

INTD 497(002)– FALL 2022 – McGill University  
**MIGRATION, BORDERS, AND HUMAN RIGHTS**

**Class Schedule:** Mondays & Wednesdays, 11:35am-12:55pm

**Classroom:** Macdonald Engineering 279

**Instructor:** Blair Peruniak, Dr. ([blair.peruniak@mcgill.ca](mailto:blair.peruniak@mcgill.ca))

**Instructor Office/Hours:** Mondays 2:00–3:00PM, Room#16–4, 3610 McTavish

**TA:** Christopher Parisella ([christopher.parisella@mail.mcgill.ca](mailto:christopher.parisella@mail.mcgill.ca))

**TA Office/Hours:** TBD

### **Course description**

This course examines the human rights implications of migration and border practices set amidst increasingly contentious territorial politics, complex population movements, and record-shattering climate events. Students will be introduced to empirical, conceptual, and moral issues of contemporary transnational migration and border control in consideration of how human rights concerns are related to regional and global migration governance strategies. Selected case studies and current events will be used to illustrate a wide range of human rights concerns that emerge from attempts to harmonize territorial control with universal human rights aspirations in the face of ongoing and future migration patterns and pressures. Throughout the course, students will have the opportunity to analyse and discuss issues ranging from biometric border technologies and human smuggling to forced immobility and sanctuary cities in a global context. Students will also have the opportunity to develop original strategies in addressing human rights problems through independent and guided research.

### **Learning Outcomes**

The general goal of the course is to stimulate critical thinking about the dynamic relationship between migration, borders, and human rights which have major implications for political and development policies in the remainder of Twenty-First Century and beyond. At the end of this course students should be able to:

- understand the role of border regimes and their justifications in shaping international human rights standards and related legal frameworks of global migration governance.
- compare and contrast modes of border control and their respective implications for the human rights of migrants through persuasive written and oral arguments.
- apply critical skills, knowledge, and insights during in-class activities and original research projects to address specific human rights problems in the context of borders and migration.

### **Teaching Methods**

- Lectures
- Theoretical and applied readings
- Audio-visual materials

- Student-led discussions
- Independent and collaborative research

## **Required Readings**

All required readings are identified in the schedule below and will be available on myCourses.

## **Important Dates**

August	31	Course begins
September	14	Seminar Groups assigned
October	20	Proposals Due, 5PM on myCourses
October	27	Questions posted for Mid-term on myCourses
November	03	Midterm Due, 5PM on myCourses
November	28	*Ultimate due date for submitting seminar reports, 5PM on myCourses
December	01	* <i>Optional</i> Substitution Papers due, 5PM on myCourses
December	05	Research Papers Due, 5PM on myCourses

## **Assignments**

- Student Seminars /20%
- Research Proposal /15%
- Mid-term (take home) /25% (with re-write option)
- Research Paper /40%

## **Instructions and Grading Criteria**

### **A. Student Seminars /20%**

In Week 3, students will be assigned to small discussion groups by email. Throughout the semester, groups are responsible for meeting 4 times outside of class to exchange ideas, criticisms, and insights relating to 4 weekly ‘sets’ of required readings (each week of readings is a set). Groups should arrange to meet for ½ hr (min.) per discussion. Group discussions will form the basis of a corresponding written report (see below).

ONE member of the group should be chosen to upload 2-3 single-spaced pages to myCourses in Assignments under the corresponding ‘Seminar’ week for each seminar report. (\*Please include all names of group members who are present for the discussion). Seminar reports are ideally written in formal paragraph form (i.e., minimal point form notes) detailing the content of your group discussion that demonstrates *critical engagement with the readings* (i.e., the key points, insights, disagreements/arguments/alternative perspectives whether in opposition with the author(s), your peers or, indeed, your instructor, and/or questions/concepts/legal problems that your group tried to answer/grapple with). You may not be able to include everything from your conversation so be selective and aim for depth rather than breadth.

**Due Date:** Students are encouraged to keep up with these submissions throughout the course and to be mindful of time management considerations. However, seminar reports may be submitted to myCourses at any time throughout the semester in the relevant corresponding lecture Week until Nov 28, by 5PM, via MyCourses—No seminar reports will be accepted after this date.

Grading Criteria:

5 Points per seminar report

- Clear and concise references to required readings which informed/motivated your group discussion.
- Quality of discussion and understanding of readings including through criticisms, objections, or concerns raised by the group.
- Depth of critical engagement with readings and one another's ideas/arguments (i.e., avoid mere 'lists' of the range of ideas discussed)
- Quality of writing and general insightfulness

**B. Research Proposal /15%**

A short proposal (**1000 words, excluding bibliography**) for a suitable final research project based on the criteria as set out in the Final Research paper assignment (see 'D' below). Your bibliography should identify a minimum of 3 relevant, peer-review sources. Media sources may be referenced but will not count towards your peer-review source count.

Grading Criteria:

7.5 Points      Effective communication

- Development and communication of a clear and suitably focused human rights issue/problem identifying a specific migrant group/individual.
- Clarification on whether your paper will focus on an historical, current, or future/anticipated human rights issue.
- Grammar/spelling/bibliography/page numbers/etc.

7.5 Points      Analysis and Research

- A general outlining/summary of the proposed strategy or approach to addressing the human rights issue identified including the central goal and timeline.
- Identification of ONE main (non-monetary) obstacle/limitation of your approach.
- Quality/relevance of preliminary sources.

**Due** Oct 20, by 5PM, via myCourses.

**C. Mid Term (take home) /25%**

An argumentative essay (1000 words) in response to ONE essay question/topic. Three Essay options will be offered based on the required readings and lectures inclusive of Week 9. Question

options will be posted on myCourses on Oct 27 at 5PM. Details on how to structure the mid term essay will be formally outlined in class.

**Due** November 03, by 5PM, via myCourses.

**Grading Criteria:**

- 12.5 points    Effective communication
- Clear and logical organization of ideas (structure of paper, explicitly indicated in a concise introduction)
  - Pertinent examples/clear citation and referencing
  - Style, grammar and spelling
- 12.5 points    Analysis and argument
- Understanding and application of relevant concepts, theories and literature
  - Clear articulation of student's own argument/position
  - Effective support/evidence provided for the student's argument
  - Quality and convincingness of argumentation

**\*\*Optional Substitution Essay:** If you are unhappy with the grade you receive on the mid-term, you have the option of submitting an entirely new (i.e., a substitute) essay on a new question TBD by the instructor upon request. All substitution essays must be confirmed with me within two weeks of receiving your grade on the initial essay. You are not eligible to write a substitute essay unless you have submitted the initial essay by the original due date. The grade on your substitution paper will replace (i.e., 'substitute for') the grade on your first essay regardless of whether it is higher or lower. Optional substitution papers are due December 01, by 5PM via myCourses.

**D. Research Paper /40%**

A research paper (4000 words, excluding footnotes and bibliography) that identifies/explains the following:

- a specific human rights issue* related to the themes of migration and/or borders focusing either on an historical, current, or future/anticipated human rights issue.
- a specific group of migrants (or migrant individual)* related to the issue you identify whose human rights are either threatened, are currently being violated, or have previously been violated.
- an original policy, strategy, or approach* that you would implement as a means of either preventing, resolving, or otherwise addressing the human rights issue you identify (i.e., one that has a specific and practical goal achievable within a clearly stated time-line). Your strategy may focus on a specific area of policy, law, civic action, or other development proposal including re-drawing an existing border.
- a discussion of ONE main obstacle/limitation of your original strategy.* \*For the purposes of this paper please do not discuss monetary or funding challenges. Assume you have the money.

Research Sources: Your paper should engage a minimum of 10 relevant, peer-review sources. Media sources may be referenced but will not count towards your minimum/maximum peer-review source count.

**Due:** December 05, by 5PM, via myCourses.

**\*NB:** Students must receive a passing grade on the research paper in order to pass the course. It is *essential* to understand and adhere to McGill's policies on academic integrity (see below).

**Grading Criteria:**

15 Points Structure, Clarity, and Style

- Concise introduction that briefly and immediately summarizes the overall project followed by a clear procedural statement outlining the paper's structure.
- Structure outlined in the procedural statement is the structure actually followed in the paper.
- Development and communication of a clear and suitably focused human rights issue/problem identifying a specific migrant group/individual.
- Grammar/spelling/references/bibliography/page numbers/etc.

15 Points Analysis and Research

- Incorporation of feedback on your proposal
- Understanding, application, and critical analysis of relevant empirical or social science literature on your human rights/migration topic
- Rationale for your approach supported by evidence and logical argumentation
- Quality, depth, and integration of sources/research.

10 Points Significance of Approach

- Details regarding the main elements of the strategy or approach including the goal and timeline.
- Quality of policy recommendations and insightfulness
- Assessment of ONE main (non-monetary) obstacle/limitation of your approach.

## COURSE READING SCHEDULE

\*\*Course materials and scheduling are subject to change\*\*

### **Week 1 – August 31**

- *Course Introduction. No Required Readings.*

### **Week 2 – September 07:**

- Alexander Diener & Joshua Hagen. 2012. “Border Crossers and Border Crossings” In: *Borders: A Very Short Introduction*, 1–12. Oxford: Oxford University Press.
- Idil Atak & François Crépeau. 2021. “Refugees as Migrants,” In: Cathryn Costello, Michelle Foster, & Jane McAdam (eds.) *The Oxford Handbook of International Refugee Law*, 1–14. Oxford: Oxford University Press.

### **Week 3 – September 12&14:**

- David Miller. 2013. “Border Regimes and Human Rights,” *The Law and Ethics of Human Rights* 7(1): 1–23.
- Itamar Mann. 2021. “Border Crimes as Crimes against Humanity,” In: *The Oxford Handbook of International Refugee Law*, 1174–1190. Cathryn Costello, Michelle Foster, and Jane McAdam (eds). Oxford: Oxford University Press.

### **Week 4 – September 19&21**

- Martin Schain. 2019. “Where Are the Gates? The Variable Border and Border Control” In: *The Border: Policy and Politics in Europe and the United States*, 25–44. Oxford University Press.
- Gabriel Popescu. 2022. “Hiding in Plain Sight: The Power of Biometric Border Technologies,” In: Alexander C. Diener&Joshua Hagen (eds). *Invisible Borders in a Bordered World: Power, Mobility, and Belonging*, 253–264. New York: Routledge.

### **Week 5 – September 26&28**

- Elena Basheska & Dimitry Kochenov. 2015. “EuroMed, Migration and Frenemy-ship,” In: *Migration in the Mediterranean: Mechanisms of International Cooperation*, 43–67. Francesca Ippolito and Seline Trevisanut, eds. Cambridge: Cambridge University Press.
- Flavia Patane`, Maarten P. Bolhuis, Joris van Wijk, & Helena Kreiensiek. 2020. “Asylum-Seekers Prosecuted for Human Smuggling: A Case Study of Scafisti in Italy,” *Refugee Survey Quarterly* 39: 123–152.

### **Week 6 – October 03&05**

- Michael Blake & Mathias Risse. 2009. “Immigration and Original Ownership of the Earth,” *Notre Dame Journal of Law, Ethics & Public Policy* 23(1): 133–165.
- Moritz Baumgärtel. 2019. “Migrant Rights as Existential Commitments,” In: *Demanding Rights: Europe’s Supranational Courts and the Dilemma of Migrant Vulnerability*, 137–153. Cambridge: Cambridge University Press.

## Week 7 – NO CLASSES

### Week 8 – October 17&19

- Javier Trevino-Rangel. 2017. “Magical Legalism: Human Rights Practitioners and Undocumented Migrants in Mexico,” *The International Journal of Human Rights* 23(5): 843–861.
- Jari Pirjola. 2008. “Shadows in Paradise: Exploring Non-Refoulement as an Open Concept,” *International Journal of Refugee Law* 19(4): 639–660.

### Week 9 – October 24&26

- Robert McLeman. 2019. “International Migration and Climate Adaptation in an Era of Hardening Borders,” *Nature Climate Change* (9): 911–918.
- Gregory White. 2011. “Transit States and the Thickening of Borders,” In: *Climate Change and Migration: Security and Borders in a Warming World*, 90–123. Oxford: Oxford University Press.

### Week 10 – October 31&November 02

- Ochoa Espejo. 2020. “The Watershed: A (Not So) New Model for Territorial Scales and Border Placement,” In: *On Borders: Territories, Legitimacy, and the Rights of Place*, 172–198. New York: Oxford University Press.
- Ochoa Espejo. 2020. “What is Wrong with Border Walls?” In: *On Borders: Territories, Legitimacy, and the Rights of Place*, 273–293. New York: Oxford University Press.

### Week 11 – November 07&09

- Loren Collingwood & Benjamin Gonzalez O’Brien. 2019. “The Sanctuary City in Historical Perspective,” In: *Sanctuary Cities: The Politics of Refuge*, 16–42. New York: Oxford University Press.
- Loren Collingwood & Benjamin Gonzalez O’Brien. 2019. “Media Coverage of Sanctuary Cities 1980-2017,” In: *Sanctuary Cities: The Politics of Refuge*, 43–66. New York: Oxford University Press.

### Week 12 – November 14&16

- Cathryn Costello. 2015. “Migrants and Forced Labour: A Labour Law Response,” In: *The Autonomy of Labour Law*, 189–227. London: Hart Publishing.
- Jeffrey Pugh. 2021. “Understanding the Invisibility Bargain,” In: *The Invisibility Bargain: Governance Networks and Migrant Human Security*, 31–48. New York: Oxford University Press.

### Week 13 – November 21&23

- Inka Stock. 2019. “Arriving in Morocco: Becoming Trapped in a Context of Uncertainty,” In: *Time, Migration and Forced Immobility: Sub-Saharan African Migrants in Morocco*, 65–82. Oxford: Oxford University Press.
- Fana Gebresenbet. 2022. “Hopelessness and Future-Making through Irregular Migration in Tigray, Ethiopia,” In: *Youth on the Move: Views from Below on Ethiopian International Migration*, 79–96. Oxford: Oxford University Press.

### **Week 14 – November 28&30**

- *Workshops: 'Editing Your Research Paper'. No Required Readings.*

### **Week 15 – December 05**

- *Final Class, No Required Readings. Research Papers Due by 5PM.*

## **GENERAL POLICIES**

**Formatting:** All papers are to be submitted on myCourses in word doc. format, 12-point font, double-spaced text with standard margins unless otherwise stated. All papers should include a title page and bibliography. Please use single spacing for block quotations, footnotes, and bibliographies. References and citations must follow a standard academic format. Students should use in-text citations and include specific page numbers when referencing claims or quoting from academic sources – for example, (Jones 2005: 135). For more details, see the instructions for specific assignments above.

**Late Penalties:** Written work is due at the times indicated in the instructions for specific assignments above. Late papers will be subject to a 5% penalty per day, starting with the due date/time (except in special cases, with the instructor's prior agreement).

\*Please note that I reserve the right to modify aspects of the course timeline or readings if necessary.

### **Academic Integrity:**

McGill University values academic integrity. Therefore, all students must understand the meaning and consequences of cheating, plagiarism and other academic offences under the “Code of Student Conduct and Disciplinary Procedures” (see [McGill's guide to academic honesty](#) for more information). Note that to support academic integrity, your assignments may be submitted to text-matching or other appropriate software (e.g., formula-, equation-, and graph-matching).

### **Language of Submission:**

In accord with McGill University's Charter of Students' Rights, students in this course have the right to submit in English or in French any written work that is to be graded. This does not apply to courses in which acquiring proficiency in a language is one of the objectives.

Conformément à la Charte des droits de l'étudiant de l'Université McGill, chaque étudiant a le droit de soumettre en français ou en anglais tout travail écrit devant être noté (sauf dans le cas des cours dont l'un des objets est la maîtrise d'une langue).

### **Extraordinary Circumstances Statement:**

In the event of extraordinary circumstances beyond the University's control, the content and/or evaluation scheme in this course is subject to change.

**Content warning:** Please be aware that some of the course content may be disturbing for some students. It has been included in the course because it directly relates to the learning outcomes. Please contact the instructor if you have specific concerns about this.

**Assessment Policy Statement:**

The [University Student Assessment Policy](#) exists to ensure fair and equitable academic assessment for all students and to protect students from excessive workloads. All students are encouraged to review this Policy, which addresses multiple aspects and methods of student assessment, e.g. the timing of evaluation due dates and weighting of final examinations

**Inclusive learning Environment:**

As the instructor of this course I endeavor to provide an inclusive learning environment. However, if you experience barriers to learning in this course, do not hesitate to discuss them with me and the [Office for Students with Disabilities](#), 514-398-6009.

**Mental Health:**

All health and wellness services at McGill University have been integrated into our new Student Wellness Hub. Please visit the [Virtual Hub](#) for all health and wellness information, at <https://mcgill.ca/wellness-hub/>.