

**Legal Studies R1B
Race and the Law
203 Wheeler
M/W/F 12:00-1:00**

Instructor: Emily Bruce

Email: ebruce@law.berkeley.edu

Office: 340A Boalt Hall (North Addition); 642-1927

Office Hours: M/W 2:30-3:30 or by appointment

Course website is accessible via bCourses

In this course we will investigate how law has both reflected and helped define racial identity and citizenship in the United States.

REQUIRED TEXTS

- Alexander, Michelle. 2010. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York, NY: New Press.
- Booth, Wayne C., Gregory G. Colomb, and Joseph M. Williams. 2008. *The Craft of Research* (3rd ed.). Chicago, IL: University of Chicago Press.
- Haney López, Ian. 2003. *Racism on Trial: The Chicano Fight for Justice*. Cambridge, MA: Belknap/Harvard University Press.
- All other readings will be posted on bCourses or handed out in class.

Course Description and Requirements

Overview:

Legal Studies R1B is a four-unit course that satisfies the second half of Berkeley's Reading and Composition requirement. I strongly advise that you take this course only if you have already fulfilled the first half of the Reading and Composition Requirement.

Course Goals:

The purpose of this class is to provide students with the skills to be critical readers and thoughtful writers who can express themselves clearly and persuasively. By the end of this course, students should be able to: identify an author's point of view and main arguments; evaluate an author's credibility and the merits of his or her argument; identify areas for further inquiry (i.e., questions the text raises but does not answer); write a unified essay with introduction, main claim, transitions between paragraphs, and a concluding paragraph; and research, analyze, and develop an argument about an issue related to the course. In addition, students should be familiar with fundamental concepts of equal protection law and should be able to draw conclusions about their role in the formation of group and individual racial identity.

Attendance

Due to the collaborative nature and intense pace of this class, your consistent attendance and participation are essential.

You are allowed **4 absences** over the course of the semester, no questions asked. **Any absence after the 4th will reduce your final grade by 1/3 (B+ □ B).** This applies to any absence **for any reason** (illness, family emergency, too tired to come to class, etc). Everyone has unexpected things come up, so save your absences for when you really need them.

Active Participation

This class builds off everyone's participation in discussions. Bodily presence alone does not constitute active participation. Sleeping in class, arriving late or leaving early and not having done the day's readings will lower your participation grade. More importantly, it makes it hard to build a productive classroom community.

If you have concerns about speaking in class, please discuss them with me as soon as possible to avoid any effect on your grade.

Reading Assignments

This is a college-level reading class. You should plan on at least 2 hours of outside reading for each class meeting.

Since this is a small class based primarily on discussion and group activities, it is important that you complete the reading assigned for each class session and **bring the assigned text to class with you.**

Discussion Points

In preparation for class discussion, you should submit one good reading-based discussion point before each class session, unless otherwise stated on the syllabus.

Your discussion point must respond in some way to a classmate's post. This requirement is waived if you are the first person to post for that class.

Discussion Points can be:

- (1) questions about things you didn't understand in the readings,
- (2) thoughts about aspects of the readings you would like to explore further, or
- (3) comments about things you found particularly interesting.

Please see the Discussion Points handout for additional information.

Grades:

The university requires that all Reading and Composition courses be taken for a letter grade; a C- is required to fulfill the requirement. Your grade will be calculated as follows:

Participation: 10%

(includes timeliness, active class participation, discussion points, oral presentations, individual conferences)

Short Assignments: 10%

(includes essay proposals and drafts, peer reviews, various homework assignments)

Essays: 80%

Essay 1: (4-5 pages plus reflection) 10%

Essay 2: (6-8 pages plus reflection) 25%

Essay 3: Research paper (10-12 pages plus reflection) 45%

Late Assignments

FREE LATE: You may turn in one assignment up to one week late, no questions asked.

EXCEPTIONS: (1) The peer review drafts ALL must be turned in on time so that your peer review partner may complete the review. (2) If you choose to use your free late on the final essay, you must turn it in by Wednesday, December 17 at 4:00pm.

Late assignments after the first will affect your grade. Short assignments and essay drafts that are turned in late will receive half credit. Late essays will lose 5 points (out of 100 possible) per day.

Late assignments (beyond the one freebie) can only be excused by a doctor's note stating the dates during which you were unable to work on the assignment. Doctor's notes may be accepted at the professor's discretion.

Peer Review

Each of the three formal essays you write for this class will be substantially revised based on peer review. You will turn in one draft at the peer review stage and one revised essay.

DRAFTS – Drafts are **completed essays** -- including introduction, main claim, argument, and conclusion -- that meet the length requirement but may be less polished than a revised essay. Each time a draft is due, we will hold a peer-review session in class and there will be peer review work outside of class.

REVISED ESSAYS – Revised essays are not just drafts that have been proofread. They should demonstrate your ability to re-think the essay and show a considerable amount of re-writing and re-structuring.

Policies**Technology in the Classroom**

Some course readings will be available electronically, and you may want to refer to them on your laptop during class. When doing so, please be sure to close web browsers and disable any applications that might distract you from the class discussion.

Cell phones should be turned to silent or off before class. Texting or chatting with friends online while in class is absolutely unacceptable.

I will count you absent for the day if I observe you using your phone/computer for these purposes.

Email

I typically do not check email after class on Friday, or on Saturday or Sunday. If you send me an email after 11:00am on Friday, do not expect a response until Monday. At all other times during the semester, I will respond to your emails as soon as I am able, usually within 24-48 hours.

If you missed class or an assignment, please **ask a classmate for information before you email me with questions.**

Academic Honesty

Avoid plagiarism! Plagiarism is the “use of intellectual material produced by another person without acknowledging its source.”

Source: <http://campuslife.berkeley.edu/conduct/integrity/definition>.

Plagiarism includes copying, quoting or paraphrasing the work or ideas of another person without acknowledgement. We will spend class time talking about working with sources and using citations in ways that avoid plagiarism.

For additional information on plagiarism and how to avoid it, see, for example:

- <http://www.lib.berkeley.edu/instruct/guides/citations.html#Plagiarism>
- <http://gsi.berkeley.edu/teachingguide/misconduct/prevent-plag.html>

The student community at UC Berkeley has adopted the following Honor Code: “As a member of the UC Berkeley community, I act with honesty, integrity, and respect for others.” The hope and expectation is that you will adhere to this code.

Disability Accommodations

All reasonable efforts will be made to accommodate students with disabilities in accordance with university policy. Information about specific resources provided by the UC Berkeley Disabled Students’ Program may be found online at <http://dsp.berkeley.edu/dspServices.html> or by calling (510) 642-0518 or (510) 642-6376 (teletype). Please notify me **as soon as possible and no later than the second week of class** if you require accommodations of any kind.

Food & Drink

Eating in class distracts you, me and everyone else. Please plan ahead and eat before, after or on your way to class. Feel free to bring something to drink, especially if caffeine or sugar would help you stay alert in class.

Course Schedule

Please note that I may make changes to the course schedule from time to time. Please pay attention to announcements made in class or posted on bCourses.

Abbreviations:

Racism on Trial: The Chicano Fight for Justice = *RoT*

The New Jim Crow: Mass Incarceration in the Age of Colorblindness = *NJC*

The Craft of Research = *Craft*

Week 1

Class 1: Friday, August 29

Introduction to the course

UNIT I: LAW AND RACIAL FORMATION

Week 2

Monday, September 1 -- NO CLASS – HOLIDAY

Class 2: Wednesday, September 3

Due: 1 Discussion Point (on bCourses)

Read:

Ngai, “The Architecture of Race in American Immigration Law: A Reexamination of the Immigration Act of 1924” (bCourses)

Class 3: Friday, September 5

Due: 1 Discussion Point (on bCourses)

Read:

Sacks, “How Did Jews Become White Folks?” (bCourses)

Week 3

Class 4: Monday, September 8

Introduce Essay #1

Due: Preliminary essay (in bCourses Drop Box) & 1 Discussion Point (on bCourses)

Read:

RoT: Prologue, TOC & Intro

Class 5: Wednesday, September 10

Due: 1 Discussion Point

Read:

RoT: Chs. 1- 3

Class 6: Friday, September 12

Due: 1 Discussion Point

Read:

RoT: Ch. 4

Week 4

Class 7: Monday, September 15

Due: 1 Discussion Point

Read:

RoT: Ch. 5

Class 8: Wednesday, September 17

Due: 1 Discussion Point

Read:

RoT: Ch. 6

Class 9: Friday, September 19

Due: 1 Discussion Point

Read:

RoT: Chs. 7-8

Week 5

Class 10: Monday, September 22

Due: 1 Discussion Point

Read:

RoT: Ch. 9 & Epilogue

Class 11: Wednesday, September 24

Due: 2nd revision of paragraph from class 2

Writing Workshop: Argument

Read:

Craft (Part I, pp. 3-27; Part III, Prologue-Ch. 10, pp. 105-151)

Class 12: Friday, September 26

Due: Point-based outline (on bCourses & by arrangement with partner)

Read:

Straub, “Responding—Really Responding—to Other Students’ Writing (bCourses)

Week 6 -- Essay 1 Conferences begin on Wednesday

Class 13: Monday, September 29

Peer Response groups, part 1

Due: Draft Essay #1 (on bCourses; bring copies for yourself and two partners to class)

Class 14: Wednesday, October 1

Due: written comments on partners’ drafts (on bCourses and by arrangement with partner)

Read:

Sommers, “Revision Strategies of Student Writers and Experienced Adult Writers” (bCourses)

UNIT II: LEGAL STRUCTURES AND THE PERSISTENCE OF RACE

Class 15: Friday, October 3

Due: 1 Discussion Point

Read:

NJC, TOC & Introduction

Lawrence, “The Id, The Ego, and Equal Protection” (bCourses)

Week 7

Class 16: Monday, October 6

Due: 1 Discussion Point

Read:

NJC, Chs. 1-2

Class 17: Wednesday, October 8

Due: 1 Discussion Point

Read:

NJC, Ch. 3

Class 18: Friday, October 10

Due: 1 Discussion Point

Read:

NJC, Ch. 4

Week 8

Class 19: Monday, October 13 – NO CLASS – TURN IN REVISED ESSAYS

Due: Revised Essay #1 + Drafts + Reflection (hard copies due by 3:00 at the Legal Studies Department, 2240 Piedmont Ave)

Class 20: Wednesday, October 15

Due: 1 Discussion Point

Read:

NJC, Ch. 5

Class 21: Friday, October 17

Due: 1 Discussion Point

Read:

NJC, Ch. 6

Week 9

Class 22: Monday, October 20

Due: Research Assignment (on bCourses & bring to class – digital or hard copy)

Read:

One relevant scholarly article you identified through your research

Class 23: Wednesday, October 22

Due: 1 Discussion Point

Read:

Byng, “You Can’t Get There from Here: A Social Process Theory of Racism and Race”
(bCourses)

Class 24: Friday, October 24

Research workshop: Working with Sources; Revision Revisited

Due: Point-based outline (on bCourses & by arrangement with partner)

Read:

Craft (Part IV, Prologue through Ch. 14, pp. 173-212)

Week 10 - Essay 2 conferences begin on Wednesday

Class 25: Monday, October 27

Essay 1 returned

Read:

Craft, (Ch. 16., pp. 232-248)

Class 26: Wednesday, October 29

Due: Draft Essay #2 (on bCourses; bring copies for yourself and your partner to class)

Writing Workshop: Peer Review, part 1

Class 27: Friday, October 31

Due: written comments on partners’ drafts (on bCourses & by arrangement with partner)

Read:

Craft, (Part II, Prologue-Ch. 4, pp. 31-67)

UNIT III: RACIAL IDENTITY AND LEGAL COLORBLINDNESS

Week 11

Class 28: Monday, November 3

Due: 1 Discussion Point & Second Research Assignment

Read:

Plessy v. Ferguson (bCourses)

Korematsu v. United States (bCourses)

Class 29: Wednesday, November 5

Due: 1 Discussion Point

Read:

Oh & Ross, “Judicial Opinions as Racial Narratives: The Story of *Richmond v. Croson*”
(bCourses)

Class 30: Friday, November 7

Due: 1 Discussion Point & Second Research Assignment (in bSpace Drop Box)

Read:

Takagi, "Post-Civil Rights Politics and Asian-American Identity: Admissions and Higher Education" (bCourses)

Week 12– Research Proposal Conferences begin on Monday

Class 31: Monday, November 10

Due: Research Proposal (in bSpace Drop Box) AND 1 Discussion Point

Read:

Saucedo, "The Employer Preference for the Subservient Worker and the Making of the Brown-Collar Workplace" (bCourses)

Class 32: Wednesday, November 12

Due: 1 Discussion Point

Read:

Wildman, "Language and Silence: Making Systems of Privilege Visible" (bCourses)

Class 33: Friday, November 14 – NO CLASS – TURN IN REVISED ESSAYS

Due: Revised Essay #2 + Drafts + Reflection (by 3:00pm at the Legal Studies office, 2240 Piedmont Ave)

Week 13

Class 34: Monday November 17

Read:

Craft (Ch. 17, pp. 249-269)

Class 34: Wednesday, November 19

Due: Working Critical Annotated Bibliography (on bCourses)

Speedy (5 minute) research project oral presentations

Class 35: Friday, November 21

Continue Speedy Research Project Presentations

Week 14

Class 36: Monday, November 24

Essay #2 returned

Continue Speedy Research Project Presentations

Class 37: Wednesday, November 26

Due: Point-Based Outline (on bCourses and by arrangement with partner)

Out-of-class Interview or Research Assignment

Friday, November 27 -- NO CLASS – HOLIDAY

Week 15

Class 38: Monday, November 30

Due: Interview/Research Assignment (in class)

Debrief Interview Assignment

Class 39: Wednesday, December 2

Response groups, part 1

Due: complete research draft (in bSpace Drop Box; bring copies for yourself and your partner to class)

Class 40: Friday, December 4

Response groups part 2

Due: written comments on partners' research drafts (in bSpace Drop Box & by arrangement with partner)

Final paper with research portfolio must be turned in to the Legal Studies Department (2240 Piedmont Ave) on or before Monday, December 15 at 3:00pm.