

Course Outline

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**COURSE:** LAWS 4904 C

**TERM:** WINTER 2020

**PREREQUISITES:** LAWS 2908, fourth-year Honours standing

**CLASS:** Thursdays from 11:35AM - 2:25PM SA 413

**INSTRUCTOR:** Professor Robert Barsky

**CONTACT:** Office: Loeb Building  
Office Hrs: Thursdays 2:25PM -4PM or by appointment  
Telephone:  
Email: Robert.barsky@carleton.ca

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**COURSE DESCRIPTION**

This course will introduce students to methodological approaches to the study of human and cultural flows from refugee producing areas to France and Italy.

The course is structured around the in-depth exploration of the journey of a refugee, from the moment she leaves home, to the time of her arrival in the many possible destinations that might await her, whether that is a refugee camp, a holding center, or a host family in France or Italy. The course begins by examining the myriad “refugee-creating” events that have occurred over the years, with a particular focus on sub-Saharan Africa, Syria, Eritrea, Afghanistan, South Sudan and Yemen. Students will be provided with an outline of the fundamental documents that provide legal status to refugees, beginning with the 1951 Geneva Convention and the 1967 Protocol, and the ways in which they came to be ensconced in US asylum law through the Immigration Act of 1980. Next, we examine the refugee’s initial journey away from persecution toward what she hopes will be safety. The range of first stops for refugees and the implications of these various stopping points will serve as the central focus of this section of the course. Included will be sections on the many refugee camps that rise up in bordering countries, and other perilous stops along the way to what the migrant hopes will eventually be protection in the EU. Throughout the course, we will also have occasion to examine canonical examples of characters from the Great Tradition of literature, as they confront challenges that resemble those of contemporary refugees.

**REQUIRED TEXTS (available in the bookstore or online)**

Wendy Pearlman, *We Crossed a Bridge and It Trembled* (Custom House)

Itamar Mann, *Humanity at Sea: Maritime Migration and the Foundations of International Law* (Cambridge Studies in International and Comparative Law)

**SUPPLEMENTARY TEXTS (available via online shopping):**

*Geneva Convention (1951), Handbook, and Protocol (1967)*, <https://www.unhcr.org/uk/1951-refugee-convention.html>

**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.

1. Class participation (30%), including **one oral presentation** on some aspect of the materials to be discussed that day: The participation grade will be based on the quality of participation in class discussions, the quality of the oral presentation, and, finally, a variety of other participation-based assignments given throughout the semester. Given the importance of participation to the final grade, attendance at each and every class meeting is highly recommended to do well in this course.
2. Midterm project description, based on materials presented in the class, that sets forth in detail a particular area of investigation for the final project (25%). DUE MARCH 12th.
3. The final project is a multimedia exploration of refugees in France and/or Italy. A range of possible topics will be offered to students, and will be modified based upon the unfolding of events, and legislation pertaining to refugees and migrants. DUE on April 10th.

**SCHEDULE**

**January 9:** Introductions and Course Overview

Readings: None

**January 16:** Week 2 Topic: Refugees Through History

1. Terms
2. Migration and the Rise of the Nation State
3. Key Dates: 1948 (Displaced Persons Act); 1951 (UN Convention); 1967 Protocol
4. Key Cold War Flows: Hungary (1956); Cuba (1960s-1980s); Vietnam (1975-80)
5. Post-Cold War Period

*Readings*

*Geneva Convention (1951), Handbook, and Protocol (1967)*, supplemented by details provided at [www.refugeecaselaw.org](http://www.refugeecaselaw.org); <http://www.columbia.edu/itc/hs/pubhealth/modules/forcedMigration/definitions.html>.

<http://hrlibrary.umn.edu/instree/refugeehandbook.pdf>

**January 23** Migration By Boat: History

*Readings:*

*Humanity at Sea*, 1-40

Aeschylus, *The Suppliant Maidens*; H. G. Wells, *The Island of Dr Moreau* (<https://www.gutenberg.org/files/159/159-h/159-h.htm>)

**January 30:** Topic: Borders, Routes and Networks

Romantic Poets; Bram Stoker, *Dracula* (<http://www.gutenberg.org/files/345/345-h/345-h.htm>)

Readings:

*Humanity at Sea*, 40-80

1. Camp visit: [http://refugeerepublic.submarinechannel.com/intro\\_en.php?o](http://refugeerepublic.submarinechannel.com/intro_en.php?o)
2. *Handbook*, <http://hrlibrary.umn.edu/instree/refugeehandbook.pdf>

**February 6:** The European Refugee Crisis and international maritime law

Exodus 1947 (<https://www.youtube.com/watch?v=II9mU5ERYak>)

Readings: *Humanity at Sea*, 80-133

**February 13:** Maritime Law and the Human Rights Regime

Readings: *Humanity at Sea*, 134-180

Video: <http://innovation.unhcr.org/7-videos-guaranteed-to-change-the-way-you-see-refugees>

Homer, *The Odyssey* (<http://www.gutenberg.org/files/1727/1727-h/1727-h.htm>)

**February 20: Winter break****February 27:** The Case of Syria

Readings:

Readings: *Humanity at Sea*, 180-226

Milton, *Paradise Lost* (<http://www.gutenberg.org/files/20/20-h/20-h.htm>)

**March 5:** Voices of Syrian Refugees

Readings: *We Crossed a Bridge and it Trembled*, 1-50

John Steinbeck, *The Grapes of Wrath*  
 ([https://nisbah.com/summer\\_reading/grapes\\_of\\_wrath\\_john\\_steinbeck2.pdf](https://nisbah.com/summer_reading/grapes_of_wrath_john_steinbeck2.pdf))

**March 12: (Midterm due)** Reflections

Readings: *We Crossed a Bridge and it Trembled*, 50-120

Jack Kerouac, *On the Road*

**March 19:** Alternatives

Readings:

*We Crossed a Bridge and it Trembled*, 120-180

Charles Dickens, *A Christmas Carol* (<https://etc.usf.edu/lit2go/pdf/passage/2824/a-christmas-carol-002-stave-i.pdf>)

**March 26:** The Rethink

Readings:

*We Crossed a Bridge and it Trembled*, 180-287

Lewis Carroll, *Alice in Wonderland* <http://www.literatureproject.com/alice/>

**April 2: Conclusions****April 16<sup>th</sup>: final paper due**

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**ACADEMIC ACCOMMODATIONS**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

**Pregnancy obligation**

Please contact 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, visit the Equity Services website:

**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, visit the Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities**

If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) [www.carleton.ca/pmc](http://www.carleton.ca/pmc)

**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:* <http://carleton.ca/studentaffairs/academic-integrity/>

**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 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:

[carleton.ca/sexual-violence-support](http://carleton.ca/sexual-violence-support)

**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.

<https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: <https://students.carleton.ca/services/accommodation/>

**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.

<http://carleton.ca/law/current-students/>