

# FORCED MIGRATION

Spring 2023

Course Number:	LS 190.9
Meeting Time:	Tuesdays and Thursdays, 2 – 3:29 pm
Location:	Dwinelle 246
Instructor:	Tilman Jacobs
Office Hours:	Tuesday/Thursday 12:30 – 1:30 pm at 2240 Piedmont, Room 212, or scheduled meetings over Zoom
Contact:	<a href="mailto:tilman@berkeley.edu">tilman@berkeley.edu</a>

## **Course Description:**

In the past century, increasing numbers of people around the world have been forced from their homes by interlinked factors, including persecution, armed conflict, human rights violations, natural disasters, development, and socio-economic deprivation. Are states obligated to provide protection to these “forced migrants” and, if so, what exactly are they obligated to do and are there any limits? Forced migration places into sharp relief the question of how to balance the rights of sovereign states and their citizens against the claims of foreigners in need of support and safety. In 1951, the enactment of the *Convention Relating to the Status of Refugees* ushered in a new era of international protection for refugees, and, together with a constellation of other treaties formed what is known as the “International Refugee Protection Regime.” With the number of refugees, internally displaced persons, and other forced migrants worldwide reaching over 100 million for the first time in the post-World War II era, the international refugee protection regime is proving inadequate to protect the rights of displaced people. With the exception of recent responses to refugees from Ukraine, states are increasingly exercising their sovereignty to close their borders and detain or deport forced migrants, rather than offer them protection.

This course provides an interdisciplinary introduction to key concepts, narratives, and legal frameworks around the phenomenon of forced migration. We will critically examine legal and policy responses to population displacement in the international and domestic spheres, and explore some important aspects of forced migration, through both topical and geopolitical lenses.

## **Materials:**

### **Required Textbooks:**

Patricia Hynes, *Introducing Forced Migration* (New York: Routledge, 2021). (Hynes)

Fiddian-Qasmiyeh, E., Loescher, G., Long, K. and Sigona, N. (eds.), *The Oxford Handbook of Refugee and Forced Migration Studies* (Oxford: OUP, 2014). (Fiddian-Qasmiyeh)

Cathryn Costello, Michelle Foster, Jane McAdam (eds.), *The Oxford Handbook of International Refugee Law* (Oxford: OUP, 2021). (Costello)

*(Note that all three texts are available for free through the UC Berkeley Library online)*

Other readings will be available through bCourses

**Learning Goals:**

At the end of the course, students will

- Have acquired substantial understanding of:
  - Key definitions and conceptual differences of various forms of human mobility.
  - International norms on refugees and forced migration.
  - The role of migrants' agency and identity differences when assessing the impact of migration and related policies.
  - Policy responses to migration, media narratives, representation of migration issues, and securitization of human mobility.
- Be able to apply frameworks and approaches to a variety of forced migration scenarios and differentiate between the needs and capabilities of different groups in different regions.

**Course Requirements:**

**Class Participation – 30%:**

***Attendance and Discussion – 15%***

This seminar requires that you make a commitment to the class to be present and prepared. Being prepared requires that you complete all of the week's readings prior to our class meeting as well as engage in the discussion during class by asking questions, making arguments, and sharing critical points. While laptops are permitted to take notes, please try to resist the urge to surf the web, check your email, or chat during class. If you cannot make a class for important reasons, please inform me at least one hour before the class begins. If you are uncomfortable speaking in class, consider submitting one or more news items (see below) for a more structured form of participation.

***A Migration Story Assignment – 5%***

Prepare a story from your family's (or your own) migration history, whether within the U.S. or international (250-1,000 words). In telling your story, reflect on what made the migration voluntary or involuntary.

***Two Reaction Papers – 10%***

At the end of Parts I and II, please write a brief reflection on the seminar materials and discussions during the corresponding part (200-300 words). These reflections may be personal, theoretical, or technical, about the subject matter or the seminar itself. These short reviews are intended to (a) help you think through the course content, (b) give you an opportunity to articulate your thoughts in writing, (c) provide me with formative feedback, and (d) allow for me to have a more personal exchange with you throughout the semester.

Reaction papers 1 and 2 are due to me through bCourses, at the end of weeks 6 and 10, respectively.

***News Item – Optional***

News stories covering issues related to forced migration appear every day. These stories can include political statements and debates, humanitarian emergencies, new studies or reports, new

policies or technologies used by or for mobile populations, or achievements by refugees and migrants. We will regularly discuss current events and I will periodically add news items to bCourses for us to discuss in more depth in class. Please check the discussion board!

For extra participation credit, please upload items that you see in the news, blog posts, or other information sources over the course of the semester. While news items need to be in English, I encourage you to suggest short publications from around the world. These items don't have to be connected to the main topic of the weekly session (but they can be). They do not have to be from the week in which we discuss them, but they should be fairly recent. Please upload new ideas to the bCourses discussion board "Current items - suggestions and discussions" at least a day before our class and provide a short paragraph explaining why you believe that this item is worth discussing in class. All seminar participants may "like" or comment on the suggestions, but be respectful.

**Team Presentation – 30%:**

In small groups, you will lead discussion about a region and present one or more case studies during weeks 11 through 13 of the course. Your goal will be to provide background on the region, the current social and political context, specific legal issues, current remedies being sought to address forced migration in the region, and at least one illustrative case study. You may rely on the assigned readings for background and utilize substantive points from other course readings and class discussions to contextualize issues in your assigned region, but more research will be necessary for your case study/ies.

The presentation discussion should run the length of the corresponding class. You are also encouraged to involve the other members of the class as much as possible. Be prepared both to ask and to receive questions from the audience. Students in the audience should be prepared as well to engage with the material presented, because it will count toward your participation grade.

Assessment will be based on your group effort, so please be fair in your distribution of responsibilities. You will be assessed in terms of organization, clarity and articulation of key points, insight and analysis of issues, and contextualization within the broader framework of the class.

I will assign groups and regions at random in Week 3 or 4, once the class list is final. If you have a strong preference for or against researching one of the regions, or would prefer to work together with or apart from another classmate, please let me know. I encourage you to discuss your presentation with me.

**Research Paper – 40%:**

The primary requirement for the seminar is a research paper (2,000-3,000 words (excluding bibliography), 12-point font, double-spaced).

***Research Plan – 10%*** - due by Friday, April 7.

I encourage you to select a paper topic as soon as possible. Please avail yourself of my office hours, if you would like to discuss possibilities. Once you have made your selection, send me a short description at [tilman@berkeley.edu](mailto:tilman@berkeley.edu). You will not receive a separate grade for your research plan, only credit towards your final grade for submitting it on time.

*Final Paper – 30%* - due by May 8.

Papers will be assessed in terms of (a) understanding and creativity of topic, (b) organization and clarity, (c) integration of research, (d) depth of analysis, and (e) style. I will provide a more detailed rubric on bCourses. Papers are due by midnight, May 8.

**Some Resources for Your Research on Issues of Forced Migration:**

- Migration Information Source/ Migration Policy Institute [www.migrationinformation.org](http://www.migrationinformation.org)
- UNHCR [www.unhcr.org/](http://www.unhcr.org/)
- UNHCR refworld [www.refworld.org](http://www.refworld.org)
- The New Humanitarian: Migration [www.thenewhumanitarian.org/migration](http://www.thenewhumanitarian.org/migration)
- Southern Responses to Displacement [southernresponses.org/](http://southernresponses.org/)
- Refugee Research Network [refugeereseach.net/](http://refugeereseach.net/)
- Forced Migration Current Awareness Blog [fm-cab.blogspot.com/](http://fm-cab.blogspot.com/)
- Migration Policy Centre, European University Institute [www.migraonpolicycentre.eu](http://www.migraonpolicycentre.eu)
- ReliefWeb [reliefweb.int/](http://reliefweb.int/)
- Norwegian Refugee Council [www.nrc.no/](http://www.nrc.no/)
- U.S. Office of Refugee Resettlement [www.acf.hhs.gov/programs/orr](http://www.acf.hhs.gov/programs/orr)
- U.S. Bureau of Population, Refugees, and Migration [www.state.gov/bureaus-offices/under-secretary-for-civilian-securitydemocracy-and-human-rights/bureau-of-population-refugees-and-migration/](http://www.state.gov/bureaus-offices/under-secretary-for-civilian-securitydemocracy-and-human-rights/bureau-of-population-refugees-and-migration/)
- U.S. Citizenship and Immigration Services [www.uscis.gov/humanitarian/refugees-asylum](http://www.uscis.gov/humanitarian/refugees-asylum)
- **Journals:** *Journal of Refugee Studies, Refugee Survey Quarterly, International Journal of Refugee Law, Forced Migration Review Journal of International Development, Journal of Human Rights, European Journal of Migration and Law, International Migration Review, Citizenship Studies, International and Comparative Law Quarterly, Societies without Borders*

**Seminar Schedule:**

Please note that forced migration often involves traumatic situations and some of the readings will be troubling. Importantly, you might (*should*) disagree with some of the views expressed in the readings and video clips we will consider, and I encourage you to cast a critical eye on these perspectives, but also on the ones with which you agree. Although not required, I encourage you to meet with me in person or over Zoom to discuss your assignments, the seminar, or any related topics.

**Part I - Categorizations**

**Week 1**

Class 1: Introduction – January 17, 2023

- Skim:
  - Migration Data Portal: <https://www.migrationdataportal.org/themes/forced-migration-or-displacement>
  - UNHCR Figures: <https://www.unhcr.org/en-us/figures-at-a-glance.html>
  - UNHCR Refugee Situations: <https://data2.unhcr.org/en/situations>

- Jacqueline Bhabha, *Can We Solve the Refugee Crisis?* (Polity Press, 2018) (Chapter 3: “The System at Breaking Point”). (bCourses)

Class 2: Instruments, Definitions, and Actors – January 19, 2023

- Hynes, Ch. 1.

**Week 2**

Class 3: Refugees and Asylum – January 24, 2023

- Hynes, Ch. 2.

Class 4: Displacement and Human Rights – January 26, 2023

- Hynes, Ch. 5.

→ *Migration stories due Friday, January 27:*

**Week 3**

Class 5: Conflict and Crises – January 31, 2023

- Fiddian-Qasmiyeh, Ch. 25.
- Costello, Ch. 12.

Class 6: Statelessness – February 2, 2023

- Fiddian-Qasmiyeh, Ch. 23.
- Costello, Ch. 8.

**Week 4**

Class 7: Internal Displacement – February 7, 2023

- Hynes, Ch. 3.
- Costello, Ch. 47.

Class 8: Human Trafficking – February 9, 2023

- Hynes, Ch. 4.
- Fiddian-Qasmiyeh, Ch. 28.

**Week 5**

Class 9: Children and Forced Migration – February 14, 2023

- Hynes, Ch. 6.

Class 10: Development and Forced Migration – February 16, 2023

- Fiddian-Qasmiyeh, Ch. 26.
- Michele Morel, “Protection Against Development-Induced Displacement in International Law,” in Satiroglu and Choi (eds), *Development-Induced Displacement and Resettlement* (Routledge, 2015). (bCourses)

**Week 6**

Class 11: Ecomigration – February 21, 2023

- Fiddian-Qasmiyeh, Ch.27.
- Costello, Ch. 46.
- Human Rights Committee, *Ionne Teitiota v. New Zealand*, Communication No. 2728/2016, at [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2F127%2FD%2F2728%2F2016&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2F127%2FD%2F2728%2F2016&Lang=en) (Skim paras. 1-8, read paras. 9.1-10). (bCourses)

Class 12: Health and Forced Migration – February 23, 2023

- Fiddian-Qasmiyeh, Ch. 33, 34.
- Costello, Ch. 43.

→ *First Reflection Paper due Friday, February 24*

**Part II – Muddying the Waters**

**Week 7**

Class 13: The Moral Dimension – February 28, 2023

- Hynes, Ch. 7, pp. 174-96.
- Sarah Song, “Refugees and Other Necessitous Migrants,” In *Immigration and Democracy* (Oxford Academic 2018). (bCourses)

Class 14: Deterrence – March 2, 2023

- Fiddian-Qasmiyeh, Ch. 20.
- Costello, Ch. 27.

**Week 8**

Class 15: Narratives about Forced Migration – March 7, 2023

- Fiddian-Qasmiyeh, Ch. 15, 29, 36.

Class 16: Gender and Forced Migration – March 9, 2023

- Fiddian-Qasmiyeh, Ch. 31.
- Costello, Ch. 3, 42.

**Week 9**

Class 17: Encampment – March 14, 2023

- Fiddian-Qasmiyeh, Ch. 10.
- Richard Black, “Putting refugees in camps.” *Forced Migration Review* 2 (1998), 1–4. (bCourses)

Class 18: “Durable Solutions” – Local Integration – March 16, 2023

- Fiddian-Qasmiyeh, Ch. 37, 38.

**Week 10**

Class 19: “Durable Solutions” – Resettlement and Repatriation – March 21, 2023

- Fiddian-Qasmiyeh, Ch. 39, 40.

Class 20: In Search of Better Solutions – March 23, 2023

- Fiddian-Qasmiyeh, Ch. 41.
- Hynes, Ch. 8.

→ Second Reflection Paper due Friday, March 24

**Week 11**

Class 21: Open Borders? – April 4, 2023

- Sarah Song, “Political Theories of Migration,” *Annual Review of Political Science*, 21 (2018): 385-402. (bCourses)
- Bruce Ackerman, *Social Justice in the Liberal State* (1980), pp. 93-94 (§20.2). (bCourses)

**Part III – Regional Case Studies**

Class 22: Regional Case Study – Middle East – April 6, 2023

- Fiddian-Qasmiyeh, Ch. 45.
- Costello, Ch. 18.

*Group Presentation*

→ Research plan for final paper due by Friday, April 7

**Week 12**

Class 23: Regional Case Study – Africa – April 11, 2023

- Fiddian-Qasmiyeh, Ch. 42, 43, 44.
- Costello Ch. 15.

*Group Presentation*

Class 24: Regional Case Study – South Asia – April 13, 2023

- Fiddian-Qasmiyeh, Ch. 47.
- Costello, Ch. 22.

*Group Presentation*

**Week 13**

Class 25: Regional Case Study – Latin America – April 18, 2023

- Fiddian-Qasmiyeh, Ch. 50, 51.
- Costello, Ch. 17.

*Group Presentation*

Class 26: Regional Case Study – Southeast Asia – April 20, 2023

- Fiddian-Qasmiyeh, Ch. 48.
- Costello, Ch. 23.

*Group Presentation*

**Part IV – Wrapping Up**

**Week 14**

Class 27: Looking Forward – April 25, 2023

- Jacqueline Bhabha, *Can We Solve the Refugee Crisis?* (Polity Press, 2018) (Chapter 4: “Finding Workable and Humane Solutions”). (bCourses)
- Jeff Crisp, “UNHCR at 70: An Uncertain Future for the International Refugee Regime,” *Global Governance: A Review of Multilateralism and International Organizations*, 26(3), 359-368 (2020). (bCourses)
- Sana Mustafa, “Nothing About Us Without Us: Why Refugee Inclusion Is Long Overdue”: <https://deeply.thenewhumanitarian.org/refugees/community/2018/06/20/nothing-about-us-without-us-why-refugee-inclusion-is-long-overdue>

Class 28: Conclusion – April 27, 2023

\*No Readings\*