

FALL 2004

AJ 132 MH 523

Race, Gender, and Inequality under Law
(Advanced GE Course, Area S)

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Office Hours: Tuesday/Thursday 10:00 – 10:30; Tuesday afternoons 3:00 – 5:00

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.

COURSE OBJECTIVES

At the time of the final exam, 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.
2. Describe the legal history and current legal context of minority group and gender discrimination.
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 and equalities are reflected in law.
4. Analyze case law and constitutional guidelines in reviewing claims of discrimination by women and men, by racial/ethnic and religious minority groups, by the aged, the disabled, and by persons of different sexual orientation.
5. Analyze competing legal rights of men and women in domestic relations including marriage, reproduction, adoption, child custody and divorce.
6. Analyze legal and social developments in issues relating to sexual harassment, hate crimes, and affirmative action/reverse discrimination.
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.
8. Recognize one's own and others' attitudes towards racism, sexism and discrimination of all groups.
9. Recognize and appreciate constructive interactions between people from different cultural and social groups and identities in the U.S.
10. Gain greater competence in research and writing skills.

11. Gain greater verbal articulation skills, and ability to communicate with people of different background and identities.

REQUIRED TEXTS

Richard Perry, JS 132 Reader at Maple Press, 481 E. San Carlos and other readings (law cases, government documents, United Nations documents) that students will be assigned to read and print via MLK Library databases and the internet.

CLASS REQUIREMENTS

Because this is an advanced GE course, a minimum of 3500 words of writing will be required for credit in the class. It should be remembered that this class is designed so that WRITING skills, including basic research, logical organization, outline, clarity, and correct form are the greatest single focus of the course. The class is divided into two major sections. The first section will consist of readings, viewings of videos and other material, in-class discussion of the materials, approximately six take-home short written assignments, and a mid-term exam. The topics of this section will be organized in a largely historical fashion, looking at race gender, and inequality from and from the 18th century to the 20th century. The second major section of the course will focus on researching a chosen topic of contemporary interest, engaging in small group discussion of that topic, giving a group presentation on that chosen topic, and writing a term paper on that topic. An outline, and abstract, and a list of sources must be submitted at the time of the in-class group presentation. The term paper and a take-home final exam will due during the final examination period scheduled by the university. The final research paper should be approximately 8-10 pages in length (2200-2500 words). A handout with guidelines for the paper will be provided. It will suggest appropriate topics, specify the research requirements, APA format, outlines, and grading criteria. The professor will provide feedback on research paper drafts that are submitted at least two weeks before the term paper's due date. Participation in general class discussion and in small-group discussions will be evaluated by the professor at the end of the course.

The paper MUST make use of the American Psychological Association citation style and format. These guidelines can be found at <http://www.wooster.edu/psychology/apa-crib.html> .

Spelling, punctuation, and general logical clarity of expression will be taken into account in evaluating the paper. It is strongly recommended that each student have a peer read the paper at least once for clarity, spelling, and correct form. Given the nature of this senior seminar, the closest attention must be given to the originality of the work and any hint of plagiarism must be carefully guarded against.

ATTENDANCE AND PARTICIPATION

Regular class attendance is expected. Outstanding class participation may result in the improvement of the final grade by as much as 1/2 grade point. Assigned readings must be completed prior to the class meeting to promote understanding and informed class discussion.

Students must bring the appropriate textbook to class. 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 notes. Missed exams and in-class assignments may only be made up for compelling reasons, at the discretion of the instructor. The instructor should be given prior notice of absence.

EVALUATION

Midterm	30%
Short assignments	30%
Class presentation, w/ handouts	10%
Final Research Paper	30%

Exams and papers will receive a letter grade.

COURSE SCHEDULE

WEEK 1, August 26: Introduction to the Course, to the instructor, and to one another
Assignment: find and read the U.S. Constitution, the Bill of Rights and the 1789 Declaration of the Rights of Man and comment on the categories of race-ethnicity and gender in these documents.

WEEKS 2 & 3, Aug. 31, Sept, 2, 7, & 9: On the Colonial Origins of Racial Categories
Concepts of social identity, race and ethnicity; colonial government and “scientific racism,” eugenics. Reading and research: Howard Zinn, “Columbus, the Indians, and Human Progress,” video “Rabbit Proof Fence,” “Race: The Power of an Illusion,” Take home assignment.

WEEKS 4 & 5: Sept. 14, 16, 21, 23: The First Century of U.S. Law.
Tribal Sovereignty and Civilizing the Indian; Slavery and Abolition; Manifest Destiny; Coverture. Research and readings: “Drawing the Color Line,” and “The Intimately Oppressed,” “As Long as the Grass Grows and the Water Runs,” “We Take Nothing by Conquest,” “Slavery without Submission, Emancipation without Freedom.” Videos, Dred Scott, and supplementary materials on-line. Take-home assignment.

WEEKS 6 & 7, Sept. 28 , 30, Oct. 5 & 7: Constructing Race in late 19th and early 20th Century U.S. – Jim Crow, Lynching, Segregation, Chinese Exclusion, Nativism and Diasporas
Yick Wo v. Hopkins, Plessy v. Ferguson, “The Empire and the People,” Ida B Wells, W.E.B. DuBois, “Without Sanctuary” slide show; “video “The Birth of a Nation.” Buck v. Bell; Eugenics at home and abroad. Seeing Whiteness; video Eyes on the Prize; African-Americans under US Law. supplementary readings.

WEEKS 8 & 9, Oct. 7,9,14,16: RACE AND GENDER IN CRIMINAL JUSTICE.
“The Color of Justice”, policing justice on the street: video on Racial Profiling, Whren v. U.S.; race and gender in corrections; video “Critical Resistance”; the death penalty and disparate

impact.

WEEK 10: SUBMIT RESEARCH PAPER TOPIC, OUTLINE, and LIST of SOURCES.
Small group topic discussions and individual paper meetings with professor

WEEKS 10 & 11: Small group topic discussions and individual paper meetings with professor

WEEKS 12 & 13: Presentations

WEEK 14 & 15: Presentations

WEEK 15 ½: Term Paper Feedback session

Friday December 17: Final Exam Date 12:15 – 2:30