

Instructor: Dorian Dreyfuss, M.A., J.D.

Office: 525 MacQuarrie Hall

Phone: (408) 924-2947; email Dreyfussda@aol.com

Fax (408) 924-2953; department website: www.sjsu.edu/justicestudies

Class meets M&W 1:30-2:45, office hours Mon.2:45-3:45; Wed.2:45-5:30,or by appt.

Fall 2009

JS 132

RACE, GENDER, INEQUALITY AND THE LAW

(ADVANCED GE, AREA S)

COURSE DESCRIPTION

History of legal issues and definitions of individual and institutional discrimination. Laws relating to women, ethnic and cultural minorities, gays and lesbians and the disabled in education, labor market, criminal justice system and family relations. Recent court decisions on affirmative action and reverse discrimination. Solutions explored for structured equality and inequality in the U.S.

PREREQUISITES

Completion of Core GE, satisfaction of WST, and upper division standing.

Note: Courses to meet Areas R,S and V of SJSU Studies must be taken from three different departments or distinct academic units.

COURSE OBJECTIVES

AT THE TIME OF THE FINAL STUDENTS SHOULD BE ABLE TO:

1. Define concepts of different cultural/social identities and theories of prejudice and discrimination from a multidisciplinary and multicultural perspective. Met

by research paper and examinations.

2. Describe the legal history and current legal context of minority group and gender discrimination. Met by research paper and examinations.

3. Identify the structural sources of inequality and equality in major societal institutions; family, education, labor market, criminal justice, and religion, and how these inequalities are reflected in the law. Met by small group discussions, research paper and examinations

4. Analyze case law and constitutional guidelines in reviewing claims of discrimination by women and men, racial/ethnic and religious minorities and the aged, the disabled, and persons of different sexual orientation. Met by small group discussion, research paper and examinations.

5. Analyze competing legal rights of men and women in domestic relations including marriage, reproduction, adoption, child custody and divorce. Met by research paper and examinations.

6. Analyze legal and social developments in issues relating to sexual harassment, hate crimes, and affirmative action/reverse discrimination. Met by small group discussion, research paper and examinations.

7. Identify social and political movements offering solutions to structured inequality between people of different race, ethnicity, gender, class, religion, age, sexual orientation and ability. Met by small group discussion, research paper and examinations.

8. Recognize your own and others' attitudes towards racism, sexism and discrimination of all groups. Met by small group discussions, research papers and examinations.

9. Recognize and appreciate constructive interactions between people from different cultural and social groups and identities in the U.S. Met by small group discussion, research paper and examinations.

10. Gain greater competence in research and writing skills. Met by research paper.

11. Gain greater verbal articulation skills, and ability to communicate with people of different background and identities. Met by class participation and small group discussions.

GE OBJECTIVES:

After successfully completing the course, students should be able to:

1. describe how religious, gender, ethnic, class, sexual orientation, disability, and/or age are shaped by cultural and societal influences in contexts of equality and inequality;

2. describe historical, social, political, and economic processes producing diversity, equality, and structured inequalities in the U.S.;

3. describe social actions by religious, gender, ethnic, racial, class, sexual orientation, disability, and/or age groups leading to greater equality and social justice in the U.S.; and

4. recognize and appreciate constructive interactions between people from different cultural, racial, and ethnic groups in the U.S.

REQUIRED TEXTS

Rothenberg, Paula (2007). Race, Class and Gender in the United States, NY: Worth Publishing, 7th edition

Lindgren & Taub (2005). Law of Sex Discrimination, Minneapolis, MN: West Publishing.

3RD EDITION

CLASS REQUIREMENTS

You are responsible for reading assignments before class lecture and bringing the appropriate text to class for discussion purposes. Class notes are essential and should be obtained from classmates if you miss class. Please do not ask to copy the instructors notes. Assignments, handouts and some lectures will be posted on Blackboard.

Two exams are required; a midterm and a final administered in class during the final examination period. The midterm will have a take home essay portion and an in class objective portion. A total of 3500 words of writing is required for credit in the class. . A research paper 8-10 pages in length (2000-2500) words is also required for a total of 3500 or more words. A handout on the paper will be provided outlining topics, research requirements, format, outlines, due date and grading procedures. We will conduct a library tour outside class time if necessary. Students are required to submit either an annotated outline or a draft of their paper for review by the instructor. Instructor will provide feedback and points assigned. Additionally, two in class structured written assignments are required. They will be based on videos, and will be a review of major concepts of equality and inequality. Small group discussions based on the Rothenberg

readings will be spaced every 2-3 weeks. Participation in the group will be evaluated by the instructor and points distributed. Students will also review major issues discussed in their research in a class presentation.

ATTENDANCE AND PARTICIPATION

Regular class attendance is expected. Outstanding class participation may result in the improvement of the final grade by 1/2 grade point. Readings must be completed prior to the class meeting to promote understanding and informed class discussion. Students must bring the appropriate text--Rothenberg if small group discussions; Lindgren if case law discussion. Check the greensheet to ensure you are prepared. If you are absent you must rely on classmates for notes. Do not ask the instructor for her notes. Missed exams and in class assignments may only be made up only for compelling reasons. They will be administered during finals week, but the instructor must have received notice of the absence! **Again, only one exam may be made up, and that will occur on the last day of class.**

Because class participation enhances the learning experience for all, I will be taking roll each class period. Students who supply me with a picture of themselves will help me tremendously in learning your names and assigning participation points.

EVALUATION

Midterm #1	100 pts.(70 essay, 30 objective)
Crash Assignment	50 pts
In class writing assignment #1	20 pts
In class writing assignment #2	20 pts
Draft of research paper	30 pts
Research paper	90 pts
Objective final	50 pts
Extra credit up to	20 pts
Total of	360 pts plus extra credit

Exams will receive a letter grade and a point distribution will illustrate class standing. Extra credit may be generated based on additional readings provided by the instructor. Please speak to the instructor if you are interested. Your final grade in the class will be curved against the rest of the class but again, may be enhanced by either outstanding class participation or extra credit. Note: If you are 15 minutes late for an exam, without a valid excuse, you may not take the exam. You may only be late for one exam. Late papers will be deducted 10 points for each day late. Missed exams without proper documentation will be credited as an "F". It is your job to inform the instructor of anticipated missed exams etc. All written materials should be backed up on your computer or on a disk. Students must submit hardcopies of their work to the instructor; emailed assignments will only be accepted under exigent circumstances with permission by the instructor.

EXTRA CREDIT

Extra credit will consist of additional reading in a specific topic area or viewing of a film the instructor has chosen as particularly relevant to our coursework. Students will write a reflection paper (separate handout) of 3-4 pages in length and receive up to 20 points depending on the quality of the work. *Suggestions for extra credit will be italicized in the syllabus.*

STUDENTS WITH DISABILITIES

Students who need accommodation due to disability must register with the Disabilities Resource Center. The Center will assess disability, document it, and provide acceptable accommodation. The DRC will contact the instructor to determine the type of consideration needed. DRC website <http://www.drc.sjsu.edu/>

CHEATING AND PLAGIARISM

In accordance with University policy, students caught cheating or plagiarizing will both fail the course and be reported to the University Judicial Affairs Officer. A report of the incident may be included in your academic record which may be accessed by future employers. Your own commitment to learning, as evidenced by enrollment at San Jose State University, and the Universities Academic Integrity Policy requires you to be honest in all your academic work. The policy on academic integrity can be found at : <http://www2.sjsu.edu/senate/SO4-12.htm>. For more information on what constitutes this infraction, take the SJSU Library tutorial at <http://tutorials.sjlibrary.org/plagiarism/index.htm>.

COURSE SCHEDULE

WEEK 1 8/24

I INTRODUCTION-MULTIDISCIPLINARY APPROACH

- A. **Concepts of identity, race, gender, ethnicity, class,**
Readings: Rothenberg: intro.pgs.5-10; Part I articles
1, 3,7,9, Part II; 3, 7.Part III,5,6,7
- B. **Hate Crimes; Crash. Writing assignment Due Feb.20**

WEEK 2 8/31

- C. **Discrimination and the law**
Historical context of racism
Rothenberg: Part III articles1,3,6,26,27
Lindgren: cp. 2- pg. 51-90
- D. **Small group discussion on Rothenberg readings**
- E. Theories of Prejudice and Discrimination handout
Extra credit: Half & Half (writers on growing up Biracial and Bicultural;) reflection paper format: American History X. (10 pts). Grand Torino (10 pts)

WEEK 3 **II HISTORICAL CONTEXT OF DISCRIMINATION**

9/7 no class labor day

A.. Native Americans

Readings: Rothenberg; Part VI articles 1 Part V, 1,15,

B. Video Ishi, in class writing assignme

Alexie (2005) The Toughest Indian in the World etc.
Erdrich(1995-2008) Any of her novels with instructor approval.

WEEK 4

9/14

C. African-Americans

Readings: Rothenberg: Part VII, 2,3,4,8,9,10,11,16,19

CASELAW HANDOUT

Extra credit: Mcbride: The Color of Water (1997)
Reflection paper 10 pts.

D. Video on Emmit Till time permitting

**FIRST MIDTERM EXAM; ESSAY QUESTIONS DISTRIBUTED,
DUE OCT 5. OBJECTIVE IN CLASS SEPT.28TH.. PAPER
TOPICS DUE AND APPROVED BY INSTRUCTOR**

WEEK 5

9/21

E. Hispanics

Readings: Rothenberg: Part VI, 4,7,8

*Extra credit: Alvarez(1992) How the Garcia Girls Lost
Their Accents; or Film Spanglish 2004*
Villasenor, Burro Genius, a memoir 2004 ETC.

**Video: Zoot Suit Riots- PBS 2004 IN CLASS
WRITING ASSIGNMENT.**

WEEK 6

9/28

F. Asians

Rothenberg: Part VI, 2,3,6,23, Part VI, 18

Extra credit: Liu(1998) The Accidental Asian,

Tan(1990) The Joy Luck Club

Pham(1999) Catfish and Mandala

Nguyen(2001) The Unwanted, a memoir of childhood

G. **Video: Japanese Internment**

Small group discussion time permitting

WEEK 7

10/5

H. **Religious Minorities**

Review Hate Crimes

Mormons, Jehovah Witnesses, Amish

CLASS NOTES ONLY

WEEK 8

10/12

III STRUCTURED EQUALITY AND INEQUALITY

A. **Gender Discrimination/Patriarchal tradition**

Legal discrimination. **BRING LINDGREN TEXT**

Readings: Lindgren Cp. 1; stop on page 3

B. **Small Group Discussion**

WEEK 9

10/19

C. **Equal employment opportunity**

Readings: Lindgren Cp. 3 **BRING LINDGREN TEXT**

Rothenberg: Part V, 2,3,10

OUTLINES DUE!

WEEK 10

10/26

D. **Working conditions, harassment**

Lindgren Cp.4 pg.133-160;176-17 **BRING LINDGREN**

WEEK 11

11/2

F. **Educational Opportunities**

Lindgren Cp. 5; cases only **BRING LINDGREN**

WEEK 12
11/9

IV POWER AND CLASSISM

A.The Family; Domestic Relations

Lindgren Cp. 6 pg. 237-299 **BRING LINDGREN**

B.Reproductive Choices

Lindgren: Cp. 7 pg.303-356

WEEK 13
11/16

C.RESEARCH PAPERS DUE 11/16

D. HOMELESSNESS

Class notes; handouts

E. DISABILITIES & LAW

Class Notes

Rothenberg, Part VI, article 26,27; Part 1, art.9

F. SEXUALITY/SEXUAL VIOLENCE

Lindgren Cp.8 pg. 367-399.

G. AGISM-NOTES ONLY

WEEK 14
11/23 no class 11/25

V CULTURAL PLURALISM & EQUALITY

CHALLENGES FOR OUR FUTURE

H.Rothenberg: Part IX, 1,3,4,6,11,13

WEEK 15
11/30

REVIEW/MAKEUP EXAMS/small group discussions
LAST DAY OF CLASS 12/2

FINAL EXAM
MONDAY DECEMBER 14TH 12:15-2:30

RESEARCH PAPER REQUIREMENTS

1. The paper must be a total of 8 typed pages, 12 font, 27 lines per page. Quotes should not be longer than a few lines, and MUST BE single spaced and Indented.
2. A bibliography using APA format must be included.
3. Every idea that is not your own must be cited! Cite with a footnote either incorporated on the page, or entered at the end of your paper as a sources cited page. (turnitin.com)
4. Each paper must contain four scholarly sources which are used in your analysis. Scholarly sources are academic journals such as *The Journal of Criminal Justice*, *Criminology*, *Sociology* *Social Research*. We will spend time in class distinguishing the various types of sources and which are most helpful in this project.
5. Students must keep a copy of their draft and final paper on a disk.
6. College papers should never contain gratuitous profanity, even if it's a quote!

RESEARCH PAPER GUIDELINES: Students must complete the paper according to the guidelines in order to receive a final grade in the course.

1. Students will choose a book from the attached list, or have one of their own choices cleared by the instructor. I will have a binder in my office with material on books supplied by Amazon, reviews, price etc. Students should peruse this binder in making their selection. It will save shopping time.
2. The books are generally autobiography, biography, ethnography or even fiction. They are compelling presentations of injustice, discrimination, prejudice or insurmountable obstacles faced by individuals. All are excellent reading and cover most areas in our curriculum.

I will be adding and subtracting from this list as publishing in this area is prolific.

3. Your job is to analyze the book, using the attached format, augmented with sources, and guided by the principles and concepts we will be studying this semester. There is wonderful writing in this area that I urge you to choose a book which contains an issue of relevance to you. It may be an issue of current or historical ethnic discrimination, gender inequality, unfairness or illegality in the workplace. Any and all issues discussed in class or contained in our curriculum are appropriate.

4. **An annotated outline or draft of the paper is due on the date in the greensheet. Copies of the journal articles must be attached. I will make suggestions for revisions and return them to the students. No final paper will be accepted without an outline I will also expect to speak to all students regarding the paper.**

RESEARCH PAPER FORMAT

1. Reason for the student's book choice (5 pts)

2. Historical background of discrimination or inequality exhibited in your book (10 pts)

3. Examples of individual or institutional discrimination or injustice (10 pts)

4. Relationship between members of dominant and subordinate groups (10 pts)

5. Effects of oppression or injustice in terms of assimilation, denial of economic opportunity, lifestyle choices, incarceration, autonomy, etc. (10 pts)

6. How the justice system responded (or didn't) to the discrimination or injustice (10 pts)

7. What are possible solutions to the injustices/discrimination presented in your book?

Litigation,

Class Actions, legislation, education of the public, societal change? (20 pts)

8. What was your personal response to the book? Believable? Well written? Overwhelming?

What did you learn from the book?(5 pts)

9. Sources , bibliography, footnotes.(5 pts)

10.Presentation, grammar, syntax, spelling, paragraphs (5 pts)

BOOK SUGGESTIONS: PARTIAL LIST

Stannard, David, *Honor Killing, How the Infamous Massie Affair transformed Hawaii*

Excellent look at colonial racism in Hawaii in the 1930's. Contains Clarence Darrow's last case.

Bernstein, Nell, *All Alone in the World, Children of the Incarcerated*) fate of children left behind

When parents are incarcerated. Excellent

Fadiman, Anne, *The Spirit Catches You and You Fall Down, (cultural and medical clashes*

Between Hmong Chinese and American medicine in California) excellent.

Starn, Orin, *Ishi's Brain, (recent account of Ishi's life, the anthropologists who studied him and ethnocentricity) Excellent*

Crow Dog, Mary, *Lakota Woman, autobiography of a native american woman's struggle to*

Overcome oppression. Inspirational,

Kai, Irene, *Golden Mountain, Beyond the American Dream*, memoir of Chinese women in the US.

Harth, Erica, *Last Witnesses, Reflections on the Wartime Internment of Japanese Americans*.

Arviso, Lori, *The Scalpel and the Silver Bear* (memoir of the first Navajo woman surgeon)

Ball, Edward, *Slaves in the Family* (a white man's search into his African-American past)

Brenner, Claudia, *Eight Bullets: One Woman's Story of Surviving Anti-Gay Violence*

Colapinto, John, *As Nature Made Him: The Boy Raised as a Girl*, medical catastrophe, search for identity

Grealy, Lucy, *Autobiography of a Face* (childhood memoir of a girl disfigured by cancer)
Appearance discrimination. Excellent. Should be read with Ann Patchett's **Truth and Beauty**

Hirsch, James, Hurricane: *the Miraculous Journey of Hurricane Carter*, incredible journey of an Afr/Am man who survives the justice system to make a life for himself.

Burk, Martha, *Cult of Power*, sex discrimination in corporate america.

Kusisto, Stephen, *Planet of the Blind*, experience of disability in a sight oriented world.

Bingham, Clara, *Class Action*, sex harassment in the mines of Minn.

Boyle, Keven, *Arc of Justice*, race, civil rights, murder in the Jazz Age, Clarence Darrow

Eugenides, Jeffrey, *Middlesex*, fiction, sex reassignment, history, civil rights. Excellent

Hopkins, Ann, *So Ordered, Making Partner the Hard Way*, breaking the glass ceiling in corporate US.

Jacobs, Harriet, Incidents in the Life of a Slave Girl, nonfiction account of slave experience.

Johnson, Kevin, How Did You Get to Be Mexican, a white/brown search for identity

Kassindja, Fauziya, Do they Hear Me When I Cry?, FMG(Female Genital Mutilation) & immigration rights and one woman's fight for asylum.

McCort, Frank, Angela's Ashes, incredible story of triumph over Irish childhood lived in Poverty. Fantastic.

McBride, James, The Color of Water, mixed race son's memoir of his Mom.

Scholinski, Daphne, The Last Time I Wore a Dress, memoir of a girl institutionalized for 'male' behavior

Lazarre, Beyond the Whiteness of Whiteness, memoir of a white mother of black sons

Rodriguez, Richard, Hunger for Memory: The education of an Hispanic writer in America

Kingston, Maxine Hong, Warrior Women, memoir of Chinese-American experience

Reyes, Bernie Whitebear: An Urban Indian's Quest for Justice, filipino-american activist story, Wonderful.

Londonna Harris: A Commanche Life, life on the reservation to wife of a senator. Wonderful.

Vincent, Self-Made Man, one woman's year as a disguised man, extremely interesting!

Vincent, Voluntary Madness, a year in a mental institution after writing Self-Made Man.

Yoshino, Covering, the Hidden Assault on our Civil Rights, a gay asian Yale professor's life

Crash Video Assignment

50 points-Must be typewritten. Due Feb. 20th in class.

The movie Crash, tells the interlocking stories of Blacks, Whites, Latinos, Koreans and Iranians all living in Los Angeles. There are cops and criminals, powerful or powerless, kind and cruel, all defined by their racism. Some are perpetrators of bigotry, others victims of it. All characters in the movie are emotionally or physically impacted by impulsive, thoughtless, in-your-face interchanges. Some characters may learn from their actions and appear redeemed by the end of the movie, although no attempt is made by the filmmaker to have a politically correct ending. Irony runs throughout the film in unexpected ways, and most of the characters maintain negative assumptions, based on stereotypes, even of those they care for. No character is untouched, as they continue to crash into each other, literally or figuratively.

1. (15pts) Describe examples of how characters use stereotypes to bolster racism.
2. (15pts) Discuss how irony is a recurrent theme throughout the film
3. (10pts) How would you describe the evolution of both of the police officers in the film?
4. (10pts) What is the director's conclusion about current race relations?

