INTELLECTUAL CONTENT
This 2 unit seminar (which meets one afternoon a week) focuses on critical race theory, a recent movement that examines the relationship among race, racism, and the U.S. legal system. The movement’s scope is broad, including not only legislative and judicial decisions, but also the economics and social science of race, and the affective, or feeling, side of race relations. Through this course and the readings, you will gain an overview of critical race theory and more intensive exposure to certain subtopics, such as the role of history, race and sexuality, colorblindness, stereotyping, and protest rights.

The seminar will have an interpretive or critical dimension, as opposed to, say, a litigation-oriented one. The idea will be to gain an understanding of how race reform law works and fails, and how culture and historical forces have shaped that body of law. Students of all hues and political persuasions are welcome.

TEXTS
Two texts are required:
Derrick Bell, Race, Racism, and American Law, 6th ed. (2008).
Bell’s is the classic casebook in this field, although it focuses almost exclusively on the history and problems of African Americans. The critical race theory reader (The Cutting Edge) consists of 63 short selections from leading law review articles and books, and deals with the full range of America’s racial problems, including those of Latinos/as, Indians, and Asian Americans.

Not necessary, but helpful:

STRUCTURE
The first five sessions will proceed via lecture and discussion, with the purpose of introducing critical race ideas and tools of analysis. The next four weeks will be devoted to individual meetings with Professors Delgado and Stefancic to develop your papers. The final five weeks will feature paper presentations and written critiques.

Your obligations, then, include attending five lectures; reading assigned material closely; meeting four times with the instructors to outline and develop a 25 page seminar paper; presenting it to the class; critiquing every classmate’s paper; and preparing a second or final draft of your paper incorporating the suggestions you have received from others.

ATTENDANCE POLICY
We expect one hundred percent attendance. If you miss any of the classes, for any but the
most compelling reason, you will not receive credit for the course. Full attendance is necessary to establish the interactive community on which a successful seminar depends. Do not sign up for this class if you anticipate any conflicting demands for your attendance or participation.

SEMESTER SCHEDULE

Aug. 22  CLASS 1: CRITICAL THEMES AND CONCEPTS
These readings discuss what is race and whether blackness is central to the concept.
Bell: What is Race, pp. 514-27
CRT Reader
   Introduction, pp. xv–xix
   Chapter 32: Perea, The Black/White Binary Paradigm of Race, pp. 344-52
   Chapter 41: Espinoza & Harris, Embracing the Tar-Baby, pp. 440-46
The reading assignment for the first class is relatively light. You may want to get a head start on next week’s readings on the racial history of various groups.

Aug. 29  CLASS 2: HISTORY
What drives racial progress? Idealism? White self-interest? And do the histories of the various groups exhibit any common features?
Bell, Chapter 2: Race and American History, pp. 19-56, 66-69
CRT Reader
   Chapter 10: Williams, Documents of Barbarism, pp. 94-104
   Chapter 33: Chang, Toward an Asian American Jurisprudence, pp. 354-66
   Chapter 35: Martinez, Mexican Americans and Whiteness, pp. 379-82

Sept. 5  CLASS 3: RACE, ROMANCE, INTERMARRIAGE, AND THE FAMILY
These readings deal with interracial love and romance.
CRT Reader
   Chapter 12: Gordon, Did the First Justice Harlan Have a Black Brother?, pp. 118-24
   Chapter 49: Carbado, Men, Feminism, and Male Heterosexual Privilege, pp. 525-30
Sept. 12  CLASS 4: COLORBLINDNESS AND STEREOTYPING

_These selections (and a short film) address whether society, and the court system, are colorblind. If not, should they be?_

Bell, Chapter 1: American Racism and the Relevance of Law, pp. 1-18
CRT Reader
   Chapter 21: Delgado & Stefancic, Images of the Outsider in American Law and Culture, pp. 225-33
   Chapter 50: Cho, Where the Model Minority Meets Suzie Wong, pp. 532-41
   Chapter 61: Ross, Innocence and Affirmative Action, pp. 635-44

Sept. 19  CLASS 5: PROTEST AND LAWYERING

_What is the relationship between mass protest, legality, and legal change?_

Bell, Chapter 10: The Parameters of Racial Protest, pp. 595-616, 625-29, 642-47, 669-70
CRT Reader
   Chapter 56: Lopez, The Work We Know So Little About, pp. 592-99
   Chapter 58: Su, The Garment Industry’s Dirty Laundry, pp. 607-12


Oct. 24  CLASS 10: Paper presentations
Oct. 31  CLASS 11: Paper presentations
Nov. 7  CLASS 12: Paper presentations
Nov. 14  CLASS 13: Paper presentations
Nov. 28  CLASS 14: Paper presentations

Final papers are due on the last day of exams.