

**Huron University College
Centre for Global Studies**

3512F Human Displacement and Refugees

Instructor: Cheryl Dudgeon

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Office Hours: Wednesdays 1:30-2:20pm, and by appointment

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Term: Fall, 2009

Class Location: HC-A1

Class Times: Wednesdays, 2:30-5:30pm

Prerequisite: 0.5 Centre for Global Studies course at the 1000-1099 level, or permission of the Centre for Global Studies

Please Note: 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 enroll 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.

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” and “internal flight alternative” 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 and persons fleeing generalized violence and civil war. The design of the course ensures that the particular impacts of the refugee protection regime on women and children are explored in depth.

Required Texts

- Beah, Ishmael. *A Long Way Gone: Memoirs of a Boy Soldier*. Toronto: Douglas & McIntyre, 2007.
- Cleave, Christopher *Little Bee*. Toronto: Bond Street Books, Doubleday Canada, 2009.
- Hyndman, Jennifer. *Managing Displacement: Refugees and the Politics of Humanitarianism*. Minneapolis: University of Minnesota Press, 2000.
- Nyers, Peter. *Rethinking Refugees: Beyond States of Emergency*. NY: Routledge, 2006.
- Coursepack for 3512F (includes scholarly articles, legal treaties, and case law).

All of the above materials (except the coursepack) are available for sale at The University of Western Ontario Bookstore. The coursepack is available at Inprint in the UCC. All items (except the coursepack) will be placed on two-hour reserve at the Huron Library.

Course Schedule

Week 1: Introduction to Course and Relevant Terminology

- Sept. 16 •Hyndman, "Introduction," *Managing Displacement*, xv-xxix
 •Nyers, "Introduction: Body Politics in Motion," *Rethinking Refugees*, ix-xviii
 •Hyndman, Chapter 1, "Scripting Humanitarianism: A Geography of 'Refugee' and the Respatialization of Response," *Managing Displacement*, 1-28
 •Short film presentation

Week 2: The Social Construction of Refugee Identity and the Politics of Naming

- Sept. 23 •Nyers, Chapter 1, "Emerging or Emergency Identities?" *Rethinking Refugees*, 1-24
 •Hajdukowski-Ahmed, "A Dialogical Approach to Identity: Implications for Refugee Women," *Not Born a Refugee Woman*, 28-54 (Coursepack)
 •*R.K.L. v. Canada* [2003] FCJ 162 (Coursepack)

Week 3: Legal Constructions: Refugees in International Law

- Sept. 30 •The 1951 *Convention relating to the Status of Refugees* (Coursepack)
 •The 1967 *Protocol relating to the Status of Refugees* (Coursepack)
 •Nyers, Chapter 3, "Fearful Subjects: Reason and Fear in the UN Refugee Definition," *Rethinking Refugees*, 43-67
 •Price, Matthew, Chapter 3, "What is 'Persecution'?", *Rethinking Asylum*, 103-145 (Coursepack)

Week 4: The Legal Test: The Determination of Refugee Status / How to Read a Judicial Opinion

- Oct. 7 • *Canada (A.G.) v. Ward*, [1993] 2SCR 689
 • Group Presentation Topic: Critical Reflections on the UNHCR

Week 5: Gender-related Persecution

- Oct. 14 • Hyndman, Chapter 3, “Managing Difference: Gender and Culture in Humanitarian Emergencies,” *Managing Displacement*, 61-86
 • *In re Fauziya Kasinga* 1996 BIA Lexis 15 (US BIA, June 13, 1996) (Coursepack)
 • *Women Refugee Claimants Fearing Gender-Related Persecution: Guidelines Issued by the Chairperson Pursuant to 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>
 • Group Presentation Topic: Transnational Sex Trafficking of Women and Girls

Week 6: Barriers to Asylum Implemented by States (with specific reference to Europe)

- Oct. 21 • Research Paper Proposal Due
 • Hyndman, Chapter 2, “Border Crossings: The Politics of Mobility,” *Managing Displacement*, 29-60
 • Freedman, “Asylum Regimes and Their Impacts,” *Gendering the International Asylum and Refugee Debate*, 135-167 (Coursepack)
 • Group Presentation Topic: The Challenges Gender Presents in a Current Situation of Displacement

Week 7: Literature and International Human Rights/Little Bee

- Oct. 28 • Cleave, *Little Bee*
 • Group Presentation Topic: Analysis of Humanitarian Assistance to Refugees/Displaced Persons by NGOs (not UNHCR)

Week 8: The Representation of Refugees in Film

- Nov. 4 • Film Screening
 Student preferences will be taken into account when selecting the film. Possible films include: *War Dance*, Sean Fine and Andrea Nix Fine, directors (2007); *Everybody’s Children*, Monika Delmos, director (2008); *Seeking Refuge*, Karen Cho, director (2009); *Refuge: A Film About Darfur*, Alexandre Trudeau, Director (2008); *Crossing Over*, Wayne Kramer, director (2009); and *Chasing Freedom*, Don McBrearty, director (2004).
 • Class discussion of film

Week 9: Refugee Camp Experiences/Campaigns Against Refugee Warehousing

- Nov. 11
- Hyndman, Chapter 4, “In the Field: Camps, Compounds, Other Spaces,” *Managing Displacement*, 87-116
 - Hyndman, Chapter 5, “Ordering Disorder: Sitreps, Headcounts, and Other Instruments,” *Managing Displacement*, 117-148
 - Introduction to Beah, *A Long Way Gone*
 - Group Presentation Topic: Environmental Refugees

Week 10: Literature, Law, and the International Rights of the Child

- Nov. 18
- Research Paper Due
 - Beah, *A Long Way Gone*
 - Convention on the Rights of the Child* (Coursepack)
 - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict* (Coursepack)
 - Lukwago v. Ashcroft*, 329 F.3d 157 (3rd Cir., 2003) (Coursepack)

Week 11: Refugee Children/Unaccompanied Refugee Children

- Nov. 25
- Okoye v. Canada* [2008] F.C.J. No. 1416 (F.C.)
 - Gonzalez v. INS*, 212 F.3d 1338 (11th Cir. 2000)
 - Group Presentation Topic: Refugees and Internally Displaced Persons: Case Study-Pakistan/Afghanistan

Conclusions and the Challenge of Creating Durable Solutions

- Nyers, Conclusion, “Rethinking Refugeeeness: Dangers and Prospects,” *Rethinking Refugees*, 123-131
- Hyndman, Chapter 7, “Beyond the Status Quo,” *Managing Displacement*, 169-192

- Week 12:** Dec. 2
- Possible Class Cancellation/ Instructor at Conference (Students will not be disadvantaged as a result of this potential schedule change.) The instructor will post a sample exam question (hypothetical fact pattern) on the WebCT page for the course. Students will use their extra time this week to prepare an answer to the question. We will discuss the question and student approaches to it in class on Dec. 9th.

Week 13: Review for Exam

- Dec. 9
- Review for final exam

The course schedule may be altered slightly 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 Wednesday session should realize that they will miss a significant amount of relevant instruction and discussion.

Course Requirements

Research Paper Proposal	10%	Due October 21st
Research Paper	30%	Due November 18th
Group Presentation	15%	
Class Participation	10%	
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. Similarly, students will also work in small groups in class to apply legal and theoretical principles to fact situations (real and hypothetical).

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 discussions.

Late Penalties

It is the policy to exact a penalty of 2 per cent of the grade on the assignment per working day for late papers. Assignments will not be accepted by instructors if they are more than two weeks late.

Guidelines for the Group Presentations, Essay, and Final Exam

Instructions for the Group 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 has selected for the class presentation. The group presentation assignment will require that group members meet with the instructor prior to the day on which their presentation is to be given in class. No later than one week following the date of the presentation, each group must submit a written copy of the text of the presentation and a bibliography of research materials to the instructor.

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 at http://www2.irb-cisr.gc.ca/en/research/publications/index_e.htm
Please note that the IRB is currently redesigning its online Research applications and links may change during the term.

All students in the course are encouraged to visit the website of the United Nations High Commissioner for Refugees (UNHCR):

•UNHCR, <http://www.unhcr.org>

Non-Medical Absences

Students will know the date of their group presentation and final exam well in advance; therefore, documentation and a request for relief must be submitted in order for accommodation for non-medical absences from course requirements to be considered. Documentation (for non-Huron students) must be submitted by the student directly to the appropriate Faculty Dean's office and not to the instructor. At Huron, all such documentation must be submitted to the Academic Services Centre in the West-wing. It will be the Dean's office that will determine if accommodation is warranted.

Medical Absences

For work representing 10% or more of the overall grade for the course, a student must present documentation indicating that the student was seriously affected by illness and could not reasonably be expected to meet his/her academic responsibilities. Huron students should take their medical documentation to the Academic Counsellor, Academic Services Centre at Huron University College, together with a Request for relief specifying the nature of the accommodation requested. Documentation for non-Huron students must be submitted as soon as possible to the student's Faculty Dean's office. The request and documentation will be assessed and appropriate accommodation will be determined by the Dean's office in consultation with the instructor. Academic accommodation will be granted ONLY where the documentation indicates that the onset, duration and severity of the illness are such that the student could not reasonably be expected to complete his/her academic responsibilities.

For UWO policy on Accommodation for Medical Illness and a downloadable SMC see: http://www.uwo.ca/univsec/handbook/appeals/accommodation_medical.pdf . For a downloadable Student Medical Certificate (SMC) see: <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 cannot be granted by the instructor or department.

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.

Statement on Academic Offences

Plagiarism: Students must write their essays and assignments in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence. 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 Website:

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

Plagiarism is an academic offence and will be treated as such. Students who are in doubt as to the nature of this offence should consult their instructor, Department Chair or the Dean, as well as the *Huron University College Statement on Plagiarism*, available at the reference desk in the HUC Library and at <http://www.huronuc.on.ca/pdf/FASSonPlagiarism.pdf>. In addition, students may seek guidance from a variety of current style manuals available at the Reference Desk in the HUC Library. Information about these resources can be found at: http://www.huronuc.ca/library/research_guides_and_handouts .

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 (<http://www.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.

Program and Academic Counselling

Global Studies students registered at Huron who require advice about modules and courses in Global Studies should contact Dr. Mark Franke, Director, Centre for Global Studies, mfranke@huron.uwo.ca. Students should contact Debbie Chadwick or Kent Robinson, Academic Counsellor on other academic matters. See the Academic Counselling website for information on services offered:

http://www.huronuc.on.ca/faculty_arts_social_science/academic_services_centre/academic_counselling_contact_and_services/.