

**HURON UNIVERSITY COLLEGE
CENTRE FOR GLOBAL STUDIES
CGS 3512F: HUMAN DISPLACEMENT AND REFUGEES
COURSE OUTLINE FALL 2013
Tuesdays, 6pm-9pm HC A1**

Instructor: Cheryl Dudgeon

Office: Huron A 15

Office Hours: Tuesdays, 5p.m.-6p.m.

Email: cdudgeon@uwo.ca (include course number in subject line)

Course Description

This course critically explores the international framework for the protection of refugees and displaced persons. While the course focuses on international refugee law (interpreted as a mode of human rights protection), it also uses interdisciplinary methods to examine the social and legal constructions of refugee identity. Literary interventions by writers who have been forcibly displaced from their homes illuminate the wide range of experiences of flight and the search for asylum in a global context. Literature also challenges monolithic representations of refugees and displaced persons. Students in this course will engage with legal, literary, theoretical, and cinematic texts.

The course undertakes an analysis of the definition of “refugee” in the 1951 *Convention relating to the Status of Refugees* and asks who, precisely, is excluded from protection. States have put in place barriers to asylum; therefore, harmonization policies and legal mechanisms such as “safe third country”, “internal flight alternative”, and off-shore processing will be analyzed in light of the principle of *non-refoulement*. The course will consider contemporary protection issues such as those raised by environmental refugees, persons fleeing generalized violence and civil war, and human smuggling. The design of the course ensures that the particular impacts of the refugee protection regime on women and children are explored in depth.

Learning Objectives

- This course aims to give students an understanding of the fact that refugee experiences are diverse.
- Students will develop a critical awareness of the challenges of providing international protection to internally displaced persons and refugees.
- Students will learn how to read judicial opinions.
- In this course, students will undertake significant research, writing, and presentation assignments that will enhance their ability to communicate effectively in written and oral formats.

Required Texts

- Cleave, Christopher. *Little Bee*. Toronto: Bond Street Books, Doubleday Canada, 2009.

- Haddad, Emma. *The Refugee in International Society: Between Sovereigns*. Cambridge: Cambridge UP, 2009.
- Phan, Zoya. *Little Daughter*. Toronto: Viking Canada, 2009.
- Course pack for CGS 3512F (includes scholarly articles, legal treaties, and case law).

All of the above materials (except the course pack) are available for sale at the UWO Bookstore. The course pack will be available at the UWO Bookstore for the second week of classes. All items (except the course pack) will be placed on reserve at the Huron Library.

Required Films (to be screened in class)

- *Crossing Midnight*
- *District 9*. Neill Blomkamp, director. (2009).
- *Everybody's Children*. Monika Delmos, director. NFB Canada. (2009).
- *War Dance*. Sean Fine and Andrea Nix Fine, directors. (2007).

COURSE SCHEDULE

September 10: Introduction to Course and Relevant Terminology

- Haddad, Chapter 1, "The refugee 'problem,'" *The Refugee in International Society*, 1-19
- Presentation Sign-up

September 17: The Social Construction of Refugee Identity and the Politics of Naming

- *Everybody's Children*
- *R.K.L. v. Canada* [2003]FCJ 162 (Course pack/ handout)
- Haddad, Chapter 2, "Who is (not) a refugee?" *The Refugee in International Society*, 23-46

September 24: Legal Constructions: Refugees in International Law

- The 1951 *Convention relating to the Status of Refugees* (Course pack)
- The 1967 *Protocol relating to the Status of Refugees* (Course pack)
- Haddad, Chapter 3, "The refugee and the international states system," *The Refugee in International Society*, 47-69
- Haddad, Chapter 4, "Sovereign rights, human rights and security," *The Refugee in International Society*, 70-96
- Presentations Begin

October 1: The Legal Test: The Determination of Refugee Status / How to Read a Judicial Opinion

- *Canada (A.G.) v. Ward*, [1993] 2 SCR 689
- *Hinzman v. Canada*, [2007] FCA 171; [2010] FCA 177

October 8: Gender-related Persecution

- Hyndman, Chapter 3, "Managing Difference: Gender and Culture in Humanitarian Emergencies," *Managing Displacement*, 61-86 (handout)
 - *Gonzalez de Rodriguez v. Canada* [2013] F.C.J. 543
 - *Zheng v. Canada* [2009] 3 F.C.R.D. 18
 - *Women Refugee Claimants Fearing Gender-Related Persecution: Guidelines Issued Pursuant Section 65(3) of the Immigration Act*, Immigration and Refugee Board, Ottawa, Canada, November 13, 1996
- The above Guidelines can be found online at:

<http://www.irb-cisr.gc.ca/eng/brdcom/references/pol/guidir/Pages/women.aspx>

October 15: Barriers to Asylum Implemented by States (with specific reference to Europe)

- **Research Paper Proposal Due**
- Freedman, "Asylum Regimes and Their Impacts," *Gendering the International Asylum and Refugee Debate*, 135-167 (Coursepack)
- Haddad, Chapter 7, "The external dimension of EU refugee policy," *The Refugee in International Society*, 165-191
- *J. v. Secretary of State for the Home Department*, [2006] EWCA Civ 1238

October 22: Film Screening and Discussion Exercise

- *War Dance*

October 29: Literature and International Human Rights / *Little Bee*

- Cleave, *Little Bee*
- Class discussion exercise on the novel and the construction of thesis statements

November 5: Refugee Camp Experiences /Detention/ *Little Bee* con't.

- *Little Bee*, con't.
- Hyndman, Chapter 5, "Ordering Disorder: Sitreps, Headcounts, and Other Instruments," *Managing Displacement*, 117-148 (handout)
- *Latsabidze v. Canada*, [2012] F.C.J. 1540

November 12: Film Screening and Discussion Exercise

- *District 9*

November 19: Literature, Law, and the International Rights of Refugee Children

- **Research Paper Due**
- Phan, *Little Daughter*
- *Convention on the Rights of the Child* (Course pack)
- *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict* (Course pack)

November 26: Refugee Children, continued

- *Lukwago v. Ashcroft*, 329 F. 3d 157 (3rd Cir., 2003)
- *Nour v. Canada*, [2012] F.C.J. 761

December 3: Exam Review / How to Approach a Fact Pattern

The course schedule may be altered depending on the length of class discussions. This class has been scheduled in one three-hour block per week; therefore, students who miss an entire Tuesday session should realize that they will miss a significant amount of relevant instruction and discussion.

Course Requirements

Research Paper Proposal	10%	Due October 15, 2013
Research Paper	30%	Due Nov. 19, 2013
Presentation (in pairs)	15%	Various Due Dates
Class Participation	10%	Weekly
Final Exam	35%	Scheduled by the registrar's office

Format of Written Assignments

All written assignments, except the final examination, must be written and formatted in accordance with MLA (Modern Language Association) guidelines or in accordance with the *Chicago Manual of Style*. The Library at Huron has copies of both the *MLA Guide for Writers of Research Papers* and the *Chicago Manual of Style*. Students in this course will be expected to express their ideas clearly and use proper grammar. Serious grammatical errors such as sentence fragments, comma splices, improper paragraphing, and errors of agreement obscure the meaning of written work. Papers will be graded according to form and content; therefore, students should proofread their work in order to ensure that it is free of grammatical errors.

Do not slip essays under the instructor's door. The electronic submission of written assignments will not be accepted. Please ensure that you keep a copy of all submitted work. In case of lost essays, you are responsible for providing a replacement.

The Research Paper Proposal should be 500-600 words in length, plus an annotated bibliography. The Research Essay should be 2,500 words in length, plus a works cited list (MLA format) or Bibliography (Chicago Style format).

Expectations for Class Participation

This course encourages students to take personal responsibility for learning, and all students ought to prepare thoroughly for each class by reading and reflecting critically on the assigned material. All members of the class ought to be prepared to contribute to class discussions, to listen to others, and to respond to the queries of others. Some of the topics this course explores may be unsettling for some students; therefore, it is essential that students frame their comments in a respectful manner and demonstrate respect for the ideas that others articulate.

Students in this course will learn how to brief and read judicial opinions (cases), and they will, on occasion, be asked to initiate class discussion on the opinions. Students will also work in small groups in class to apply legal and theoretical principles to fact situations (real and hypothetical). The Instructor may call on students at any time during case discussions as this technique is part of the pedagogical process of classes that employ the case method. Students are well-advised to have their readings completed before class.

Mere attendance in class will not constitute sufficient participation for this course. In assigning participation marks for this course, the instructor will assess the following:

- 1) your contribution to group learning;
- 2) your attitude to learning;
- 3) your knowledge of the subject matter;
- 4) your ability to develop ideas and think critically; and
- 5) your oral communication skills.

Students who miss a class are responsible for obtaining lecture notes from another student. The instructor does not give out lecture notes. It is up to each student to keep up with the reading and class discussion. This course has a substantial reading list, and since the legal principles are taught in a particular sequence, it is important that students read the material before the class in which it will be discussed. The instructor does not answer emails asking what was covered in class on a particular day.

Late Penalties

It is the policy of the instructor to exact a penalty of 5 per cent of the grade on the assignment per day (including weekends) for late papers. Assignments will not be accepted by the instructor if they are more than two weeks late. Late assignments will not receive comments.

Guidelines for the Group Presentations, Essay, and Final Exam

Instructions for the Presentations, Essay, and Exam will be distributed in class. Students will be responsible for constructing their own essay topic. No student may write an essay on the topic that he or she undertakes for the class presentation. The presentation assignment will not contain a written component. The instructor will mark the oral presentation exclusively, and each student will receive an individual mark for this assignment.

Students who do not complete their class presentation assignment on the scheduled day will be required to write a make-up essay of 5 pages on a topic chosen in consultation with the instructor. The due date for this make-up assignment will be decided upon by the instructor.

Technology in the Classroom

Please be aware that the instructor may designate certain classes as technology free classes (no laptops will be used for certain exercises). Students who have registered with SSD and need to use a laptop for accommodation reasons will still be able to use laptops if they desire. Please come and see the instructor if this applies to you.

Helpful Resources and Websites

Students in this course are expected to use scholarly resources when writing essays, presentations, or supplementing material considered in class. You may wish to have a look at the following journals as you search for ideas for your papers and presentations:

- *International Journal of Refugee Law*, <http://ijrl.oxfordjournals.org/>
- *Journal of Refugee Studies*, <http://jrs.oxfordjournals.org/>
- *Refuge: Canada's Periodical on Refugees*
<http://pi.library.yorku.ca/ojs/index.php/refuge/index>
- *Refugee Survey Quarterly*, <http://rsq.oxfordjournals.org/>
- *Forced Migration Review*, <http://www.fmreview.org/>
- *Forced Migration Online*, www.forcedmigration.org
- York University Centre for Refugee Studies, <http://www.yorku.ca/crs/>

- The website for the Immigration and Refugee Board of Canada (IRB) contains many useful materials. Click on the Research tab to bring up Country of Origin Research and National Documentation Packages that contain a selection of documents on human rights and country security conditions. These documents can be read online at <http://www.irb-cisr.gc.ca/eng/research> . Country Fact sheets are located on the website as well. Please note that the IRB is currently redesigning its online Research application and links may change during the term.

Class Cancellations

If the instructor needs to cancel a class, notice of the cancellation will be posted on the course OWL page and the Accessibility link of the Huron website.

Appendix to Course Outlines

Prerequisite Information

Students are responsible for ensuring that they have successfully completed all course prerequisites. Unless you have either the requisites for this course or written special permission from your Dean to enrol in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites.

Conduct of Students in Classes, Lectures, and Seminars

Membership in the community of Huron University College and the University of Western Ontario implies acceptance by every student of the principle of respect for the rights, responsibilities, dignity and well-being of others and a readiness to support an environment conducive to the intellectual and personal growth of all who study, work and live within it. Upon registration, students assume the responsibilities that such registration entails. The academic and social privileges granted to each student are conditional upon the fulfillment of these responsibilities.

In the classroom, students are expected to behave in a manner that supports the learning environment of others. Students can avoid any unnecessary disruption of the class by arriving in sufficient time to be seated and ready for the start of the class, by remaining silent while the professor is speaking or another student has the floor, and by taking care of personal needs prior to the start of class. If a student is late, or knows that he/she will have to leave class early, be courteous: sit in an aisle seat and enter and leave quietly.

Please see the *Code of Student Rights and Responsibilities* at:

<http://www.huronuc.ca/CurrentStudents/StudentLifeandSupportServices/StudentDiscipline>

Technology

It is not appropriate to use technology (such as, but not limited to, laptops, PDAs, cell phones) in the classroom for non-classroom activities. Such activity is disruptive and is distracting to other students and to the instructor, and can inhibit learning. Students are expected to respect the classroom environment and to refrain from inappropriate use of technology and other electronic devices in class.

Academic Accommodation for Medical/Non-Medical Grounds

For UWO Policy on Accommodation for Medical Illness and a downloadable SMC see:

http://www.uwo.ca/univsec/handbook/appeals/accommodation_medical.pdf

[downloadable Student Medical Certificate (SMC): <https://studentservices.uwo.ca> under the Medical Documentation heading]

Students seeking academic accommodation on medical grounds for any missed tests, exams, participation components and/or assignments worth 10% or more of their final grade must apply to the Academic Counselling office of their home Faculty and provide documentation. Academic accommodation will be determined by the Dean's Office in consultation with the instructor.

For non-medical grounds or for medical grounds when work represents less than 10% of the overall grade for the course, students seeking academic accommodation must apply to the Academic Counselling office of their home Faculty and provide documentation. Academic accommodation will be determined by the Dean's Office in consultation with the instructor.

Statement on Academic Offences

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:

http://www.uwo.ca/univsec/handbook/appeals/scholastic_discipline_undergrad.pdf .

Statement on Academic Integrity

The International Centre for Academic Integrity defines academic integrity as "a commitment, even in the face of adversity, to five fundamental values: honesty, trust, fairness, respect, and responsibility. From these values flow principles of behaviour that enable academic communities to translate ideals to action." (CAI Fundamental Values Project, 1999).

A lack of academic integrity is indicated by such behaviours as the following:

- Cheating on tests;
- Fraudulent submissions online;
- Plagiarism in papers submitted (including failure to cite and piecing together unattributed sources);
- Unauthorized resubmission of course work to a different course;
- Helping someone else cheat;
- Unauthorized collaboration;
- Fabrication of results or sources;
- Purchasing work and representing it as one's own.

Academic Integrity: Importance and Impact

Being at university means engaging with a variety of communities in the pursuit and sharing of knowledge and understanding in ways that are clear, respectful, efficient, and productive. University communities have established norms of academic integrity to ensure responsible, honest, and ethical behavior in the academic work of the university, which is best done when sources of ideas are properly and fully acknowledged and when responsibility for ideas is fully and accurately represented.

In the academic sphere, unacknowledged use of another's work or ideas is not only an offence against the community of scholars and an obstacle to academic productivity. It may also be understood as fraud and may constitute an infringement of legal copyright.

A university is a place for fulfilling one's potential and challenging oneself, and this means rising to challenges rather than finding ways around them. The achievements in an individual's university studies can only be fairly evaluated quantitatively through true and honest representation of the actual learning done by the student. Equity in assessment for all students is ensured through fair representation of the efforts by each.

Acting with integrity at university constitutes a good set of practices for maintaining integrity in later life. Offences against academic integrity are therefore taken very seriously as part of the university's work in preparing students to serve, lead, and innovate in the world at large.

A university degree is a significant investment of an individual's, and the public's, time, energies, and resources in the future, and habits of academic integrity protect that investment by preserving the university's reputation and ensuring public confidence in higher education.

Students found guilty of plagiarism will suffer consequences ranging from a grade reduction to failure in the course to expulsion from the university. In addition, a formal letter documenting the offence will be filed in the Dean's Office, and this record of the offence will be retained in the Dean's Office for the duration of the student's academic career at Huron University College.

All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com.

Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating.

Personal Response Systems (“clickers”) may be used in some classes. If clickers are to be used in a class, it is the responsibility of the student to ensure that the device is activated and functional. Students must see their instructor if they have any concerns about whether the clicker is malfunctioning. Students must use only their own clicker. If clicker records are used to compute a portion of the course grade:

- the use of somebody else’s clicker in class constitutes a scholastic offence,
- the possession of a clicker belonging to another student will be interpreted as an attempt to commit a scholastic offence.

Policy on Special Needs

Students who require special accommodation for tests and/or other course components must make the appropriate arrangements with the Student Development Centre (SDC). Further details concerning policies and procedures may be found at:

http://www.sdc.uwo.ca/ssd/?requesting_acc

Attendance Regulations for Examinations

A student is entitled to be examined in courses in which registration is maintained, subject to the following limitations:

- 1) A student may be debarred from writing the final examination for failure to maintain satisfactory academic standing throughout the year.
- 2) Any student who, in the opinion of the instructor, is absent too frequently from class or laboratory periods in any course will be reported to the Dean of the Faculty offering the course (after due warning has been given). On the recommendation of the Department concerned, and with the permission of the Dean of that Faculty, the student will be debarred from taking the regular examination in the course. The Dean of the Faculty offering the course will communicate that decision to the Dean of the Faculty of registration.

Class Cancellations

In the event of a cancellation of class, every effort will be made to post that information on the Huron website, <http://www.huronuc.ca/AccessibilityInfo> (“Class Cancellations”).

Accessibility

Huron University College strives at all times to provide its goods and services in a way that respects the dignity and independence of people with disabilities. We are also committed to giving people with disabilities the same opportunity to access our goods and services and allowing them to benefit from the same services, in the same place as, and in a similar way to, other customers. We welcome your feedback about accessibility at Huron. Information about how to provide feedback is available at:

<http://www.huronuc.ca/AccessibilityInfo>

Mental Health @ Western

Students who are in emotional/mental distress should refer to Mental Health @ Western

<http://www.uwo.ca/uwocom/mentalhealth/> for a complete list of options about how to obtain help.

Program and Academic Counselling

Centre for Global Studies students registered at Huron who require advice about modules and courses in Global Studies should contact Dr. Mark Franke, Director of the Centre for Global Studies, mfranke@huron.uwo.ca, 519-438-7224 ext. 242. Students should contact Academic Counselling on other academic matters. See the Academic Counselling website for information on services offered.

<http://huronuc.ca/CurrentStudents/StudentLifeandSupportServices/CounselorsCounsellingServices>