

**Race, Gender, Inequality and the Law**  
(Advanced GE, Area S)

**Course Syllabus****Professor:** Thanh D. Ngo, Esq.**Office Hours:** Wed. after class and by Appt.,  
MacQuarrie Hall 529 Wednesday, 8:15-9:00 PM

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**Department website:** www.sjsu.edu/justicestudies (this syllabus will be posted there)**Class Meeting Times and Location:** Wed. 5:30-8:15 PM, MacQuarrie Hall 526.

**Description:** This course examines inequality in the United States, and explores the role of law in creating, maintaining, and eliminating inequality. We will analyze various forms of inequality, emphasizing discrimination based on race, ethnicity, gender, and class, and will also consider discrimination based on sexual orientation and immigration status. We will discuss inequality in criminal justice, education, employment, economic opportunity, housing, the family, medical care, the media, interpersonal violence and harassment, friendship and social relations, and individual mental health/self-image.

**Course Goals:** Students will study the interrelationship of individuals, racial/ethnic groups, and cultural groups (e.g., based on gender, sexuality, religion, disability, etc.) to understand issues related to diversity, equality, and inequality in the United States, its social institutions, and its cultures.

**Student Learning Objectives:** Successful completion of this course will enable students to describe how social and cultural influences shape various aspects of individual and group identity (e.g., religious, gender, ethnic, sexual, class, disability, age) in a context of equality and/or inequality; describe social, political, economic, historical, legal and cultural factors which produce diversity, equality and inequality; describe attempts by subordinated groups to achieve greater equality and social justice; and recognize constructive interactions between people from different social groups in the United States.

Specifically, at the time of the final students should be able to

1. Define concepts of identity and theories of prejudice and discrimination from a multi-disciplinary and multicultural perspective.
2. Describe the legal history and current legal context of racial/ethnic, gender, and sexual orientation discrimination in the U.S.
3. Identify structural sources of inequality and equality in major social institutions, e.g., employment, the family, education, and criminal justice, and how these inequalities or equalities are reflected in the law.
4. Analyze case law and constitutional guidelines applicable to claims of discrimination based on gender, race, ethnicity, religion, age, disability, and sexual orientation.
5. Analyze competing legal rights of men and women in family life, including marriage, reproduction, adoption, child custody, and divorce.
6. Analyze legal and social developments relating to sexual harassment, hate crimes, and affirmative action.

7. Identify social and political movements offering solutions to structured inequality based on race, ethnicity, gender, class, religion, age, sexuality, and disability.
8. Recognize their own and others' attitudes in regard to racism, sexism and other forms of prejudice.
9. Recognize and appreciate constructive interactions between people of different social/cultural groups or identities in the United States.
10. Gain greater competence in research, writing and analytical skills.
11. Improve verbal skills and ability to communicate with people of different backgrounds and identities.

**Required Texts:**

1. Paula S. Rothenberg, *Race, Class, and Gender in the United States: An Integrated Study*, 6th edition (New York: Worth 2003).
2. J. Ralph Lindgren, Nadine Taub, Beth Anne Wolfson & Carla M. Palumbo, *The Law of Sex Discrimination*, 3d edition (Belmont, CA: Thomson/Wadsworth, 2004).

Both books will be available at the SJSU Bookstore, Roberts Books, or online. Be sure to get the correct edition of each; earlier editions contain different readings.

Note: you will also need 3 narrow scantron forms during the semester, available at any textbook store.

**Class Participation, Requirements, and Grading:**

You are responsible for doing the assigned reading on time and being prepared to discuss it in class. Class participation is MANDATORY and helps your learning. Bring the appropriate text(s) to class. If you miss class, get notes from a classmate (the professor's notes will not be available to students). Note that to do well in class, you need to attend regularly. Students who miss class and rely solely on the reading and/or friends' notes consistently perform poorly in JS 132 compared to students who rarely miss class.

**During class, please make sure your cell phones and pagers are silent.**

**Exams:** Exams are closed book, closed-note. Exams include multiple choice, short-answer and/or short essay questions. Exams cover assigned readings and material covered in class, including videos. A review will be given before each exam. Some material discussed in class will not be in the readings; similarly, not everything discussed in the readings will be covered in class. Thus it is very important that you both keep up with the reading and come to class.

Exams will be handed out only for the first 10 minutes of the class period in which the exam is being given. Students who arrive more than 10 minutes late will not be allowed to take the exam. This policy also applies to the final.

You must take the final exam to pass the course. Students who do not take the final will receive an "F" or an "I" for the course, at the instructor's discretion, regardless of their class average prior to the final.

**Papers:** You will be writing two short papers and a term paper. One short paper will be a take home assignment and require a one-page essay; the other short paper will be an in-class assignment involving about one page of writing. You will also be writing a term paper on a topic

related to the course, which will require library research. You will turn in a draft of this paper, and a revised (final) paper. Full details on the term paper are included at the end of the syllabus.

**Grading:** Your grade will be based on four writing assignments (2 short assignments, a draft term paper, and a final term paper), library research for your paper, three exams (2 midterms and a final), and class participation. Your grade will be calculated as follows:

Exams: 100 points each (x 3 exams)	=	300 points
Short Assignments (50 x 2)		100 points
Draft of Term Paper:		50 points
Final Term Paper:		150 points
Class Participation:		200 points
		<b>800 total points possible</b>

Scores for each item will be added together, and your total points at the end of the semester will determine your grade. Final grades will be curved (you are measured against the performance of the rest of the class).

**Participation:** Participation is required. At the end of the semester, up to 200 points will be awarded for class participation before grades are calculated. Points for class participation are given for presentations and contributions to class discussions (questions, comments, criticisms, etc.), *not* simply for attendance.

**Extra credit assignments:** Several extra credit (optional) assignments will be handed out during the semester. They will be in the form of 1-3 short questions asking for feedback or reactions to the topic in class that day. They will each be worth 25 points. They will not be announced ahead of time, and cannot be made up if missed.

**Writing requirement:** Because this course satisfies one of your advanced general education requirements (area S), it requires a significant amount of writing. A total of 3500 words of writing (minimum) is required for credit in the class. Each exam involves at least 250 words of writing (750 words total). The short writing assignments will each be about one page in length (250 words each, 500 words total); the draft term paper should be at least 4 pages (1000 words); journal article summaries will be about one page (250 words) and the final term paper should be 5-7 pages in length (1250-1750 words).

**Makeup policy, late papers, missed exams:**

**Papers** received at any time on the day they are due will count as "on time." Late papers will be marked down **10%** for each **day** they are late, including weekends. (For example, a paper worth 50 points will be docked 5 points for each day late; a paper worth 150 points will be docked 15 points for each day late.)

You may email late papers *at your own risk*; emailed papers often get garbled in transmission or fail to arrive due to typographical errors in addressing. You will receive credit for emailed papers, like all other papers, only when they are received by the professor *in the correct format* (double-spaced, 1-inch margins, etc.). Papers may be emailed only as attachments, in Word or WordPerfect. Do not send papers as html documents, in compressed files, as email messages, or in other formats. If you need to turn in a paper late, you are strongly encouraged to use fax rather than email. If you turn in a late paper in person, have the person in the JS Department office date-stamp it, then put it in my mailbox. Papers slipped under my office door will count as received

the day I get them, which may not be the day you submitted them; using my mailbox avoids this problem.

**In-class assignments** cannot be made up.

**Exams:** **only one** exam can be made up, and only if you have a good reason for missing the exam (e.g., serious illness with physician's note). Make-up exams are *longer and involve more writing* than the regular exams. The make-up exam day is the *last day of class*, and you must notify the professor that you will be taking a make-up exam. Students are strongly discouraged from taking make-up exams, except in dire emergencies, because it is harder to remember the earlier material at the end of the semester than when we have just covered it in class; also, students taking makeups will not have an accurate estimate of their total points before taking the final exam. That is, if you make mistakes on Exam 1, you have the rest of the semester to try to make up those points in class discussions, writing assignments, etc. If you take a *makeup* for the first or second exam and blow it, you will not know (or have an opportunity to earn extra points) before grades are submitted. There will be **no exceptions** made to the late paper and missed exam policies.

**Other information:**

**Students with disabilities:** Students who need accommodation due to a disability must register with SJSU's Disability Resource Center (DRC). The Center will work with the student to determine the disability, document it, and determine the services and accommodations necessary for student success. The DRC will contact the instructor to determine the types of consideration necessary. Students must register with the Center during the first three weeks of the semester. The DRC Web site: <http://www.drc.sjsu.edu/>

**Cheating and plagiarism:** In accordance with University policy, students caught cheating or plagiarizing will both *fail the entire course* and *be reported to the University Judicial Affairs Officer*. If you are considering a career in the criminal justice field, be aware that reports of cheating will go on your academic record and thus will be discovered by employers' background investigations of job candidates.

For more information on what constitutes cheating and plagiarism, take the SJSU Library tutorial at <http://tutorials.sjlibrary.org/plagiarism/index.htm>

See the university's policy on academic dishonesty at <http://www.sjsu.edu/leap/plagiar.htm>

**Term Paper Guidelines**

Your term paper assignment is to write a 5-7 page paper about a current issue involving discrimination or inequality which appears in the news this year (on or after January 1, 2005 to present). Examples might be the treatment of Muslims or Arabs in the U.S. as a result of the "war on terrorism," racial profiling/"DWB," the treatment of undocumented immigrants, consumer racism, sexual harassment, gay marriage, etc. Select a subject or situation that interests you and relates to the course in some way. You may look for topics on network or local news, "60 Minutes" and similar shows, and local or national newspapers (including the *Spartan Daily*) and news magazines. Because a lot of what appears on the internet is not reliable, you **may not write about something discussed only on a website**. When you turn in your final paper, you will be required to turn in an article from a newspaper or magazine about your subject, published during the semester. Thus, while you may identify your topic from television sources, eventually you will have to find a print article about it.

In your paper, (1) briefly discuss the incident/event/issue and (2) explain how it raises questions of inequality or discrimination. Then, (3) link this issue to subjects we've discussed in class and the assigned readings. In other words, how does your issue relate to our course? For example, is stereotyping or discrimination involved? Do you see evidence of the "social construction" of race, class, gender, etc.? Are the people involved seeking a legal remedy? How has the event/experience affected the people involved, materially (economic loss, denied opportunities, health consequences, etc.) and/or symbolically (effect on ideology or politics, belief system, self-confidence, autonomy, etc.)? How is the story reported - is there evidence of stereotyping or bias in the media itself? Finally, (4) discuss the social significance of this issue, (5) your personal feelings about it, and (6) what you feel should happen or will happen regarding this issue, or what changes would prevent/reduce this problem in the future (be specific here).

To aid your analysis of the issue, you must find, read and cite at least *two scholarly journal articles* in your paper. This requires *using the SJSU library* to research and print or photocopy the articles. These should be discussed and cited at appropriate places in your paper. If you choose you may use articles in the course reader as well to support your analysis in the paper, but you may not substitute course materials for journal articles. When your paper is complete, you will attach copies of the two articles with the paper when you turn it in. Scholarly (academic) journals are those such as *Criminology*, *Law and Social Inquiry*, *The American Journal of Sociology*, *The Harvard Law Review*, etc. They are often referred to as "peer reviewed" or "refereed" journals. These journals will be available in the SJSU library or in library databases. The professor and the reference librarians can help you identify which journals are "academic" rather than "popular." (The presence of footnotes and bibliographies in articles, the lack of advertisements, and a listing of an editorial board containing people affiliated with universities are good indicators the journal is academic.) If you have any doubt about whether your sources are "scholarly" or not, ask the professor.

**Papers will be significantly penalized if they fail to use scholarly articles to support the analysis, and/or if they fail to include complete copies (including footnotes and references) of these articles.**

**Papers are due on December 7, 2005. Papers must be typed and double-spaced, with one-inch margins and a 12-point font; they should be 5 to 7 pages in length, with numbered pages. Papers must include a reference page; all citations must follow APA format. Be sure to include a copy of a current (this year, 2005) news/magazine article (not web story) about the issue you are analyzing, and complete copies (including footnotes and references) of the two scholarly articles you used to support your analysis.**

For information on APA style, see <http://www2.sjsu.edu/orgs/pkp/resources.htm> and [http://sjlibrary.org/services/literacy/info\\_comp/citing.htm](http://sjlibrary.org/services/literacy/info_comp/citing.htm)

Grading: Final papers can earn a maximum 150 points. Points will be awarded as follows:

1. Brief summary of the issue 10 points
2. Explanation of how issue raises questions of inequality/discrimination 15 points
3. How issue relates to course 15 points
4. Social significance 15 points
5. Your personal feelings about this issue 10 points
6. Evaluation - what should or will happen, or what would improve situation 15 points
7. Writing clarity/lack of typos, copy of news article provided, numbered pages 15 points
8. Appropriate use of 2 journal articles (20 points each), with complete copies 40 points

## 9. Textual references and bibliography in APA format 15 points

Your paper will be graded based on whether, and how well, you explain or analyze each of these topics and whether you satisfactorily meet the technical requirements.

**Drafts** of term papers are **required**, and due on **November 2, 2005**. Drafts should be at least 4 pages long, and briefly cover items 1-4 above. **Include the copy of the news article** with your draft. You will be graded and given comments on these drafts, which will help you rewrite the paper to get it in final form. Be sure to **number the pages** of your paper.

## Course Outline, Reading Assignments, and Exams

Date	Subject	Reading
8/24	Concepts of identity, race, gender, ethnicity, class	Rothenberg: intro.pgs.5-11, Part.I articles 1,4,5,6,9 Part II articles 13,14,17,21 Part III articles 22,25,28,35,41
8/31	Discrimination and the law: Historical context	Rothenberg: article 92, 96, 98, 100-101 Lindgren: cp. 2; review cases & findings
9/7	Native Americans	Rothenberg; pg.435-443 Part VI, 83,97
9/14	African-Americans	Rothenberg: Part VI, articles 84,85,86,90,91,93,
9/21	Latinos <b>MIDTERM-EXAM #1</b>	Rothenberg: Part V, articles 32,42, 66,67,68
9/28	Asian Americans & Pacific Islanders	Rothenberg: Part V, articles 60, 61, 62, 63, 78,89.
10/5	Gay, Lesbian & Transgender	Lindgren Cp. 6, Pt. IV (Beyond the Nuclear Family) Rothenberg, 8, 36, 75, 76, 79, 104, 105,107
10/12	Gender Discrimination-Patriarchal tradition	Lindgren Cp. 1 Appendices A-D, pp. 427-438;
10/19	Introduction to Equal Protection	Lindgren, <i>Muller v. Oregon</i> , <i>Goesaert v. Cleary</i> , <i>Hoyt v. Florida</i> , <i>J.E.B. v. Alabama</i> , <i>The Turn of the Tide</i> , pp. 28-41.
10/26	Equal Protection	Lindgren, <i>Reed v.Reed</i> , <i>Frontiero v. Richardson</i> , <i>Setting the Standard</i> , <i>Craig v. Boren</i> , <i>Orr v. Orr</i> , pp. 45-58 Refining the Model, <i>Michael M.</i> , <i>Perspectives on Women's Subordination</i> , <i>Miss. Univ. for Women</i>

		<i>v. Hogan</i> , pp. 61-70 Ch. 3, pp. 79-91, 98-103 (includes cases <i>Nichols, Brown &amp; Root, Manhart, Hopkins, Lindahl</i> )
11/2	Economics Aspects of American Inequality <b>DRAFT OF RESEARCH PAPER DUE.</b>	Rothenberg, Articles 24, 38, 39, 46, 48-51. Lindgren, Sexual Harassment 133-161.
11/9	Video <b>MIDTERM EXAM #2</b>	
11/16	Economics Aspects of American Inequality Affirmative Action	Rothenberg, 52-57, 47, 123 & 124 Lindgren, pp. 176-184.
11/23	<b>No Class-Thanksgiving Break</b>	
11/30	Reproductive Rights American Inequality & Criminal Law	Lindgren, Ch. 7, pp.303-334. Rothenberg, 23, 113 Lindgren, Ch. 6, Domestic Violence, pp. 250-57, Ch. 8, Rape pp. 367-380. Handout
12/7	<b>CONCLUSIONS/REVIEW/SUGGESTIONS RESEARCH PAPERS DUE!</b>	Rothenberg, Part VIII, articles; 116, 117, 118, 124,125, Class survey
12/14	<b>FINAL EXAMINATION</b>	