

## Seeking Refuge: Perspectives on Asylum and Refugee Law

LSJ 425/ANTH 497

SAV 131/Winter 2019

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Office: M256 Smith Hall

Hours: *Tuesdays* 12:30 – 2:00

In the aftermath of World War II, Hannah Arendt wrote, “refugees driven from country to country represent the vanguard of their people” (1943:77). Such refugees, she noted, have lost all rights, but at the same time do not want to (or cannot) be assimilated into a new national identity. In that statement, Arendt was referring to a problem she and the world community thought to be a specific, temporary problem. Today there are nearly 69 million refugees, displaced, and stateless persons in the world, the most ever recorded, and it is one of the biggest international crises of our time. The plight of so many forced migrants has brought renewed scholarly attention to this issue, at once ancient, and yet, completely new – and increasingly representing a new normative identity. Italian philosopher Giorgio Agamben wrote that the refugee, “formerly regarded as a marginal figure, has become now the decisive factor of the modern nation-state by breaking the nexus between human being and citizen” (2000:x). Today’s refugees occupy a liminal space, giving substance to the theoretical musings on nation-state sovereignty and the emerging space of the supranational, while providing a challenge to the possibility of human rights. To be sure, transnational laws are in force to protect individuals who occupy intermediate spaces, but the nation-state is still the venue through which such individuals must seek recognition and protection. Without such recognition, refugees have scant protection of any kind.

Given much recent scholarly attention to the concept of the refugee, this course examines contemporary refugee crises in the context of globalization, with a concern for the complex underlying conditions that produce ‘the refugee,’ and asks, *why must we live in a world of refugees* at all. The topics we will explore include the politics of global capitalism, the history of the concept of refugee, and the disparate impact of refugee crises on women and children.

Thus, this course aims to introduce students to the complex issues surrounding ‘the refugee,’ both in international practice and in the U.S., and explores concerns related to refugees through a critical lens which takes into account multiple and sometimes competing variables, including, but not limited to legal, social, economic, and historical.

### **LEARNING OBJECTIVES:**

As an advanced senior seminar, this course aims to develop critical thinking, writing, and speaking skills. On a substantive level, this course aims to introduce students to the social, legal, political, economic, and theoretical issues emanating from the figure of the refugee in a global and domestic context.

### **REQUIREMENTS:**

As an advanced senior seminar, this course is designed for engaged students committed to achieving a deep understanding of the complexity of the refugee problem. A previous course in international human rights is strongly recommended. There are five primary requirements: 8 reading response posts, discussion facilitation, strong participation, which includes a mandatory workshop in the final class, a 5-page midterm ‘close textual analysis’ exercise, and a 12-page final paper. Discussion is the primary avenue of instruction. Readings, assignments and class meetings are designed to inspire students to elaborate new ideas and engage in critical thinking, discussion, and finally, writing. Assignments build on one another. Participation is critical to success in this course.

**(1) Reading Response Posts** - Eight ½ page (250-word minimum) reading responses posts (RRP) are required. RRP's are aimed at prompting inquiry, analysis and discussion, both in class and on-line. Weekly questions will be posted on this course's CANVAS site (<http://canvas.uw.edu>), under the "Discussions" link, to guide readings and prompt responses, usually by Thursday of the prior week. RRP's are due by 8:00 a.m. the day of the class for which you wish to contribute a reading response. RRP's are not graded. For full credit, students need only complete the minimum requirement of posting eight timely, 250-word responses that engage with the readings for the week. There will be at least nine opportunities to submit RRP's, so there will be no exception to the minimum rule of eight for full credit. Responses that are late or contain less than 250 words will not count towards the requirement. Students are encouraged, but not required, to read one another's posts in order to engage in deeper discussions. Additional guidelines for RRP's and how to post to CANVAS will be offered in class.

**(2) Discussion Facilitation** - Each student will make an 8-10-minute statement introducing one of the readings by offering background material, key arguments, and discussion questions. A sign-up sheet and guidelines for facilitation will be available on the second class meeting.

**(3) Participation** - This course aims to encourage and enhance critical thinking and analytical skills. For this reason, discussion is a crucial component of learning. While students will not be graded on the quality of statements made, discussion is required. Unexcused absences and chronic tardiness will adversely affect final grade and may, in some cases, trigger disenrollment. In addition, the last class session will consist of a mini-conference and workshop where students will present their final papers to the rest of the class. Participation in the final session is mandatory and comprises an essential component of the participation grade. Make sure you are prepared to attend this session.

**(4) Midterm exercise** - A 5-page 'close textual analysis' is required. For the midterm exercise, topics and instructions will be handed out. Students will be asked to engage in a close reading and analysis of two texts. The midterm is due by the end of the 5<sup>th</sup> week, **February 8th**.

**(5) Final paper** - A 12-page final paper is also required. For final papers, students must initiate their own topical investigation, but should discuss final paper topics with me. Final papers should argue a specific point and contain analysis. Final papers are due no later than **4:30 PM on Monday, March 18, 2019**. Final papers must be submitted in hard copy to M256 Smith Hall. Further guidelines will be offered in coming weeks.

Late papers will receive a .2 grade deduction per day. Please note that papers turned in late risk not being graded by the end of the quarter, in which case students will receive an "I" on their grade report. Papers handed in one week late or more will not be read and will receive 0.0 credit.

Guidance on writing papers may be found at the Political Science/Law, Societies, and Justice/School of International Studies Writing Center located in Gowen 111 and online at <http://depts.washington.edu/pswrite/>. Students may sign up on the website to reserve a session with a writing tutor and find additional resources (including 'how-to' guides, handouts, and writing guidelines) via the "For Students" link. Any student registered in an LSJ course is welcome at the Writing Center.

## **GRADING**

Final grade will be based on reading responses and current affairs exercise (15%), discussion facilitation (10%), participation (20%), mid-term exercise (20%), and final paper (35%).

## **TEXTS**

The schedule of readings is listed below. The readings for the course will be posted on the course CANVAS site, usually by Thursday of the prior week. Students who prefer a course pack may order one from RAMS Copy Center at 4144 University Way after the first week of classes. Either way, students must have the readings with them, either printed or in electronic format, during class. Failure to have readings in class will adversely affect grades. The reading for this course is not light, but it is necessary in order to get at some of the deeper issues surrounding refugee concerns. I will offer reading strategies when possible, but students should also be committed to taking the time and effort to read effectively. Additional readings are highlighted throughout the syllabus for those students who seek deeper knowledge on a specific unit. These references should be consulted when working on the final paper, as well.

## **ACADEMIC INTEGRITY**

Academic misconduct, such as plagiarism and cheating, are serious violations of the University of Washington's [Student Governance Policy](#) and are subject to disciplinary action by the University. Students are expected to know and follow the [University of Washington Student Conduct Code \(WAC 478-121\)](#). Any suspected cases of academic misconduct will be handled according to the University's regulations. For more information, see the University of Washington's [Community Standards and Student Conduct website](#). For information about the University's plagiarism policy, see [here](#).

## **SAFETY AND WELLNESS**

The University offers many different kinds of support services on campus. These include the Counseling Center and Hall Health Mental Health Clinic. If you are concerned about yourself or a friend who is experiencing emotional distress and/or may be at-risk for suicide, you can call SafeCampus at [206-685-7233](#) (SAFE). They will provide a 24/7 risk assessment and help to connect to appropriate resources. Please save the SafeCampus number in your cell phones.

## **ACCESS AND ACCOMMODATIONS**

Your experience in this class is important to us. If you have a letter from [Disability Resources for Students \(DRS\)](#) indicating that you require special accommodations, please present it to me.

If you have not yet established services through DRS but have a temporary health condition or permanent disability that requires accommodations (conditions include but not limited to; mental health, attention-related, learning, vision, hearing, physical or health impacts), you are welcome to contact DRS at 206-543-8924 or [uwdrs@uw.edu](mailto:uwdrs@uw.edu) or [disability.uw.edu](http://disability.uw.edu). DRS offers resources and coordinates reasonable accommodations for students with disabilities and/or temporary health conditions. Reasonable accommodations are established through an interactive process between you, your instructor(s) and DRS. It is the policy and practice of the University of Washington to create inclusive and accessible learning environments consistent with federal and state law.

## **EXCELLENCE IN DIVERSITY**

In this course, as with the rest of the University of Washington, we consider diversity to be integral to excellence in education and seek to learn from one another's unique perspectives. As such, we value diverse

experiences and strive to create welcoming and respectful learning environments, while promoting access, opportunity, and justice for all.

## **CLASSROOM ETIQUETTE**

This course is a seminar, and thus relies on the focused efforts of all students to engage with the materials and to be respectful to one another. Please plan to come to class on time, stay for the entire session, and leave when excused. On the rare occasion when you may have to come to class a bit late or leave early, please provide a note ahead of time. Please note that only absences due to serious illness as documented by a physician will be counted as ‘excused’ and thus emails regarding absences for other reasons are not needed.

Please also be considerate with your food and drink, keeping them to a minimum. If you must eat or drink, then please do so quietly and discreetly. I will ask students who do not follow these simple rules of etiquette to leave the classroom. I will disenroll any students who are unwilling to observe these standards. If these rules of etiquette seem too onerous or restrictive, please drop the course and make room for the students on the waiting list.

## **LAPTOP, TABLET, AND SMART PHONE POLICY**

One recent [study](#) shows that students learn better when they take hand-written notes on paper. Another [study](#) has found that reading content on tablets leads to skimming and interferes with understanding complexity. That said, this is the 21<sup>st</sup> century, and laptops and tablets will be permitted, for taking notes and consulting PDFs of the readings *only*. Students engaging in activities other than note-taking are disrupting the class by creating distractions. Thus, should a student use a laptop for other reasons, I will ask them to leave. Smart phones are not allowed in class at any time. Students should put phones and devices not in use on silent (not vibrate) and keep them out of sight throughout the session. I reserve the right to disenroll students who refuse to comply with these policies.

## **USEFUL LINKS:**

*United Nations High Commissioner for Refugees* - <http://www.unhcr.org/cgi-bin/texis/vtx/home>

*US Committee for Refugees and Immigrants* - <http://www.refugees.org/>

*Amnesty International* - <http://www.amnesty.org/en/refugees-and-migrants>

*Refworld* - <http://www.refworld.org/cgi-bin/texis/vtx/rwmain>

*Refugee Women’s Alliance* - <http://www.rewa.org/>

*Refugee International* - <http://www.refintl.org/>

*The Refugee Project* - <http://www.therefugeeproject.org/>

*Human Rights Watch-Refugees* - <http://www.hrw.org/topic/childrens-rights/refugees-and-migrants>

*World Relief-Refugee Resettlement* - <http://worldrelief.org/refugee-resettlement>

*International Rescue Committee* - <http://www.rescue.org/resettling-refugees-us>

*The Crisis Group* - <http://www.crisisgroup.org/en.aspx>

*Interaction* - <http://www.interaction.org/>

*American Refugee Committee International* - <http://www.arcrelief.org/site/PageServer>

## Course Outline and Schedule of Readings

*Due to evolving refugee and humanitarian crises today, this course maintains a flexible approach to topics under consideration. As a result, readings and schedules are subject to change.*

### **Week 1 Jan. 8-10 Introduction: International scope of human rights and the status of refugees, asylum-seekers, stateless and internally displaced peoples**

*What is the definition of a refugee? What are some of the origins of this notion? According to Donkoh, what issues confront the international community for the future of refugee protection?*

- Readings** [1951 Convention Relating to the Status of Refugees](#)  
Lauren, Paul Gordon, "To Protect the Persecuted." In *The Evolution of International Human Rights: Visions Seen*. Philadelphia: University of Pennsylvania Press, 1998. Pp. 62-71.  
Henkin, Louis, "Refugees and Their Human Rights." *Fordham Int'l Law*, 18(4) (1994). Pp. 1079 – 81.  
Donkoh, Bemma, "A Half-Century of International Refugee Protection: Who's Responsible, What's Ahead?" *Berkeley J. Int'l Law*, 18(2) (2000). Pp. 260-267.  
(Further reading) Bem, Kazimierz, "The Coming of a Blank Cheque — Europe, the 1951 Convention, and the 1967 Protocol." *Int'l J Refugee Law*, 16(4) (2004). Pp. 609-627.

### **Week 2 Jan. 15 Crisis and Response: the Refugee between Nation-State and Camp**

*The way we understand current refugee issues has something to do with the aftermath of WWII and the Holocaust. How does political philosopher Hannah Arendt broach this theme? The essay was originally published in the '50s. How are her arguments relevant today?*

- Readings** Arendt, Hannah, "The Decline of the Nation-State and the End of the Rights of Man." In *Origins of Totalitarianism*. New York: Harcourt Inc. (1994 [1951]). Pp. 267-302.  
Agamben, Giorgio, *Means without End: Notes on Politics*. Minneapolis: University of Minnesota Press, 2000. Pp. 1-44.  
(Suggested) Arendt, Hannah, "We Refugees," In *Altogether Elsewhere: Writers on Exile*. Marc Robinson, ed. New York: Faber and Faber, 1994. (Originally published in, *The Menorah Journal*, 1943). Pp. 110-119.

### **Jan. 17 Crisis and Response (cont'd): Refugee Identity, Agency and the Camp**

*What is the main point of Malkki's article? What does she mean by "dehistoricization"? What does the camp do to individuals and their identity? Indeed, what is a camp?*

- Readings** Malkki, Liisa, "Speechless Emissaries: Refugees, Humanitarianism, and Dehistoricization." In *Genocide: An Anthropological Reader*. Alexander Hinton, ed. Malden, MA: Blackwell, 2002. Pp. 344-367.  
Turner, Simon, "What Is a Refugee Camp? Explorations of the Limits and Effects of the Camp." *Journal of Refugee Studies*, Vol. 29 (2) (2015). Pp. 139-148.  
Peteet, Julie, "Camps and Enclaves: Palestine in the Time of Closure." *Journal of Refugee Studies*, Vol. 29 (2) (2015). Pp. 208-228.  
(Further reading) Muggah, Robert, "Protection Failures: outward and inward militarization of refugee settlements and IDP camps in Uganda." In *No Refuge: The Crisis of Refugee Militarization in Africa*. Robert Muggah, ed. London: Zed Books, 2006. Pp. 88-134.  
(Further reading) Lischer, Sarah K., "Collateral Damage." In *Dangerous Sanctuaries: Refugee Camps, Civil War, and the Dilemmas of Humanitarian Aid*. Ithaca: Cornell University Press, 2005. Pp. 141-166.



**Week 3 Jan. 22 Sovereignty and the City: Are we 'postnational'?**

*What are the effects of globalization on defining and, to some extent, creating the refugee crises we see around the world today? What does the increasingly globalized city offer us in understanding refugees' human rights claims? How does Sassen address the sovereignty principle? In your opinion, are boundaries between nation-states becoming more or less porous? What does Appadurai mean by "postnational geography"? How does this idea compare with Sassen's claims? Derrida's essay is about hospitality. What does he mean by "cosmopolitanism" and what are its potential effects for refugees? Does he offer a pragmatic solution for refugees in cosmopolitan cities? Can we envision cities of refuge? Before you decide, read this: "The Exigent City" and "Refugee Camps are the Cities of Tomorrow."*

- Readings** Sassen, Saskia, "Whose City Is It? Globalization and the Formation of New Claims." *Public Culture*, Vol. 8 (1996). Pp. 205-223.
- Appadurai, Arjun, "Sovereignty without Territoriality: Notes for a Postnational Geography." In *The Anthropology of Space and Place: Locating Culture*. Setha M. Low and Denise Lawrence-Zuniga, eds. Malden, MA: Blackwell, 2003. Pp. 337-349.
- Derrida, Jacques, "On Cosmopolitanism." In *On Cosmopolitanism and Forgiveness*. London: Routledge, 2001. Pp. 3-24.

**Jan. 24 Post-National: Identity Without Territory and the Freedom of Movement**

*Malkki attempts to locate the general discussion of nation-states and sovereignty by addressing what it means for identity. What is her argument? Do you think we live in a deterritorialized world today? Or do you see the world ordered through De Genova's depiction of sovereignty as described by the "deportation regime"? Do Malkki and De Genova make completely incompatible claims or can you reconcile them?*

- Readings** Malkki, Liisa, "National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees." In *Culture, Power, Place: Explorations in Critical Anthropology*. Akhil Gupta and James Ferguson, eds. Durham: Duke University Press, 1997. Pp. 52-74.
- De Genova, Nicholas, "The Deportation Regime: Sovereignty, Space, and the Freedom of Movement." In *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*. Nicholas De Genova and Nathalie Peutz, eds. Durham: Duke University Press, 2010. Pp. 33-65.

**Week 4 Jan. 29 Precarious Global Lives: Which Lives are Worthy of Our Grief?**

*This session we explore what it means to be human in a global political context. We examine whose lives are worth grieving and saving. How does Butler present her arguments about the precarity of life? What is a precarious life? What additional considerations on lives worth grieving do Klein and Bashur's essays offer.*

- Readings** Butler, Judith, *Precarious Life: The Powers of Mourning and Violence (Selection)*. London and New York: Verso, 2006.
- Klein, Naomi, "[Let Them Drown: The Violence of Othering in a Warming World.](#)" *London Review of Books*, June 2, 2016.
- Bashur, Diana, "[What the West Owes Syrians: US and European Arms Sales to the Middle East 2011-2014.](#)" *Jadaliyya*, December 21, 2016.
- (Further reading) Allison, Anne, "Ordinary Refugees Social Precarity," *Anthropology Quarterly*, 85, 2 (2012). Pp. 345-370.

**Jan. 31 Don't Pity the Refugee: On Agency, Resistance and Art**

*The Syrian conflict has produced an overwhelming number of refugees in the last five years. What does cooke's writing tell us about the world of the refugee? How does her presentation conflict or confirm other readings on refugees and their agency? Chatty provides a historical backdrop to some of the Middle East's contemporary challenges. How does Chatty's article offer context for the current situation?*

- Readings** cooke, miriam, *Dancing in Damascus: Creativity, Resilience, and the Syrian Revolution* (2016).  
Chatty, Dawn, "Integration without Assimilation in an Impermanent Landscape: Dispossession and Forced Migration in the Arab Middle East." In *Refugees and the End of Empire: Imperial Collapse and Forced Migration in the Twentieth Century*. P. Panayi & P. Virdee, eds. New York: Palgrave Macmillan, 2011. Pp. 127-151.

**Week 5 Feb. 5 Another Refugee Regime: Issues relating to Palestinian Refugees**

**(Mid-Term Due 2/8)**

*Akram argues that there is a different refugee regime in place for Palestinian refugees. Why is this the case? How does it work? What difficult distinctions does Feldman outline? How is the situation of Gazan refugees different from those in Lebanon? Are there any similarities? Said discusses the legal obligations that host countries owe refugees. What are some of these and through what principles of international law are they justified? What particularities does he point out in the case of Lebanon?*

- Readings** Akram, Susan, "Reinterpreting Palestinian Refugee Rights Under International Law." In *Palestinian Refugees: The Right of Return*. Naseer Aruri, ed. London: Pluto Press, 2001. Pp. 165-194.  
Said, Wadie, "The Obligations of Host Countries to Refugees Under International Law: The Case of Lebanon In *Palestinian Refugees: The Right of Return*. Naseer Aruri, ed. London: Pluto Press, 2001. Pp. 123-151.  
(Further reading) Feldman, Ilana, "Difficult Distinctions: Refugee Law, Humanitarian Practice, and Political Identification in Gaza." *Cultural Anthropology*, Vol. 22(1) (2007). Pp. 127-167.  
(Further reading) Bianchi, Sergio, "Advocating 'Dignity' and 'Return' for Lebanon's Palestinians: Imagining a Diasporic Project." *Refugee Survey Quarterly*, Vol. 33(3) (2014). Pp. 118-138.

**Feb. 7 Independent study: Review CANVAS links on Palestinian issue and view suggested films**

- Readings** *Explore: UNRWA AND THE PALESTINIAN REFUGEES 60 YEARS LATER. Refugee Survey Quarterly*, Vol. 28, (2-3) (2010).  
(Especially) Bocco, Riccardo, "UNRWA and The Palestinian Refugees: A History within History." *Refugee Survey Quarterly*, 28 (2-3) (2010). Pp. 229-252.

**Week 6 Feb. 12 Another Refugee Regime: Palestinian Refugees (cont'd)**

*For the refugees that Peteet encounters, how is the camp a landscape of both hope and despair? What other features of the camp distinguish refugee life for the Palestinians?*

- Readings** Peteet, Julie, *Landscape of Hope and Despair: Palestinian Refugee Camps*. Philadelphia: University of Pennsylvania Press, 2005. Pp. 34-46 & 131-169.

**Feb. 14**      **Current Affairs Exercise: Guidelines to be provided in class**

**Week 7 Feb. 19**      **U.S. Practice: processing asylum claims and the performance of law**

*What is the relationship between US immigration laws and the asylum policy? What factors led to the development of legislation on refugees? What are the roles of the Executive and Congress in the history of US refugee laws and how do they compete? What does the answer to the previous question tell us about refugee policy? What is the significance of the ruling in INS v. Cardoza-Fonseca? How does U.S. law construe refugee protection as both discretionary and non-discretionary? Also, consider the role of law in (re)presenting suffering. How are the legal definitions that guide who gets asylum constituted by popular perceptions of law or of refugees? What is the role of performance in legality and that of suffering in “proving” the definition of a refugee?*

**Readings**      Anker, Deborah, “U.S. Immigration and Asylum Policy: A Brief Historical Perspective,” *In Defense of the Alien*, Vol. 13 (1990) Pp. 74-85.  
Anker, Deborah, “The Development of U.S. Refugee Legislation,” *In Defense of the Alien*, Vol. 6 (1983). Pp. 159-166.  
INS v. Cardoza-Fonseca, 480 U.S. 421 (1987). (**Selection**)  
(Supplemental) <https://www.youtube.com/watch?v=GPEguwpJdxg>  
FILM: WELL-FOUNDED FEAR (EXCERPT)

**Feb. 21**      **Legal Definitions: Cultures, Politics, and Ideology and Bars to Eligibility**

*Gallagher questions the appropriateness of certain legal categories, including what he calls the “cultural” suitability of some human rights legal instruments. What are his concerns? What is the reasoning for barring child soldiers from the formal grant of asylum? And what is his argument? Use this issue to think about the role of law in political discourse. What legal issues are being debated? What is the law or legal standard that is being disputed? How does this case integrate U.S. foreign policy concerns? How does the court talk about politics and ideology?*

**Readings**      Gallagher, Michael S., “Soldier Boy Bad: Child Soldiers, Culture and Bars to Asylum.” *Int’l J Refugee Law*, Vol. 13(3) (2002). Pp. 310-336.  
(TBA)

**Week 8 Feb. 26**      **Gender, “membership in a particular social group,” and the state-actor problem**

*What is the issue in this case, and what is the problem it presents for the current body of asylum law? How does the court resolve this? What are your thoughts/questions? Consider the ruling and analysis of the category “membership in a particular social group.” How does the court in Alvarado arrive at a definition of “membership in a particular social group”? What questions about asylum law does the case raise for you? Anker suggests we might rethink the “failure of state protection” principle, and why is this important in considering domestic violence cases? We will also discuss recent developments – a big surprise!*

**Readings**      Matter of R.A. (Rodi Alvarado)  
Anker, Deborah, “Refugee Status and Violence Against Women in the ‘Domestic’ Sphere: the Non-State Actor Question.” *15 Geo. Immigr. L.J.* 391 (2001). Pp. 391-402.  
(Supplemental) Kelley, Ninette, “Opinion: The Convention Refugee Definition and Gender-based Persecution: A Decade’s Progress.” *Int’l J Refugee Law*, Vol. 13(4) (2001). Pp. 559-568.

**Feb. 28**      **2017 Executive Orders (EO) and beyond**



**Readings** President's Executive Order, Judge Robart's decision and articles on the EO.

**Week 9 Mar. 5 Sanctuary and Anti-Deportation Movements**

*Coutin states that in order to understand how “the sanctuary movement's use of law was simultaneously hegemonic and resistant requires a deeper exploration of the ways that sanctuary practices both shaped and were shaped by U.S. immigration law” (283). What does she mean by this? How does the rest of the article attempt to respond to this question? According to her, what is the role of U.S. immigration law? She says that these practices are, on the one hand, derived from the law, but on the other hand, they redefine law. What examples does she give? What is your assessment of the possibility in law for resistance by disempowered people? Nyers gives an account of an anti-deportation movement in Canada, aimed at protecting vulnerable populations. How does he define and use the notion of “abject cosmopolitanism” and how does it compare with the earlier usages of the term ‘cosmopolitanism’ that we have encountered?*

**Readings** Coutin, Susan Bibler, “Enacting Law Through Social Practice: Sanctuary as a Form of Resistance.” In *Contested States: Law, Hegemony, and Resistance*. Susan Hirsch and Mindie Lazarus-Black, eds. New York: Routledge, 1994. Pp. 282-303.  
Nyers, Peter, “Abject Cosmopolitanism: The Politics of Protection in the Anti-Deportation Movement.” In *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*. Nicholas De Genova and Nathalie Peutz, eds. Durham: Duke University Press, 2010. Pp. 413-441.

**Mar. 7 Collaborative Group Exercise: Smuggling, Trafficking, and Responses**

*According to Hall, in what ways are refugees' pleas for asylum compromised? Do you agree? What alternatives can you think of? Smuggling is a for-profit global enterprise. How does refugee law help shape this market? Does McAdam provide any practical solutions in the case of Australia? Check out the New York Times story, [The Dream Boat](#) by Luke Mogelson and this Oscar nominated short documentary, [4.1 Miles](#). Given the arguments in favor of liberalizing economies, why shouldn't smuggling be legalized and regulated? Is Sassen's article helpful? How about this [one](#) about Lampedusa?*

**Readings** Hall, Jacqueline Marie, “Sink or Swim: The Deadly Consequences of People Smuggling.” *Ind. Int'l & Comp. L. Rev.*, Vol. 12 (2002). Pp. 365-95.  
McAdam, Jane, “Editorial: Australia and Asylum Seekers.” *Int'l J Refugee Law*, Vol. 25 (3) (2013). Pp. 435–448.  
FILM: GOLDEN VENTURE  
(Supplemental) Mogelson, Luke, [“The Dream Boat.”](#) *The New York Times Magazine*, November 17, 2013.  
(Supplemental) Albahari, Maurizio, [“Lampedusa: Why tough penalties will not work.”](#) *CNN.com*, October 5, 2013.  
(Further reading) Heijer, Maarten Den, “Reflections on Refoulement and Collective Expulsion in the Hirsi Case.” *Int'l J Refugee Law*, Vol. 25(2) (2013). Pp. 265–290.  
(Further reading) Gilbert, Geoff, “Editorial: Interesting Times: 2002-13.” *Int'l J Refugee Law*, Vol. 25(2) (2013). Pp. 195-206.

**Week 10 Mar. 12 “Imperial Debt” and the Future of Refugee Protection**

**Readings** Goodwin-Gill, Guy, “Editorial: The Dynamic of International Refugee Law.” *Int'l J Refugee Law*, Vol. 25(4) (2013). Pp. 651-666.  
Behrman, Simon, “Legal Subjectivity and the Refugee.” *Int'l J Refugee Law*, Vol. 26(1) (2014). Pp.1–21.  
Field, Jeannie, “Bridging the Gap Between Refugee Rights and Reality: A Proposal for

Developing International Duties in the Refugee Context.” *Int’l J Refugee Law*, Vol. 22(4) (2010). Pp. 512–557.

**Mar. 14      WORKSHOP and PRESENTATIONS**

PARTICIPATION IS MANDATORY

**Mar. 18      FINAL PAPERS DUE BY 4:30 p.m.**

Final papers must be submitted in hard copy to M256 Smith Hall.

**Happy Spring Break!!**