

**Arts & Science 4CI3 / Diversity and Human Rights Inquiry
Fall (Term 1) 2015-2016**

Instructor

Erin Hallock
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Office Hours

The Instructor will plan to hold office hours in C105 on Tuesday evenings at 18.00hrs before the start of class. Please also feel free to contact the Instructor to arrange appointments outside of office hours, either over the phone or in person.

Class Times and Location

Tuesdays 19.00hrs – 22.00hrs. BSB/B140

Course Summary

This course will explore issues of diversity and the role of human rights protection regimes in both Canadian and international contexts.

Course Objectives

- To explore and critically analyze issues related to the diversity of populations within Canada and around the world.
- To explore and critically analyze the role of human rights in responding to the needs of diverse societies in Canada and around the world.

Evaluation

- A. Participation..... (20%)**
 - *Class Attendance and Participation (10%)*
 - *Group Preparation for Case Study Classes (10%)*

- B. “In the News” Assignments (30%)**
 - *Class Presentation (15%)*
 - *Written Opinion Paper (15%)*

- B. Final Research Paper..... (50%)**
 - *Outline (10%)*
 - *Research Paper (40%)*

A. Participation

Class Attendance and Participation: Students will be expected to attend classes having read the required readings and prepared to participate in group discussions and other interactive components of the course.

Group Preparation for Case Study Classes: Students will be expected to collaborate as a group in preparation for the Case Study Classes (See Class Descriptions for Classes #4 and #10 below). Student groups are required to come to class with sufficient background knowledge and a preliminary framework of critical analysis on their case studies in order to share with their classmates and engage in meaningful interactive discussions.

Absences: Students are expected to make all reasonable efforts to notify the Instructor in advance of an absence from a scheduled class.

McMaster Student Absence Form (MSAF): In the event of an absence for medical or other reasons, students should review and follow the Academic Regulation in the Undergraduate Calendar “Requests for Relief for Missed Academic Term Work.” Please also see the MSAF statement on our website (<http://artsci.mcmaster.ca/forms-requests/>) and direct any questions or concerns to Shelley Anderson or Rebecca Bishop in the Arts & Science Program Office as appropriate.

B. “In the News” Assignments

Each student will complete two topical “In the News” Assignments:

1. **“In the News” Class Presentation:** Each student will deliver a presentation that explores a current event or topical issue that relates to the subject matter of a particular class lecture. The topical issue may be based on a recent news article or blog post, political speech or youtube video, or any other contemporary source. The presentation will be 15 minutes long and involve the student sharing a brief summary and analysis of the chosen issue and its connections to the course, and leading a critical discussion with the class on the topic.

“In the News” presentation dates will be selected in consultation with the Instructor at the start of the semester based on the class lecture schedule.

2. **“In the News” Written Opinion Paper:** Each student will prepare a written opinion paper on a current event or topical issue that relates to the subject matter of the course. The issue should be something that the student is interested in spending some extra time reading and thinking about outside of class. The student will explore the public discourse on the chosen issue and develop his/her own opinion or critical comments to respond and/or add to the broader public discussion.

The written opinion paper will be between 1200 and 1500 words in length and will take the form of an opinion editorial or critical commentary. It will be targeted to a specific public medium and audience appropriate for the chosen subject matter, such as a major or local newspaper, topical magazine, online blog, etc. Students are expected to submit their papers to the newspaper, magazine or blog for publication and will provide a brief explanation at the beginning of their papers describing the public forum chosen and the reason why it was appropriate for the specific subject matter of the opinion paper.

[Note: Students are welcome to go big or small, global or local, in terms of the public medium selected for potential publication of their opinion papers, as long

as selection is done thoughtfully considering the subject matter of the paper. Students' marks will not be affected by whether or not their opinion papers are ultimately published.]

"In the News" written opinion papers will be due to the Instructor either at the start of class on **October 20, 2015** or **December 8, 2015**. Students doing their "In the News" Class Presentations prior to or on October 20 will have their papers due by December 8, while those doing the presentations after October 20 will have their papers due on October 20, 2015.

C. Final Research Paper

Students will be expected to choose a research topic based on the general themes and subjects explored throughout the course. It is recommended that topic selection be done in consultation with the Instructor.

On **October 27, 2015**, students will submit Outlines for their final research papers that will include their proposed central research question(s) and a framework for inquiry into their topic. The outline will also include a list of at least 10 reference materials that have already been consulted and selected for the paper.

By **December 11, 2015** at 11:59pm, students will submit their Final Research Papers to the Instructor by email (If email is not possible, hardcopy is also permitted and should be printed double-sided). These Final Research Papers are to demonstrate in-depth inquiries into the students' topics of choice and critical analysis of their central research question(s).

The Final Research Paper will be a maximum of 5,000 words (not including references), with the cover page indicating the course name, student name, date and word count. The final paper will also include extensive references to be recorded throughout the paper using either in-text citations or footnotes and in a list of references at the end of the paper.

Deadlines: Students are expected to submit all assignments on the dates specified in this Course Outline. Deadline extensions will only be granted on an exceptional basis. Students must make all reasonable efforts to inform the Instructor of the need for extensions in a timely manner. The Instructor reserves the right to deny requests for deadline extensions. Assignments handed in late will be subject to a late penalty of 5% per day.

McMaster Policy on Academic Integrity: You are expected to exhibit honesty and use ethical behaviour in all aspects of the learning process. Academic credentials earned are rooted in principles of honesty and academic integrity. Academic dishonesty is to knowingly act or fail to act in a way that results or could result in unearned academic credit or advantage. This behaviour can result in serious consequences—e.g., the grade of zero on an assignment, loss of credit with a notation on the transcript (notation reads: "Grade of F assigned for academic dishonesty"), and/or suspension or expulsion from the university. It is each student's responsibility to understand what constitutes academic dishonesty. For information on the various types of academic dishonesty, please refer to the Academic Integrity Policy, located at: <http://www.mcmaster.ca/academicintegrity>

The following illustrates only three forms of academic dishonesty: 1) Plagiarism—e.g., the submission of work that is not one's own or for which other credit has been obtained. 2) Improper collaboration in group work. 3) Copying or using unauthorized aids in tests and examinations.

Academic Accommodation of Students with Disabilities: Students who require academic accommodation must contact Student Accessibility Services (SAS) to make arrangements with a Program Coordinator. Academic accommodations must be arranged for each term of study. Student Accessibility Services can be contacted by phone 905-525-9140 ext. 28652 or email sas@mcmaster.ca. For further information, consult McMaster University's Policy for Academic Accommodation of Students with Disabilities.

Class Descriptions and Readings

This course will proceed according to the individual class descriptions below.

The course will be based on readings from the Custom Courseware, which will be available from the Campus Store. Students will be expected to complete the assigned readings as listed below (or excerpts as advised by the Instructor) in advance of each scheduled class and attend prepared for discussion of the same. The Instructor may also supplement the readings listed below with news articles and other materials, which will be provided to the students in advance of the applicable class and the expectations will be the same with respect to completing such supplemental readings.

The Instructor and the University reserve the right to modify elements of this course during the term. The University may change the dates and deadlines for any or all courses in extreme circumstances. If either type of modification becomes necessary, the Instructor and/or the University will provide reasonable notice and communication to the students and they will be allowed the opportunity to comment on changes, where applicable. It is the responsibility of students to check their McMaster email and course websites weekly during the term and note any updates and/or changes.

Class 1: Course Introduction

The first class will be an introduction to the general themes of diversity and human rights that will be covered throughout the course.

Class 2: International Human Rights Regimes

The second class will be an introduction to the international human rights system. We will discuss the role of different stakeholders in the international system, including international organizations like the United Nations, states, civil society groups and individuals. We will question underlying assumptions of these international regimes, including the proposed universality of human rights norms and the similarities and differences between 'positive' and 'negative' rights.

Readings:

1. United Nations (1948) *Universal Declaration of Human Rights* [Online Resource: http://www.un.org/events/humanrights/2007/hrphotos/declaration%20_eng.pdf]

2. Langlois, Anthony J., "Chapter 1: Normative and Theoretical Foundations of Human Rights," Excerpt from Michael Goodhart, *Human Rights Politics and Practice* (Second Edition) (Oxford: Oxford University Press, 2013).

Class 3: Cultural Diversity and Human Rights

The third class will explore the interaction between cultural diversity and human rights. This will include critical evaluation of the alleged conflict between human rights and cultural relativism and the assessment of specific case study examples.

Readings:

3. American Anthropological Association (1947) "Statement on Human Rights," *American Anthropologist*, 49: 539
4. Ignatieff, Michael (2001) "The Attack on Human Rights," *Foreign Affairs*, 80(6): 102

Class 4: Case Studies of Specific Human Rights

The fourth class will involve students engaging in group inquiries and discussions of the purpose, content and enforceability of specific human rights outlined in the *Universal Declaration of Human Rights*.

Readings:

5. United Nations Human Rights Committee, "International Covenant on Civil and Political Rights: Concluding observations on the sixth periodic report of Canada," Adopted by the Committee at its 114th session (29 June–24 July 2015) and Published 13 August 2015.

Students to do advanced research as a group into one specific human right and come to class prepared to share their findings and analysis in interactive class discussion. Details provided one week in advance.

Class 5: Immigration in International and National Contexts

The fifth class will address the movement of people across international borders and its effects on the diversity of societies and the protection of human rights. International and Canadian laws, policies and public attitudes towards immigration and refugee protection will be discussed.

Readings:

6. Banting, Keith G. (2010) "Is There a Progressive's Dilemma in Canada? Immigration, Multiculturalism and the Welfare State," 43(4) *Canadian Journal of Political Science* 797.

Class 6: Case Studies on International and National Refugee Protection

The sixth class will discuss international and national refugee protection regimes and will specifically consider the experiences of countries hosting refugee populations. Two case studies of Canada and Nepal will be explored in detail, including a focus on the role of the United Nations High Commissioner for Refugees (UNHCR) as an international governmental organization.

Readings:

7. Kelley, Ninette (2007) "International Refugee Protection Challenges and Opportunities," 19(3) *International Journal of Refugee Law* 401.

Class 7: Introduction to Equality

The seventh class will involve a detailed theoretical analysis of the concept of equality as a core component of human rights protection.

Readings:

8. Westen, Peter (1982) "The Empty Idea of Equality," 95(3) *Harvard Law Review* 537.
9. Moreau, Sophia (2004) "The Wrongs of Unequal Treatment," 54(3) *The University of Toronto Law Journal* 291.

Class 8: Equality and the Charter

The eighth class will include an introduction to the Canadian *Charter of Rights and Freedoms* [the "Charter"] and specifically its equality rights guarantee as it applies to government action.

10. Charter of Rights and Freedoms, s 2, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c 11.
11. Trudeau, Pierre Elliott (Hon.), A Canadian Charter of Human Rights, January 1968, Excerpt from Anne Bayefsky, *Canada's Constitution Act 1982 and Amendments: A Documentary History* (Toronto: McGraw-Hill Ryerson, 1989) [**Excerpt pages 683-686**].
12. McKay-Panos, Linda (2007) "Charter Section 1: A Balancing Act for the Court" 32(1) *Law Now* 48.

Class 9: Equality and Human Rights Legislation

The ninth class will be an introduction to federal and provincial human rights legislation in Canada and its protection against discrimination and harassment in the private sector. We will take a detailed look at the role of stereotypes in diverse societies and methods for preventing and remedying experiences of discrimination and harassment.

Readings:

13. *Human Rights Code*, R.S.O. 1990, c. H.19.
14. Sheppard, Colleen (2001) "Grounds of Discrimination: Towards an Inclusive and Contextual Approach," 80 *The Canadian Bar Review* 893.
15. Lepofsky, M. David (1992) "The Duty to Accommodate: A Purposive Approach," 1 *Canadian Labour Law Journal* 1.

Class 10: Case Studies of Systemic Inequality

The tenth class will involve students engaging in group inquiries and discussions of the causes and effects of a specific prevailing example of systemic inequality in society,

either locally, nationally, regionally or globally. The students will also critically analyze civil society movements that have attempted to address such examples of systemic inequality and work towards developing strategies for community mobilization in advocating for social, economic and/or political change in these areas.

Readings:

16. Sally Engle Merry (2006) "Transnational Human Rights And Local Activism: Mapping the Middle," 108(1) *American Anthropologist* 38.

Students to do advanced research as a group into one specific example of systemic inequality and come to class prepared to share their findings and analysis in interactive class discussion. Details provided one week in advance.

Class 11: Diversity and Inequality in Crime and Punishment

The eleventh class will address how Canadian criminal laws and policies or the application thereof may affect groups differently within diverse communities. We will focus on how policing and the enforcement of criminal laws may give rise to the disproportionate representation of vulnerable groups in the criminal justice system.

Readings:

17. John Howard Society of Ontario, *Unlocking Change: Decriminalizing Mental Health Issues in Ontario*, August 2015.

Class 12: The Charter and Freedom of Expression

The twelfth class will discuss freedom of expression, a specific right protected in Canada in the *Charter*. We will address the underlying values that support the sharing of diverse opinions and ideas in a diverse society.

Readings:

18. Tarnopolsky, W. S (Hon.) (1993) "Freedom of Expression in Canada" 19(4) *Commonwealth Law Bulletin* 1769.

Class 13: Hate Speech as a Limit on Freedom of Expression

The thirteenth class will consider the topic of hate speech and how it relates to and is often in conflict with freedom of expression.

Readings:

19. Moon, Richard (2008) "Hate Speech Regulation in Canada" 36(1) *Florida State University Law Review* 79.