

INTRODUCTION TO CRITICAL RACE THEORY (W)

SPRING 2019

SYLLABUS



WHO IS THE PROFESSOR?

Anjali Vats, JD, PhD

ANSWERS TO IMPORTANT QUESTIONS!

WHEN AND WHERE DOES THE CLASS MEET?

Wednesday from 3-4:50pm in the East Wing 400.

WHAT IS THIS SYLLABUS?

Pedagogy scholars argue that the contract model of syllabuses is increasingly outdated (and the lawyers know this better than anyone). This is a way of making the material in the class accessible and interesting. Plus, it is more well-suited for different learning styles and the subject of Critical Race Theory.

WHAT WILL I LEARN IN THIS CLASS?

You'll learn to define, historicize, and discuss Critical Race Theory, from the 1980s - 2000s. Using methods drawn from law, ethnic studies, cultural studies, sociology, and rhetoric, we will explore how law has failed to address problems of race. We'll talk about the meaning of racial realism, interest convergence, intersectionality and more! We'll also use those tools to create capstone projects that we will share with one another.

HELP! HOW DO I GET TO OFFICE HOURS?

Sign up here: <https://tinyurl.com/ycyqodvw>

Come to St. Mary's South S455 at your appointment time! Please make sure you show up at your scheduled time or cancel.

CAN'T I JUST EMAIL YOU?!?

Yes and no. I will do my best to respond to short, easy questions not addressed on the syllabus within 48 hours, not including weekends/holidays. For all other questions, face-to-face contact is ideal. You can email me at vats@bc.edu.

WHAT DO I HAVE TO READ/WATCH?

A lot of academic articles and long form journal articles posted on Canvas! Also, some books, podcasts, and other media.

WHAT WILL I BE GRADED ON THIS SEMESTER?

| | |
|------------------------------------|---------------------|
| Reading responses – 3 @ 125 points | 375 points |
| Final paper draft – 1 @ 275 points | 275 points |
| Final paper – 1 @ 350 points | 350 points |
| TOTAL | 1,000 POINTS |

CAN YOU SAY MORE ABOUT ALL THAT?

I can and will as the semester goes on!

WHAT ABOUT LATE ASSIGNMENTS? AND FILE FORMATS?

Late assignments will lose 10 points per day. I will accept them for 7 days. All assignments must .doc, .docx, or .pdf format. There are no exceptions to this.

OKAY, WHAT IF I HAVE TO MISS CLASS?

You're grown, it's your right to miss class. That said, this class will move at a fast pace, with cumulative material. You are unlikely to do well if you routinely miss class or fail to keep up with the readings. While I don't believe in attendance as a punitive measure, I strongly suggest that you attend class consistently and apply yourself rigorously.

HOW CAN I GET THE NOTES I MISSED?

From a classmate. I will answer lingering questions only.

WHAT ABOUT MAKEUP WORK?

I don't give makeup exams, except for excused absences. Reading responses and current events must be turned at the beginning of class the day the reading is due. For all other assignments, see the policy above.

CAN I USE MY COMPUTER, PHONE, IPAD, CALCULATOR...?

Yes. But for our time together, I would like you to be 100% present and engaged in the conversation. I encourage you to use your technology responsibly and in a manner consistent with the larger aims of the course.

WHAT'S THE GRADE SCALE?

Grading will be done on a total points scale, calculated into a percentage, and translated as follows:

| | | |
|----|------|--------------|
| A | 4.0 | 94- 100% |
| A- | 3.66 | 90- 93% |
| B+ | 3.33 | 87- 89% |
| B | 3.0 | 84- 86% |
| B- | 2.66 | 80- 83% |
| C+ | 2.33 | 77- 79% |
| C | 2.0 | 74- 76% |
| C- | 1.66 | 70- 73% |
| D+ | 1.33 | 67- 69% |
| D | 1.0 | 64- 66% |
| D- | .66 | 60- 63% |
| F | 0 | 59% or below |

WHAT IF I WISH TO CONTEST MY GRADE?

I'm happy to discuss your grade concern! However, if you want to discuss or challenge your grade you must: (1) wait 24 hours after receiving your score, (2) email me a paragraph summary of your concerns, making reference to the assignment, and (3) make an appointment to meet with me. I'll entertain grade disputes for one week after papers are returned. And please know that grades can go up or down if I regrade your paper!

WHAT IF I NEED A DISABILITY ACCOMMODATION?

I'll do everything I can to support you! Information on accessibility of courses is available here: <https://www.bc.edu/bc-web/schools/law/sites/current-students/academics/accessibility.html.html>.

HOW ARE WE GOING TO TALK ABOUT RACE?

Talking about race is tough! And often triggering. We're going to try to create a safe classroom space in which everyone is comfortable speaking. This is no small task. It requires respect, vulnerability, thoughtfulness, and self-awareness. Perhaps most importantly, it requires acting instead of reacting, by understanding how our trauma gets in the way of hearing each other. We won't be perfect, that's not the goal. But we'll try to create a space without harassing or discriminatory language in which we can support one another even when we make mistakes.

WHAT DOES IT MEAN TO CREATE A "SAFE SPACE?"

"Safe space" is a term that gets used a bunch. In short, we're trying to minimize additional trauma to each other in our conversations. That also means that we need to be present and engaged with each other. Texting, sleeping, and other distracting behaviors are not consistent with creating a safe space.

ONE MORE THING, ACADEMIC INTEGRITY.

I'll abide by BC's academic integrity policy. You signed this when you arrived and you can review it here:

<https://www.bc.edu/offices/stserv/academic/integrity.html>

WHAT IF I HAVE QUESTIONS ABOUT ALL THIS?

My door is always open and I'm 100% happy to talk with you about any of the issues listed here!



LANI GUINIER



IAN HANEY LOPEZ



CHERYL HARRIS



KIMBERLE CRENSHAW

REQUIRED MATERIALS

- Kimberle Crenshaw, Neil Gotanda, Gary Peller, and Kendall Thomas, *Critical Race Theory: Key Writings that Formed the Movement* (1995) (hereinafter *CRT Reader*)
- Robin DiAngelo, *White Fragility* (2018)
- Ian Haney Lopez, *White By Law* (1996)
- Readings from the Course Website

REFERENCE MATERIALS

For guidance on how to write a law review article, see:

Richard Delgado, "How to Write a Law Review Article," https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1577346

Eugene Volokh, *Academic Legal Writing* (2010)

COURSE SCHEDULE

1.16 WHAT IS CRITICAL RACE THEORY?

Syllabus and Introduction

Reading Responses (Assignment guidelines)

Derrick Bell, "Introduction" and "Space Traders" in *Faces at the Bottom of the Well* (Close read)

Twila Perry, "Derrick Bell's Afrolantica and Gentrification in Harlem" (Close read)

Hari Kondabolu and W. Kamau Bell, *Politically Re-Active*, Season 1, Ep. 1, feat. Ian Haney Lopez

1.23 NO CLASS – ADMINISTRATIVE MONDAY

1.30 WHITE SUPREMACY & WHITE FRAGILITY

Cheryl Harris, "Whiteness as Property," in *CRT Reader* (Close read)

Robin DiAngelo, "The Challenges of Talking to White People About Racism," "Racism and White Supremacy," "The Good/Bad Binary," "The Result: White Fragility" in *White Fragility* (Close read)

2.6 RACIAL FEELINGS

Paula Ioanide, "Facts and Evidence Don't Work Here," in *The Emotional Politics of Racism* (Close read)

Eduardo Bonilla-Silva, "Feeling Race: Theorizing the Racial Economy of Emotions" (Close read)

PAPER TOPICS DUE

2.13 RACIAL FORMATION

Final Paper Assignment Guidelines & How to Write a Law Review Article

Howard Winant, "Race and Race Theory," (Skim the bits on sociology, close read racial formation theory)

Kevin K. Gains, "The End of the Second Reconstruction" (Close read, with an eye for history)

2.20 INTEREST CONVERGENCE & ORIGIN STORIES

Kimberle Crenshaw, "Introduction," in *CRT Reader* (Close read)

Lani Guinier, "From Racial Liberalism to Racial Literacy" (Close read)

Derrick Bell, "Serving Two Masters" in *CRT Reader* (Skim, focusing on history)

Brown v. Board of Education of Topeka, 347 U.S. 483 (1954) (Skim)

2.27 INTERSECTIONALITY

Kimberle Crenshaw, "Mapping the Margins," in *CRT Reader* (Close read)

Devon Carbado, "Colorblind Intersectionality" (Close read)

FINAL PAPER DRAFTS DUE

3.6 NO CLASS – SPRING BREAK

3.13 RACIAL CAPITALISM

Angela Harris, *LPE Blog*, “Where is Race in Law and Political Economy?” <https://lpeblog.org/2017/11/30/where-is-race-in-law-and-political-economy/> (Close read, noting distinct theoretical threads)
Mitu Gulati and Devon Carbado, “The Law and Economics of Critical Race Theory” (Close read)
Mary Dudziak, “Desegregation as Cold War Imperative” (Skim, focusing on history)

3.20 FINAL PAPER CONFERENCES!!!

3.27 CITIZENSHIP

Ian Haney Lopez, *White By Law* (Close read)

4.3 THE PRISON INDUSTRIAL COMPLEX

Nikhil Pal Singh, “The Whiteness of Police,” *American Quarterly* (2014) (Close read, with focus on police power)
Rose Brewer and Nancy Heitzeg, “The Racialization of Crime and Punishment” (Close read)
Lisa Corrigan, “Conclusion” in *Prison Power* (Skim, with focus on the rhetorical development of Black Power in prisons)

4.10 LATCRIT, MODEL MINORITIES & YELLOW PERILS

Neil Gotanda, “Exclusion and Inclusion: Immigration and American Orientalism” (Close read)
Francisco Valdez, “Legal Reform and Social Justice” (Close read)
Robert Chang and Neil Gotanda, “The Race Question in LatCrit Theory and Asian American Jurisprudence” (Skim)

4.17 INDIGENEITY & THE DOCTRINE OF DISCOVERY

Robert Williams, “Vampires Anonymous and Critical Race Practice” (Close read)
Andrea Smith, “Indigeneity, Settler Colonialism, White Supremacy” (Close read)
Baron Pineda, “Indigenous Pan-Americanism,” *American Quarterly* (2017) (Skim for policy solutions)

4.24 WORDS THAT WOUND, COMMUNITIES THAT HEAL

Justin Hansford, “The First Amendment Freedom of Assembly as a Racial Project,” <https://www.yalelawjournal.org/forum/the-first-amendment-freedom-of-assembly-as-a-racial-project> (Close read)
Angela Harris, “Building Theory, Building Community” (Close read)
The Science of Equality, <http://perception.org/wp-content/uploads/2014/11/Science-of-Equality.pdf> (Close read pp. 44 - 58)
Richard Delgado, “The Imperial Scholar,” in *CRT Reader* (Skim)

5.1 FINAL PAPERS DUE!!!

READING RESPONSES - ASSIGNMENT DESCRIPTION -

During the course of the semester, you will be required to complete 3 reading responses, one in each of the three segments of the course. Those reading responses require you to write two single spaced pages that:

- Summarize the reading in no more than half a page,
- Identify two key terms/concepts from the reading for the day;
- Define those key terms/concepts;
- Choose a current event, ideally legal, related to the reading for the day;
- State a thesis statement using the two key terms and applying it to the reading for the day;
- Use the two key terms to analyze the issue that you have chosen; and
- Draw on at least two more academic sources in your analysis.

The reading responses will be graded out of 125 points based on the definition and use of the terms that you have chosen, selection of current event, strength of the argument, and external sources.

This assignment is intended to provide a means of engagement with the course readings as well as a mechanism for understanding how Critical Race Theory can help us to think about contemporary culture.