishnan Rajagopal. 1999. *International Law from Below: Development, Social Movements and Third World Resistance*.
  - a. Chapter 1 pp. 9- 36; and
  - b. Chapter 7: pp .171-212;

#### 6. February 15 – Subjects and Subjectivities of Human Rights

- Jennifer Nedelsky. 2022. “The relational self as the subject of human rights” in XXX, 1-47;
- Wendy Brown. 1995. *States of injury: power and freedom in late modernity*, Ch. 6 “Liberalism’s Family Values”, 135-165.

#### 7. Feb 22 READING WEEK – No class\*\*\*

#### 8. Mar 1 Gender, race and family : Citizenship and belonging

- Nira Yuval-Davis. 1997 “Women, Citizenship and Difference” *Feminist Review* 57: 4-27;
- Nandita Rani Sharma. 2006. *Home economics: nationalism and the making of 'migrant workers' in Canada*. University of Toronto Press, Chapter 1, “Home(lessness) and the Naturalization of ‘Difference’”, pp. 4 -30.

#### 9. March 8: Sovereignties and the Contested Vocabularies of Nation

- Audra Simpson. 2014. *Mohawk Interruptus: Political life across the border of settler states*. Duke University Press, pp 1-65; 147-176

#### 10. March 15 – Sovereignties and the Contested Vocabularies of Recognition

- Glen S Coulthard. 2014. *Indigenous Americas: Red skin, white masks: Rejecting the colonial politics of recognition*. University of Minnesota Press, 1-78

#### 11. March 22 – Student paper presentations

#### 12. March 29– Student paper presentations

#### 13. April 5 Student paper presentations

#### 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/>

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else;
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another's data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one's own; and
- failing to acknowledge sources through the use of proper citations when using another's work and/or failing to use quotations marks.

Plagiarism is a serious offence. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>.

### G. **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](mailto:covidinfo@carleton.ca).

### **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/current-students/>

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

**Message from the FPA Dean's office:**

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 recorded 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.

**Statement on Student Mental Health**

As a University student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. Here is a list that may be helpful:

**Emergency Resources (on and off campus):** <https://carleton.ca/health/emergencies-and-crisis/emergency-numbers/>

**Carleton Resources:**

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

**Off Campus Resources:**

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Empower Me: 1-844-741-6389, <https://students.carleton.ca/services/empower-me-counselling-services/>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

**University Grading system****Grade Point Equivalence Percentage Conversion**

A+	12	90-100
A	11	85-89
A-	10	80-84
B+	9	77-79
B	8	73-76
B-	7	70-72
C+	6	67-69
C	5	63-66
C-	4	60-62
D+	3	57-59
D	2	53-56
D-	1	50-52
F	0	less than 50