ES 452  
Critical Race Theory  
Fall 2009

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Office Hours: 1-2 p.m Mondays, 12-1 Wednesdays, or by appointment

COURSE DESCRIPTION:  
This course will introduce students to the history and evolution of the field of Critical Race Theory. Critical Race Theory demonstrates the complexities of institutional racism and interrogates traditional ideas about the relationship between race, power and the (protection of the) law.

COURSE OBJECTIVES:  
1. Students will know the basic principles of critical race theory, its influences and its arguments.  
2. Students will gain a more concrete understanding of the "social construction of race" through learning how the legal system is implicated in creating and maintaining racial hierarchies.  
3. Students will gain critical thinking skills in relation to popular understandings of the "color-blind" nature of law, and in particular, the Constitution.  
4. Students will understand the importance of intersectionality as it relates to the creation of knowledge.

COURSE REQUIREMENTS:  

Reflection paper: Students have three opportunities to submit a reflection paper: October 21, November 11, and December 7. The purpose of the reflection paper is to create a space to apply what you have learned in this course to your own lived experiences, and how this knowledge confirms or contradicts your values, perspectives and/or experiences. While reflection papers privileges the articulation of your experience, they also need to significantly engage course material. These papers should be 3-5 pages in length.
Class participation: Not to be confused with class attendance. Each student is responsible for composing discussion questions that will be posted weekly on Blackboard by noon of discussion day. Questions could explore: underlying value implications of the readings, analogies to other issues discussed in class, the validity of the author’s position. Students are also expected to ask informed questions about each week’s readings.

Academic dishonesty will not be tolerated. Plagiarism will result in a failing grade and disciplinary action.

Reflection Papers 80%
Class participation 20%

REQUIRED READINGS

LexisNexis readings available online on the university library’s website. On the library’s homepage under “Find Resources” click “Articles, Databases, Indexes” then “Find Database”. At the Lexus-Nexus Academic Page, click “Legal.” Tip: Skip “Search Terms” and enter author, title, etc. for each citation) Richard Delgado’s Critical Race Theory: The Cutting Edge [CRT] is available at on-line book retailers.

COURSE SCHEDULE

September 30/October 5—Introduction to Critical Race Theory: History and Content


Patricia J. Williams, “Alchemical Notes: Reconstructing Ideals from Deconstructed Rights” (CRT 84-94)

October 7/12—Interrogating Whiteness: (Re)evaluating Critical White Studies

Derrick Bell, "Property Rights in Whiteness–Their Legal Legacy, Their Economic Costs" (CRT 75-83)
Ian F. Haney Lopez, "White by Law" (CRT 542-550)

Stephanie M. Wildman and Adrienne D. Davis, "Language and Silence: Making Systems of Privilege Visible" (CRT 573-579)

October 14/19—Black Exceptionalism: Are All (Non-White) Men Created Equal?


October 21: Reflection paper due on "Critical Race Theory," "Interrogating Whiteness," and/or "Black Exceptionalism"

October 21/26—Beyond Black and White: Asian-Americans and Lat(ino)Crit(ical)s


October 28/November 2—A Question of Sovereignty?: American Indians and Racial (In)Justice

Gerald Torres and Kathryn Milun, "Translating Yonnondio by Precedent and Evidence: The Mashpee Indian Case" (CRT 48-55)
Robert A. Williams, Jr., "Documents of Barbarism: The Contemporary Legacy of European Racism and Colonialism in the Narrative Traditions of Federal Indian Law" (CRT 98-109)


November 4/9–Justice or Just Us?: Blacks and the Criminal Justice System


November 11: Reflection paper due on “Beyond Black and White,” “A Question of Sovereignty,” and/or “Justice or Just Us”

November 11/16–Essentialism vs. Intersectionality: Race, Class and Gender


Trina Grillo, “Anti-Essentialism and Intersectionality: Tools to Dismantle the Master's House” (course reserves)

Angela Harris, "Race and Essentialism in Feminist Legal Theory" (CRT 253-266)

November 18/23–Critical Race Feminism

Trina Grilo and Stephanie M. Wildman, “Obscuring the Importance of Race: The Implication of Making Comparisons between Racism and Sexism (or Other – isms)” (CRT 564-572)

Asian/American Feminism in Pornography Yale Journal of Law and Feminism 2006 (Lex-Nex)


November 30/December 2—QueerCrit: The Legality of Sexuality


December 7: Reflection paper due on Essentialism vs. Intersectionality, Critical Race Feminism and/or Queer Crit