Race, Law, and Society

This course focuses on race, the American legal system, public policy and society discourse. The students study case law starting with 1619 through the present. The course focuses on the development of the law and on questions concerning equality and fairness within different racial communities. The primary source of legal analysis will be Supreme Court decisions and the evolution of constitutional rights and civil rights. The history of Blacks in America is studied to provide context for understanding legal decisions. The history and impact of the Civil Rights Act of 1964 and the Voting Rights Act of 1965 will also be analyzed. The course addresses the role of race in the creation and implementation of public policy.

Primary Objectives

1. Study, analyze and critique the role of the law in different racial communities.

2. Explore the role of race in the implementation of public policy.

3. Understand methods of legal analysis and reasoning including critical race theory.

4. Understanding why diversity matters.

5. Understanding, analyzing and discussing current events.

6. The course will also explore the political, economic, religious, social, intellectual and artistic changes which led to the evolution of the Black Lives Matter movement.

7. The philosophical underpinnings of the theory of nonviolent direct mass action will be analyzed.

8. The strategies of proponents of racial justice to transform Jim Crow societies into integrated societies will be studied.
9. Major historical figures including Martin Luther King Jr., Bayard Rustin, Lyndon Baines Johnson, Malcolm X, Earl Warren, and Thurgood Marshall will be analyzed.

10. The students will also learn of the growth of black empowerment: from rural Mississippi to Watts and Oakland, California.

Class Requirements

1. Examinations: One (1) midterm exam counts as 25% of the student’s final grade and one (1) final examination counts as 25% of the student’s final grade.

2. Class attendance and participation: failure to attend class, defined as more than six (6) absences, will result in the failure of this course. Students are expected to come to class prepared to discuss the assigned readings. Students will debate selected topics during the semester. 20% of the student grade will be based upon class participation.

3. Prepared documents: One (1) research paper on an approved topic relating to law and the African American community. The paper must be at least ten (10) pages, not including the bibliography, typed, no more than 12 points, and double spaced. This paper will constitute 15% of the student’s final grade.

4. Students will submit their research paper to the class for critical peer review. Students will give an oral presentation of their paper. This presentation will count 15% of the student’s final grade.

Undergraduate Academic Regulations:
Students are expected to comply with all rules and regulations for student conduct as described in the University’s Undergraduate Bulletin which can be found at http://www.albany.edu/undergraduate_bulletin/regulations.html.

Graduate Academic Regulations:
Students are expected to comply with all rules and regulations for student conduct as described in the University’s Graduate Bulletin which can be found at http://www.albany.edu/graduatebulletin/requirements_degree.htm#standards_integrity.

Students who are found guilty of plagiarism will at a minimum fail the specific assignment and, according to University guidelines, could fail the course. Plagiarism is defined as the use of another person’s wording without indicating the source using quotation marks and the appropriate citation. Paraphrased or borrowed ideas are to be identified with the appropriate citation.
Required Readings


Useful Web Sites

Westlaw

Supreme Court

www.census.gov/pubinfo

Cornell Law

Oxford Press

NY Times

WEEKLY OUTLINE

Week 1  January 23, 2018  Introduction and Overview

Week 2  January 29, 2018  Constitutional Dilemma

  3/5 compromise
  Abraham Lincoln and the Founding Fathers
  Roberts v Boston
  Dred Scott v. Sandford
  Reading: Browne – Marshall, Chapter 1, pages 1 – 17; Glaude, Chapter 1

Week 3  February 5, 2018  Civil War

  Reading:  Browne – Marshall, Chapter 2, pages 19 – 50, Glaude, Chapters 2 & 3
  Constitutional Amendments 13, 14, and 15.
  Research Paper Selection
  Debate topic selected
Week 4  February 12, 2018  The Strange Career of Jim Crow

Williams v Mississippi  
Plessy v Ferguson

Assigned Reading: Browne – Marshall, Chapter 3, pages 51 – 116  
Glaude, Chapters 4 & 5

Week 5  February 19, 2018  The American Legal System

Moore v Dempsey  
Powell v Alabama  
Brown – Marshall, Chapter 4, pages 117 – 154; Glaude Chapter 6

Week 6  Debates February 26, 2018

Week 7  March 5, 2018 Equal Justice Under the Law

Civil Rights Act 1964  
Voting Rights Act 1965  
Assigned Reading: Browne – Marshall, Chapter 5, pages 177 - 205

Loving v Virginia  
Equal Protection of the Laws  
Cooper v Aaron  
Heart of Atlanta Motel v US  
Palmer v Thompson  
Review

Week 8

SPRING BREAK March 12, 2018 - March 16, 2018

Week 9

MIDTERM EXAM March 20, 2018

Week 10  March 26, 2018

Grutter v Bollinger  
Parents Involved in Community Schools v. Seattle School District No. 1
Reading: Alexander, Chapters 1-3

**Week 11** April 2, 2018  The Supreme Court

Ricci v DeStefano
Brown – Marshall pages 207 – 250
Assigned Reading: Glaude, Chapter 7

**Week 12** April 9, 2018

Papers Due

Assigned Reading: Glaude, Chapter 8, Alexander, Chapters 4-6
Rodney King
OJ Simpson

**Week 13** April 16, 2018  The Strange Career of Jim Crow revisited

Solutions to current issues
Reading: Glaude, Chapter 9

**Week 14** April 23, 2018

The Black Lives Matter Movement
Paper Presentation

**Week 15** April 30, 2018

Current Constitutional Issues

**Week 16** May 7, 2018

Review

**FINAL EXAM**

Monday, May 14, 2018, 5:45 p.m. – 7:45 p.m.
GENERAL POLICIES

1. Readings should be done before the class for which they are assigned.

2. Students should attend all classes. Attendance will reflect on your final grade. Students who leave the classroom before the period is over will be considered absent for that day.

3. The classroom is an open learning environment; therefore, all students’ ideas, suggestions, comments, questions, and viewpoints must be respected.

4. Students must only talk during discussions or when asking or answering questions.

5. All cell phones and other electronic devices must be off and out of sight in the classroom unless the student has been granted permission by the instructor.