RPOS 399: Special Topics: Race, Gender & Law, Spring 2014

Tao L. Dumas, PhD
Office: 203 Milne Hall
Classroom: HU 128
Class: 9:20-10:15 MWF
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Required Texts:


Course Description and Objectives
The class will expose students to theories of gender, sexual orientation, racial and ethnic identity. Additionally students will read relevant case law and social science research to explore ways in which the law structures access to political power for traditionally underrepresented groups. Students will also learn about important policy topics related to race, ethnicity and gender such as immigration law, affirmative action, and sexual harassment. Students should leave the course with a greater understanding of gender and racial identity issues along with the legal and political debates surrounding gender, race and sexual orientation.

Course Requirements

Academic Honesty
All students are expected to abide by the University’s Code of Student Conduct http://www.albany.edu/studentconduct/introduction.php. Any student caught plagiarizing work or cheating on an exam will be reported to the appropriate university officials.

Make-up Exam and Late Work Policy
Make-up exams will only be given to and late work accepted from students who notify the instructor within 24 hours of missing the exam/assignment and whose absence qualifies under U Albany policy. http://www.albany.edu/undergraduateeducation/attendance.php

Assigned Readings and Response Papers
Because the study of law requires both heavy reading and cumulative comprehension, it is essential that students read all assigned materials prior to each class. There is one required text for the course; all other readings will be available on Blackboard. Students must complete one response paper for each of the three topics on the syllabus (race, gender, sexual identity). Response papers should be between three and four pages double-spaced. The purpose of the response paper is for student to reflect upon the readings and demonstrate their understanding of the material. Detailed instructions will be given in class.
Participation
Students are expected to attend class daily, on time and for the duration of the class. Students are also expected to read all assigned readings before class, complete all written assignments on time and treat classmates and the instructor with respect. Please turn off phones and put iPods, newspapers, and other unrelated materials away before class begins. **In Class Activities:** During the course of the semester students will participate in a series of in-class activities and discussions. Participation in these discussions and activities will serve as the basis for participation grades.

Exams
In-class discussions and the material assigned on the syllabus will provide the basis for exams. There will be two exams during the semester and one final exam to test your understanding of concepts as well as your ability to apply and analyze them. Exams will consist of multiple choice, short answers, and essays.

Grading Policy
The course is worth a total of 425 points allocated as follows:

- Response Papers—75 points (25 pts. each)
- Participation—50 points
- Exam 1—100 points
- Exam 2—100 points
- Final Exam—100 points

Letter grades comply with U Albany grading scale.

Special Accommodation
Students with documented disabilities who require special testing accommodations should notify the instructor at the beginning of the semester so that appropriate arrangements can be made.

Course Outline

Note: The syllabus represents a general plan for the course and may be subject to change, based on the discretion of the instructor.

January 22, Introduction to the Course

January 24, Sources of Rights

Race & Ethnic Identity

January 27, Race & Ethnic Identity

January 29, Race & Ethnic Identity
Race and Discrimination

January 31, 14th Amendment & Race

February 3, Race, American Indians & Sovereignty
Worcester v. Georgia (1832)
Lyng v. NW Indian Cemetery Protective Association (1988)

Race and Criminal Justice

February 5, Race & Criminal Justice


February 7, Race & Criminal Justice


February 10, African Americans & Criminal Justice
Alexander, Chapter 5 (pgs. 185-200 & 202-209)

February 12, African Americans & Criminal Justice
Alexander, Chapter 2 (pgs. 59-80)

February 14, African Americans & Criminal Justice
Alexander, Chapter 2 (pgs. 80-96)

February 17, African Americans & Criminal Justice
Alexander, Chapter 3 (97-112 & 130-139)

February 19, African Americans & Criminal Justice
Alexander, Chapter 4 (pgs. 142-158 & pgs.167-177)

February 21, No Class

February 24, Latinos & Criminal Justice
Press Release on Stop & Frisk

February 26, Exam 1
Race & Affirmative Action

February 28, Affirmative Action & Education
Fisher v. Texas (2013)

March 3, Affirmative Action & Employment
City of Richmond v. J.A. Croson Co. (1989)

Immigration Policy and Discrimination against Immigrants

March 5, Immigrant Identities & Law
Korematsu v. US (1944)
US v. Brignoni-Ponce (1975)

March 7, Immigration Law & Policy
INS v Chadha (1983)

March 12, Discrimination against Non-Citizens (1st Response Paper Due)
Foley v. Connelie (1978)
Graham v. Richardson (1971)

Gender Equality & Discrimination

March 14, Formal Equality
Chapter 2 pg. 100-125

March 17-21, Spring Break

March 24, Formal Equality
Chapter 2 pg. 156-163 & 199-209

March 26, Substantive Equality
Chapter 3, pgs. 261-267 & 281-287

March 28, Substantive Equality
Bender (1990) (B)
West (1988) (B)

March 31, Substantive Equality
Mackinnon (1987)
Epstein (1992)

April 2, Feminine Justice?
721-733 & 750-759
April 4, Sex Discrimination  

April 7, Exam 2  
**Gender, Law & “Women’s Issues”**

April 9, Gender & Criminal Justice  

*Ferguson v. City of Charleston* (2001)

April 11, Pornography  


April 14, Sexual Harassment Law  
*Burns v. McGregor Electronic Inc.* (1992)  
*Vance v. Ball State* (2012)

April 16, Pregnancy Discrimination  

April 18, Contraception, Abortion & Personal Privacy  

April 21, Contraception, the 1st Amendment & the Affordable Care Act  
Appellate Brief, for the *The Little Sisters*  
Appellate Brief, for *Hobby Lobby v. Sebelius*

April 23, The Intersectionality of Race and Gender (2nd Response Paper Due)  


**Sexual Orientation and Law**

April 25, Sexual Orientation & Discrimination  

April 28, Sexual Orientation & Discrimination  
April 30, Sexual Identity & Marriage
Baehr v. Lewin (1993)
Hollingsworth v. Perry (2013)
Ettelbrick, Paula, “Since When is Marriage a Path to Liberation?” vs. Stoddard, “Why Gay People Should Seek the Right to Marry.”

May 2, Sexual Identity & Partner Benefits

May 5, Sexual Identity & Adoption


May 7, Last Class Day (3rd Response Paper Due)

May 10, Final Exam 3:30-5:30

Important Dates
February 4th—Final date for dropping without receiving a “W”
April 8th—Final date for resigning from the university/dropping courses
May 10th, Saturday—Final Exam 3:30-5:30