Legal Studies R1B
Race and the Law
M/W/F 11:00-12:00
205 Wheeler

Instructor: Emily Bruce
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Office Hours: M/W 1:00-2:00 or by appointment
Course website is accessible via bSpace

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

REQUIRED TEXTS

- Adams, Ansel and Newhall, Nancy. 2012. *Fiat Lux* (2012 facsimile edition). Berkeley, CA: University of California Press. (Available on library reserve.)

- Alexander, Michelle. 2010. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York, NY: New Press.

- Booth, Wayne C., Colomb, Gregory G., and Williams, Joseph M. 2008. *The Craft of Research* (3rd ed.). Chicago, IL: University of Chicago Press.

- Haney López, Ian. 2003. R*acism on Trial: The Chicano Fight for Justice*. Cambridge, MA: Belknap/Harvard University Press.

- Course reader (available for purchase at Copy Central on Bancroft Ave or at www.copycentral.com).

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, thesis statement, 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 **3 absences** over the course of the semester, no questions asked. **Any absence after the 3rd 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 active class participation, discussion points, oral presentations, freewrites, 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
You may turn in one assignment up to one week late, no questions asked. EXCEPTION: The peer review drafts ALL must be turned in on time so that your peer review partner may complete their review. If you choose to use the free late on your final research paper, you must turn it in by the Monday after it is due.

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** that meet the length requirement but are 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
Since this is a small, discussion-based class, I would prefer that you not have your computer open in class.

If you have a strong preference or a disability-related reason for taking notes on your computer, you may do so. Please be sure, however, that you 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 10:00am 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 about it before you email me with questions**.

You may opt in to the email roster, which I will circulate at the fourth class session, if you are willing to be contacted by classmates with course-related 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.

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*

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

Abbreviations:
The New Jim Crow: Mass Incarceration in the Age of Colorblindess = NJC
Racism on Trial: The Chicano Fight for Justice = Racism
The Craft of Research = Craft

Week 1
Class 1: Friday, August 24
Introduction to the course

UNIT I: LAW AND RACIAL FORMATION

Week 2
Class 2: Monday, August 27
Due: 1 Discussion Point (on bSpace Forum)
Read:
Lee, "Birthright Citizenship, Immigration, and the U.S. Constitution: the Story of *United States v. Wong Kim Ark*" (CR)

Class 3: Wednesday, August 29
Due: 1 Discussion Point
Read:
Sacks, "How Did Jews Become White Folks?" (CR)

Class 4: Friday, August 31
Introduce Essay #1
Due: 1 Discussion Point
Read:
Racism on Trial: Prologue, TOC & Intro

Week 3
Monday, September 3 – NO CLASS – HOLIDAY

Class 5: Wednesday, September 5
Due: 1 Discussion Point
Read:
Racism on Trial: Chs. 1- 3

Class 6: Friday, September 7
Due: 1 Discussion Point
Read:
Racism on Trial: Ch. 4

Week 4
Class 7: Monday, September 10
Due: 1 Discussion Point
Read:
Racism on Trial: Chs. 5

Class 8: Wednesday, September 12
Due: 1 Discussion Point
Read:
Racism on Trial: Ch. 6

Class 9: Friday, September 14
Due: 1 Discussion Point
Read:
Racism on Trial: Chs. 7-8

Week 5
Class 10: Monday, September 17
Due: 1 Discussion Point
Read:
Racism on Trial: Ch. 9 & Epilogue

Class 11: Wednesday, September 19
Due: 1 Discussion Point
Read:
Liu, "The Accidental Asian" (CR)
Craft, Part III, Prologue-Ch. 8, pp. 105-129

Class 12: Friday, September 21
Due: Point-based outline (in bSpace Drop Box & by arrangement with partner)
Read:
Straub, "Responding—Really Responding—to Other Students' Writing (CR)
Craft, Chs. 9 & 10, pages 130-151

Week 6
Class 13: Monday, September 24
Peer Response groups, part 1
Due: Draft Essay #1 (in bSpace Drop Box; bring copies for yourself and two partners to class)

Class 14: Wednesday, September 26
Due: written comments on partners' drafts (in bSpace Drop Box and by arrangement with partner)
Read:
Sommers, "Revision Strategies of Student Writers and Experienced Adult Writers" (CR)
Craft, Ch. 14 (pages 203-210)

UNIT II: LEGAL STRUCTURES AND THE PERSISTENCE OF RACE

Class 15: Friday, September 28
Introduce Essay #2
Due: 1 Discussion Point
Read:
NJC, Introduction

Week 7
Class 16: Monday, October 1
Instructor comments on Essay #1 Draft returned
Due: 1 Discussion Point
Read:
NJC, Chs. 1-2

Class 17: Wednesday, October 3
Due: 1 Discussion Point
Read:
NJC, Ch. 3

Class 18: Friday, October 5
Due: 1 Discussion Point
Read:
NJC, Ch. 4

Week 8
Class 19: Monday, October 8
Due: Revised Essay #1 + peer-reviewed draft + reflection (in class)
No reading
Research workshop (Location: Education-Psychology Library, 2600 Tolman Hall)

Class 20: Wednesday, October 10
Due: 1 Discussion Point
Read:
NJC, Ch. 5

Class 21: Friday, October 12
Due: 1 Discussion Point
Read:
NJC, Ch. 6

Week 9
Class 22: Monday, October 15
Essay #1 returned
Due: Research Assignment (in bSpace Drop Box)

Class 23: Wednesday, October 17
No reading: Research Assignment presentations

Class 24: Friday, October 19
Due: Point-based Outline (in bSpace Drop Box & by arrangement with partner)
Read:
Craft, Ch. 16

Week 10
Class 25: Monday, October 22 - **Individual conferences with instructor held this week**
Due: Draft Essay #2 (in bSpace Drop Box; bring copies for yourself and your partner to class)
Writing Workshop: Peer Review, part 1

Class 26: Wednesday, October 24
Peer Reviews, part 2
Due: written comments on partners' drafts (in bSpace Drop Box & by arrangement with partner)
Workshop on Revising & Style
Read:
Craft Ch. 17, pages 249-269

UNIT III: RACE AND LAW AT THE UNIVERSITY OF CALIFORNIA

Class 27: Friday, October 26
Due: 1 Discussion Point
Read:
Fiat Lux
Craft, (Part II, Prologue and Chs. 3-4, pp. 31-67)

Week 11
Class 28: Monday, October 29
Due: 1 Discussion Point
Read:
Ball, "Race, Affirmative Action, and Higher Education on Trial" (CR)

Class 29: Wednesday, October 31
Due: 1 Discussion Point
Read:
Proposition 209
Connerly, "U.C. Must End Affirmative Action" (CR)
Tien, "In Defense of Affirmative Action" (CR)
Applebome, "The Debate on Affirmative Action in California Shifts" (CR)

Class 30: Friday, November 2
Due: Research Proposal (in bSpace Drop Box) AND 1 Discussion Point
Read:
Takagi, "Post-Civil Rights Politics and Asian-American Identity: Admissions and Higher Education" (CR)
Traub, "The Class of Proposition 209" (CR)

Week 12
Class 31: Monday, November 5 – **Research Proposal Conferences held this week**
Due: Revised Essay #2 + peer-reviewed draft + reflection (in class)
No reading.

Class 32: Wednesday, November 7
Research & writing workshop: Working with Sources
Due: Citation exercise
Read:
Craft, Chs. 5-6

Class 33: Friday, November 9
Due: 1 Discussion Point
Read:
Moran, "Of Doubt and Diversity: The Future of Affirmative Action in Higher Education" (CR)

Week 13
Monday November 12 -- NO CLASS – HOLIDAY

Class 34: Wednesday, November 14
Due: Working Critical Annotated Bibliography (in bSpace Drop Box)
Read:
Craft, Ch. 11

Class 35: Friday, November 16
Due:
Speedy (5 minute) research project oral presentations

Week 14
Class 36: Monday, November 19
Continue Speedy Research Project Presentations

Class 37: Wednesday, November 21
Due: Point-Based Outline (in bSpace Dropbox and by arrangement with partner)
Out-of-class Interview Assignment

Friday, November 23 -- NO CLASS – HOLIDAY

Week 15

Class 38: Monday, November 26

Due: Interview Assignment (in class)

Finish Speedy Research Presentations and debrief Interview Assignment

Class 39: Wednesday, November 28

Response groups, part 1

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

Class 40: Friday, November 30

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 Friday, December 14 at 12:00pm.