This course explores the ways in which law affects and is affected by the movement of people across borders. An estimated three percent of the world’s population are migrants, and while the United States has long been a "nation of immigrants," countries across Europe, Africa, Asia, and the Middle East are all becoming host to large numbers of non-citizens. We will examine the various ways in which states approach migration law-making, studying migration law as a form of national identity, a means of social control, and a way of reproducing racial hierarchies. We will learn about how domestic and international migration laws assign migrants to various categories and statuses, some of which lead to rights and privileges and some of which do not. Finally, we will ask how the realities of global migration patterns challenge legal categories and conceptions of citizenship.

Professor
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Office Hours: Wednesday, 5:30-6:30pm, and by appointment

Course Goals and Learning Objectives
By the end of the semester, students will be able to:
• Discuss the economic, social, and political context for contemporary governance of global migration
• Differentiate proposed law reform frameworks that argue for expanding the justiciable rights of foreigners
• Evaluate political strategies for defending foreign migrants in various national contexts
• Present an independent research project on a topic (chosen by the student) related to law and global migration

Readings
All readings will be posted on the course Moodle website.

Evaluation and Assessment Summary
Class Preparation and Engagement (20%)
Prep Assignments (20%)
Research Paper Part I (due Friday, March 10) (20%)
Research Presentation (10%)
Final Research Paper (due Monday, May 8) (30%)
Schedule
(subject to change upon reasonable notice)

I. Human Cross-Border Mobility and Its Governance: How do they intersect?

Monday, January 23
Introduction: Legal Mobilizations and Migration

Wednesday, January 25
What historical, political, and economic factors propel cross-border human mobility?

Monday, January 30
How does immigration law create vulnerable “migrants”? What categories of social difference other than alienage contribute to this precarious status?

Wednesday, February 1
How does emigration law create vulnerable “migrants”? What features of where migrants work contribute to this precarious status?

Monday, February 6
Are migration-related legal distinctions always workable in practice?

Wednesday, February 8
What broader characteristics of the contemporary class system are relevant to understanding migrant precarity?
Monday, February 13
  • Paper Workshop – Library resources
    **Research Paper Proposal Due via course website and bring a hard copy to class

II. Proposals for Law Reform

Wednesday, February 15
What novel legal arguments have been formulated around issues of naturalization?

Monday, February 20
NO CLASS, Presidents Day

Wednesday, February 22
What novel legal arguments have been formulated around issues of deportation?

Monday, February 27
What novel legal arguments have been formulated around issues of welfare eligibility?

Wednesday, March 1
What novel legal arguments have been formulated around issues of trafficking?

Monday, March 6
What novel legal arguments have been formulated to expand the definition of a refugee?

Wednesday, March 8
What novel legal arguments have been formulated to expand the category of humanitarian protection?
**Friday, March 10: Research Paper Part I due at 5pm via course website and in hard copy to my mailbox in 321 Thompson Hall**

**SPRING BREAK**

**III. Organizing Legal Mobilization in Practice**

**Monday, March 20**
- *Haitian Refugee Center v Civiletti, 503 F. Supp 442 (1980)*
*Joint class session with POLSCI 345 (Caribbean Politics) => meet in Machmer W-25*  

**Wednesday, March 22**
*Guest Speaker: Prof. Daniel Kanstroom, Boston College Law School*

**Monday, March 27**
Read one of the following two options:

**Wednesday, March 29**
Read one of the following two options:

**Monday, April 3**
Read one of the following two options:

**Wednesday, April 5**
- In-class film: "Made in L.A."
Monday, April 10

Research Papers and Presentations

Wednesday, April 12
  Student Presentations

Tuesday, April 18
  Student Presentations

Wednesday, April 19
  Student Presentations

Monday, April 24
  Student Presentations

Wednesday, April 26
  Student Presentations

Monday, May 1
  Student Presentations

**Final Research Paper due Monday, May 8th at 5pm via course website**
ASSESSMENTS AND EVALUATIONS

Class Participation and Engagement

Attendance: I will take attendance at each class. If you miss more than four classes unexcused your grade may be lowered. If you miss more than six classes unexcused you risk receiving a failing grade in the course. Absences will be excused only for documented illness, documented family crisis, religious observance, and the like.

Engagement in Class Discussion: I expect you to come to class prepared to discuss the content of assigned readings, to share your ideas about the topic of discussion, and to ask thoughtful questions. I also expect you to be an active audience member for all student research presentations and to ask thoughtful questions of your peers.

Note: If you are ever concerned about your participation grade during the semester, please ask me for feedback.

Prep Assignments

Before most classes, I will post a question on Moodle based on the assigned readings. You are responsible for answering this question in 275-325 words by 10am on the date for which the readings are assigned. A total of 17 questions will be posted over the course of the semester. The responses will be marked as satisfactory/unsatisfactory and allocated letter grades as follows:

- 16 or more satisfactory responses: A
- 14-15 satisfactory responses: B
- 12-13 satisfactory responses: C
- 10-11 satisfactory responses: D
- 9 or fewer satisfactory responses: F, and ineligible for a passing grade in the course

You may rewrite up to two “unsatisfactory” responses and submit them for re-grading. Rewrites will be accepted if they are submitted within one week of the date for which the readings were assigned.

You may also make-up a missed reading response by attending one of the migration-theme guest speaker events (a list of these events is posted on the course website) and submitting a one-page summary of the speaker’s key points.

Note: Please come to me with any questions or problems you may have with the class material. The sooner you contact me regarding concerns, the more I can do for you. I will not be able to accommodate students who contact me at the end of the semester with concerns about their grades.

Research Project

Each student is responsible for completing a research paper on some aspect of the relationship between law and migration. You must meet with me outside of class as you work on this paper. These meetings should be scheduled:

- prior to submitting your paper proposal on February 22
- prior to submitting Part I of your paper on March 10
- prior to your presentation
Late Policy: The paper grade will be reduced 1/3 of a letter grade for every 24 hours it is late, except where extraordinary circumstances can be demonstrated. Late work will be accepted only with my prior approval. Requests for late submission must be made at least 48 hours in advance of the due date/time.

Citation format: All papers are to be double-spaced, paginated, and fully referenced using the “in-text reference + list of works cited” method described in the Guide to Referencing handout posted on the course website.

A Word on Grammar: Students often ask whether they will be “graded on grammar.” The answer is both no and yes. “No” in the sense that grammar alone is not a grading criterion. But “yes” in the sense that bad grammar and awkward style detract from the argument and presentation. Errors in grammar make it difficult for a reader to follow an argument and go through the text. You are responsible for understanding the rules governing Standard Written English.

CLASSROOM POLICIES AND PROCEDURES

Cell Phones/Texting/Computers
All cell phones must be turned off before entering the class. As a reminder: texting is distracting to your instructors and fellow classmates, not to mention impolite. If there is some reason that you need to have your phone out during the class period (i.e. expecting a call from a doctor or about an emergency situation), please speak to me about it before class begins. Habitual offenders should expect their class participation grade to be lowered.

Use of computers is discouraged in this course. Studies demonstrate that hand writing notes leads to better comprehension and retention of material. Computers are also distracting to the professor and other students. If you’d like to take notes on your computer, please let me know via email.

Academic Integrity
Plagiarism and cheating are violations of academic integrity and they will automatically result in failure in the course.

Scholastic dishonesty includes, but is not limited to, the submission of a piece of work that is, in part or whole, not one’s own. When writing papers, sources must be cited! Quotation marks must be used! As a general rule, scholastic dishonesty involves one of the following acts: cheating, plagiarism, collusion and/or falsifying academic records. Plagiarism – from the web or from any other source – and all other acts of scholastic dishonesty will be reported to the university.

Students are responsible for familiarizing themselves with what counts as plagiarism and academic dishonesty. To learn more about UMass policies go to: http://umass.edu/dean_students/codeofconduct/acadhonesty
If students have any questions about what plagiarism means, they should consult a plagiarism tutorial found at http://www.ctlw.duke.edu. Students with any questions or concerns are encouraged to contact the professor.

**Barrier-Free Campus**

If you need an accommodation for a disability, please let me know at least two weeks prior to the time when the accommodation will be needed. Some aspects of this course, the assignments, the in-class activities, and the way the course is usually taught may be modified to facilitate your participation and progress. As soon as you make me aware of your needs, we can work with the Office of Disability Services (tel. 413-545-0892 Voice/TTY; http://www.umass.edu/disability) to help us determine appropriate academic accommodations. Disability Services typically recommends accommodations through a Verified Individualized Services and Accommodations (VISA) form. Any information you provide is private and confidential and will be treated as such.

**Email**

I will use the class list to communicate with the class and I expect that you will check your school email address regularly. E-mail is also the best way to get in touch with me. Please be aware that it may take me up to 24 hours to respond to your e-mail and that I check email less frequently on weekends. On the night before exams or other assignments are due, I can guarantee that I will answer any questions that I receive by email before 9pm. After that, I may or may not be able to answer the question before the assignment/exam is due.