
COURSE	History of Human Rights in Canada (State and Society in Canada) HIST 5315W, Cross-listed with PECO 5502X, PSCI 5502X, SOCI 5505X
TERM	Winter 2020
CLASS	Day & Time Tuesday 8:35 – 11:25 Location RB 3224, and Southam Hall
INSTRUCTOR	Dominique Marshall
CONTACT	Office PA 412 Office Hours Tuesdays and Wednesdays from 1:00 to 2:00 or by appointment Telephone 613-520-2600 extension 2846 Email Dominique_marshall@carleton.ca



Haudenosaunee Chief Deskaheh in Geneva, 1923, during his failed attempt to speak at the League of Nations General Assembly United Nations Permanent Forum on Indigenous Issues, <https://www.facebook.com/unpfii/posts/2486788804667470>

Course Description

Introduction: A retrospective exploration of the complex history of human rights in Canada, which addresses public uses of the language of rights as well the development of major texts. It includes interpretations of indigenous North American conventions of entitlement and dignity, of Christian traditions of humanitarianism and emancipation, and of political conflicts conducted in the name of rights. The course welcomes an interdisciplinary group of students.

Learning Outcomes: At the end of this course, students will be able to

- 1) Demonstrate an advanced knowledge of the historical fields of human rights in Canada: students will acquire a deep historical knowledge of the main debates surrounding the history of human rights in Canada in the context of the transnational history of rights, refine their sense of this past and of the historical scholarship about it, through sustained analysis of topics organized according to themes of history.
- 2) Analyze and assess historical documents, artifacts, and other primary sources.
- 3) Evaluate historical arguments and historical scholarship. The course emphasizes historiography and historical methodology, provide students with a critical overview of larger bodies of work. Students will develop critical awareness of the strengths and weaknesses of historical argument, and apply this in their assignments.
- 4) Analyze and apply historical methods and historical theories
- 5) Conduct independent research using primary sources and historical scholarship
- 7) Communicate historical ideas effectively in writing, orally, and (where appropriate) in digital form, visual media, or other formats.
- 8) Work in group to produce historical report that is of use in the public agencies. Be familiar with with methods of work with international partners.¹

Text: Clément, Dominique. *Human Rights in Canada. A History*. Waterloo :Waterloo University Press. 2016. 230 p. Will be available at Octopus bookstore (<http://octopusbooks.ca/book/history-of-childhood>) \$ 24.99 Mail order available.

Course Requirements and Assignments: The grades for this course will be distributed as follows:

- Transatlantic Cooperation Report	40 %	February 4
o (Halfway report)		(January 21)
- Seminar Participation	10 %	Ongoing
- Discussion panels	10 %	TBD
- Individual Meeting with Instructor	05 %	February 25
- Final Discussion Paper	35 %	April 7

Note: All components have to be completed in order to pass this course. Unless otherwise noted, late assignments will be penalized 3% per weekday. Exceptions will be made for medical or other emergencies.

The grades will be measured as follows:

- Working out a joint policy briefing in the context of the transatlantic cooperation project. The project will focus on indigenous rights; you will have to work out a joint policy briefing on a particular issue together with peers from the seminar “Human Rights and Humanitarianism in International Relations since the 19th Century” at the JFK Institute of the Free University of Berlin. Working sheets will be handed out to:
 - describe the content and assessment of the policy brief;
 - ask the students to reflect on their work on the brief.

¹ From Carleton University, Department of History, “Learning Outcomes”, 2014.

- Discussion panels. Seminar sessions will be organized around a mock panel setting, with a number of panelists (representing the readings), a chair, and challengers from the audience. Presenters and challengers will address the same text. Panel chairs will briefly introduce the actual authors discussion represent), chair discussions and have a rigorous eye at the clock. The job of the challengers is to challenge what has been said by the presenter on the podium. Presenters introduce the text in 7 minutes by stating:
 - What the text is concerned with, and why it is concerned with this issue
 - What questions it raises
 - Which primary documents it uses
 - What arguments and essential points it makes
 - What answers it gives and how it proceeds
 - What is good about it and what we learn from it
 - What you would criticize about it

Please prepare short notes on those issues and copy them into the shared google-document after the class.

Everyone has to present one of the readings, and be a challenger from the audience. In addition, six students will chair sessions.

Individual Meeting and Written Discussion Paper. The discussion paper should expand on the topic of the seminar lead. The paper should be 1,5 or double-spaced, with a 12pt standard size font, about 12 pages long, and be based on the course readings and on an additional three books, three scholarly articles, and two to three primary sources. These will be discussed in the individual meeting with the instructor. Students should arrive at this meeting with a proposal of their paper and suggested readings for the seminar discussion.

Participation: Each student is expected to attend all seminars, to do all the required readings, and to participate actively in all discussions. Participation grades will be determined according to the quality and frequency of interventions and how well a student is able to engage with comments from other students during the discussion.

Tentative Calendar:

The work will consist in weekly readings, seminar discussions, and oral presentations. A third of the seminar will be conducted virtually with a group of graduate students of the Master seminar of Dr. [Soenke Kunkel](#), at the JFK Institute of North American Studies in Berlin.

January

7 1. Introductions

During this class we will discuss what counts as human rights history, how to read and take notes for this class. Students will receive the name of their group for the work with Berlin. They will select the theme for their discussion lead for their work after Reading Week.

Readings:

- Syllabus of the course
- Buchanan, Tom. "Human Rights." In *The Palgrave Dictionary of Transnational History*, s.v. eds. Akira Iriye and Pierre-Yves Saunier, 509-514. Houndsmills: Palgrave MacMillan, 2009. "
- "Introduction." In Dominique Clément, *Human Rights in Canada. A History*, xiii – 22, Waterloo: Waterloo University Press. 2016.

14 2. Human Rights in Canada – Generalities

Readings:

- Clément, Dominique. *Human Rights in Canada. A History*. Waterloo: Waterloo University Press. 2016. Pp. 23-230 .
- United Nations, Department of Economic and Social Affairs (ECOSOC), Permanent Forum on

Indigenous Issues, "Indigenous People at the UN"

<https://www.un.org/development/desa/indigenouspeoples/about-us.html> and "UNPFII Nineteenth Session: 13–24 April 2020", <https://www.un.org/development/desa/indigenouspeoples/unpfii-sessions-2/19th-session-2020.html> Read especially the "Concept Note" for the 2020 session: https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2019/09/EGM-2019-Concept-Note_18.09.pdf

8:30 – 9:50 Seminar with Berlin, in classroom, RB 3224

10:05 -11:25 Group work with Berlin, in Media Commons (Southam Hal, 6th floor, audio suites)

During this session groups will introduce themselves and decide on which objective of the Permanent Forum of 202 they will work.

Reading:

21 3. Indigenous Rights in North America [Work with Berlin 2 in 617 SA]

Readings:

- Bannister, Kelly and Maui Solomon | Jeffrey Sisson. "Indigenous Knowledges" | "Indigenous Networks." In *The Palgrave Dictionary of Transnational History*, s.v. eds. Akira Iriye and Pierre-Yves Saunier, 523-526|526-528. Houndsmills: Palgrave MacMillan, 2009.
- Henderson, William B., and Catherine Bell . *The Canadian Encyclopedia*, s.v. "Rights of Indigenous Peoples in Canada", Last Edited December 11, 2019, <https://www.thecanadianencyclopedia.ca/en/article/aboriginal-rights>
- Donald B. Smith, "DESKAHEH," in *Dictionary of Canadian Biography*, vol. 15, University of Toronto/Université Laval, 2003–, accessed December 16, 2019, http://www.biographi.ca/en/bio/deskaheh_15E.html
- Asch, Michael. *On Being There to Stay. Treaties and Aboriginal Rights in Canada*. Toronto: University of Toronto Press, 2014. Chapter 1: Overview; Chapter 2: Aboriginal Rights and the Canadian Constitution; Chapter 3: Aboriginal Rights and Temporal Priority . Available online: https://books.google.ca/books?vid=ISBN9781442669840&redir_esc=y

8:30 – 9:50 Seminar with Berlin, in SA617

10:05 -11:25 Group work with Berlin, in Media Commons (Southam Hal, 6th floor, audio suites)

At the end of this session, groups will fill a working sheet for their half way project report indicating their work so far: the theme they will work on, the type of Non-Governmental Organization for whom they would prepare their report, the summary of their main ideas, a short bibliography, the team roles so far. They should identify who works on which sections (each section needs at least two people working together)

28 4. Complete Working Sessions [Work with Berlin in 617 SA and audio suites]

No required reading

February

4 5. Team Presentations of Results [Work with Berlin in 617 SA]

11 6. Race, Discrimination and Rights – a Conversation with Luc-Étienne Rainville

Readings:

- Miron, Janet, ed. *A History of Human Rights in Canada: Essential Issues*. Toronto: Canadian Scholar's Press. 2009. Selected Chapters.
- Goodhart, Michael. "Origins and Universality in the Human Rights Debates: Cultural Essentialism and the Challenge of Globalization." *Human Rights Quarterly* 25, no. 4 (2003): 935-964

18 No Class Reading Week

25 7. Individual Meetings with Students – Preparation of Discussion Lead and Research Papers

March

3 8. Early Histories of Human Rights – I Before UDHR

Readings: TBA in coordination with discussion leaders, including:

- Heathorn, Stephen and David Goutor, eds. *Taking Liberties. A History of Human Rights in Canada*, Don Mills: Oxford University Press. 2013. Selected Chapters.
- Hunt, Lynn. "The Paradoxical Origins of Human Rights." In *Human Rights and Revolutions. Second Edition*, eds Jeffrey N. Wasserstrom, Greg Grandin, Lynn Hunt and Marilyn Young, 3-20. Lanham: Rowman and Littlefield. 2007. 3-20.
https://books.google.ca/books?id=T3xRKiY3xxcC&pg=PA3&source=gbs_toc_r&cad=3#v=onepage&q&f=false
- Mazower, Mark. "The Strange Triumph of Human Rights, 1933-1950." *The Historical Journal* 47, 2 (2004): 379-398.

Discussion Leaders:

10 9. Early Histories - II UDHR and after

Readings: TBA in coordination with discussion leaders., including:

- Tunnicliffe, Jennifer. *Resisting Rights. Canada and the International Bill of Rights, 1947–76*. Vancouver: University of British Columbia Press. 2019. Selected Chapters.
- Moyn, Samuel. 2010. *The Last Utopia: Human Rights in History*. Cambridge, Mass: Belknap Press of Harvard University Press. Selected chapters.

Discussion Leaders:

17 10. Children's rights

Readings: TBA in coordination with discussion leaders.

Discussion Leaders:

24 11. Refugee|Humanitarian Rights

Readings: TBA in coordination with discussion leaders:

- Finnemore, Martha. "Rules of War and Wars of Rules: the International Red Cross and the Restraint of State Violence" in *Constructing World Culture: International Nongovernmental Organizations Since 1875*, eds. John Boli and George M. Thomas, 149-65. Stanford, CA: Stanford University Press, 1999.
- Loescher, Gil. "UNHCR's Origins and Early History: Agency, Influence, and Power in Global Refugee Policy." *Refuge* 33, 1(2017): 77-86.

Discussion Leaders:

31 12. Gender and Rights

Readings: TBA in coordination with discussion leaders

Discussion Leaders:

April

7 13. Technology, Disability, and Rights

Readings: TBA in coordination with discussion leaders, including:

- Sabatello, Maya. "Rights." In *Keywords for Disability Studies*, ed. Rachel Adams, et al. 158-160. New

REGULATIONS COMMON TO ALL HISTORY COURSES

COPIES OF WRITTEN WORK SUBMITTED

Always retain for yourself a copy of all essays, term papers, written assignments or take-home tests submitted in your courses.

PLAGIARISM

The University Senate defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*” This can include:

- 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;
- submitting a take home examination, essay, laboratory report or other assignment written, in whole or in part, by someone else;
- using ideas or direct, verbatim quotations, or paraphrased material, concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings;
- failing to acknowledge sources through the use of proper citations when using another’s works and/or failing to use quotation marks;
- handing in "substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs."

Plagiarism is a serious offence which cannot be resolved directly with the course’s instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

COURSE SHARING WEBSITES and COPYRIGHT

Classroom teaching and learning activities, including lectures, discussions, presentations, etc., by both instructors and students, are copy protected and remain the intellectual property of their respective author(s). All course materials, including PowerPoint presentations, outlines, and other materials, are also protected by copyright and remain the intellectual property of their respective author(s).

Students registered in the course may take notes and make copies of course materials for their own educational use only. Students are not permitted to reproduce or distribute lecture notes and course materials publicly for commercial or non-commercial purposes without express written consent from the copyright holder(s).

STATEMENT ON CLASS CONDUCT

The Carleton University Human Rights Policies and Procedures affirm that all members of the University community share a responsibility to:

- promote equity and fairness,
- respect and value diversity,
- prevent discrimination and harassment, and

- preserve the freedom of its members to carry out responsibly their scholarly work without threat of interference.

Carleton University Equity Services states that “every member of the University community has a right to study, work and live in a safe environment free of discrimination or harassment”. [In May of 2001 Carleton University’s Senate and Board of Governors approved the Carleton University Human Rights Policies and Procedures. The establishment of these policies and procedures was the culmination of the efforts of the Presidential Advisory Committee on Human Rights and a Human Rights Implementation Committee.]

GRADING SYSTEM

Letter grades assigned in this course will have the following percentage equivalents:

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

F Failure. No academic credit WDN Withdrawn from the course

ABS Absent from the final examination

DEF Official deferral (see "Petitions to Defer")

FND Failure with no deferred exam allowed -- assigned only when the student has failed the course on the basis of inadequate term work as specified in the course outline.

Standing in a course is determined by the course instructor subject to the approval 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 Dean.

WITHDRAWAL WITHOUT ACADEMIC PENALTY

January 31, 2020: Last day for a fee adjustment when withdrawing from **winter** courses or the winter portion of two-term courses (financial withdrawal). Withdrawals after this date will create no financial change to winter term fees and will result in a permanent notation of WDN appearing on your official transcript.

April 7, 2020: Last day for academic withdrawal from **winter** courses.

REQUESTS FOR 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 the professor 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 see <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

Religious obligation: write to the professor 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 see <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

Accommodation for Student Activities: write to the professor 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 see <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

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 its 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/sexual-violence-support/wp-content/uploads/Sexual-Violence-Policy-December-1-2016.pdf>

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).

PETITIONS TO DEFER

Students unable to write a final examination because of illness or other circumstances beyond their control or whose performance on an examination has been impaired by such circumstances may apply within five working days to the Registrar's Office for permission to write a deferred examination. The request must be fully and specifically supported by a medical certificate or other relevant documentation. Only deferral petitions submitted to the Registrar's Office will be considered.

ADDRESSES (613-520-2600, phone ext.)

- Department of History (2828) 400 PA
- Registrar's Office (3500) 300 Tory
- Academic Advising Centre (7850) 302 Tory
- Paul Menton Centre (6608) 500 Unicentre
- Centre for Student Academic Support – Study Skills, Writing Tutorials, Bounce Back (3822) 4th fl Library

Application for Graduation Deadlines

- Spring Graduation (June): March 1
- Fall Graduation (November): September 1
- Winter Graduation (February): December 1