

**UNIVERSITY OF THE PACIFIC
McGEORGE SCHOOL OF LAW**

CRITICAL RACE THEORY

PROFESSOR LANDSBERG
SPRING 2000

ASSIGNMENTS

The text is Juan Perea, Richard Delgado, Angela P. Harris, Stephanie Wildman, *Race and Races: Cases and Resources for a Multiracial America* (West 1999). Office hours are Tu, 2-4; W, 10-11; Th, 2-4. My phone number is 739-7103; e-mail address is blandsberg@uop.edu.

The course will be conducted as a seminar. Students will be expected to write five reflection pieces, each 1-2 pages in length, and one short [10-15 page] paper, as described below. Grades will be based on these writings, classroom participation, participation on a TWEN site, and attendance. TWEN is a web-based communication system which you may access either through your own computer or through computers in the library and law lab. All students are required to enroll in TWEN.

Each class [except the first] will include a period of discussion of reflection pieces submitted prior to the class. A reflection piece must focus on one of the issues raised by the week's readings and provide your own analysis of that issue. Different students will be responsible on different weeks, based on student sign-ups during our first class. The piece is due to be sent to TWEN by 5:00 pm the day before the class. Late reflection pieces will not be accepted and will be treated as non-completion of the assignment. However, you may make up one missed reflection piece by writing one for one of the last four classes of the semester, based on the reading for that class.

You should sign up for a time and topic for your paper. Each paper should apply materials from the text and from our classes to discuss one of the questions listed below. Up to three students may review any one question, but must do so independently of one another. The papers are to serve as a basis for classroom discussion. They must summarize the material [theses, factual development, argument development, conclusion], explain the relationship between the ideas in the material and the question presented, critique the ideas, and conclude with your own analysis and evaluation. You may supplement the text with additional reading if you wish, but the paper you submit must be your own and must give appropriate credit to other sources. You are to meet with me by January 24 to select the question you wish to discuss, and to establish a time-table for submitting a draft of the paper, a final version, and for your presentation to the class.

Paper topics are as follows:

- a. Based on the materials in any one of the chapters listed below, is the American legal system racially neutral? If not, what, if any, changes would render it racially neutral? Include a discussion of the possible meanings of "racially neutral" and identify which meaning you adopt and why.
 - i. Chapter 2, African Americans
 - ii. Chapter 3, American Indians
 - iii. Chapter 4, Latinos/as
 - iv. Chapter 5, Asian Americans
 - v. Chapter 7, Race and Developing Notions of Equality
- b. Based on Chapter 10 and Section 5 of Chapter 6, does the First Amendment protection of freedom of speech advance or hinder the pursuit of racial equality? Should free speech doctrine be modified so as to enhance racial equality? Explain.
- c. Based on Chapter 7 [and your reading of the federal Equal Credit Opportunity Act], discuss the controversy over the Federal Reserve Board's proposal to require banks to keep records reflecting the race of applicants for loans.
- d. Based on Chapter 9, evaluate the impact that whiteness as a property value and residential segregation have had upon the system of education, and vice versa. What is the impact on racial equality? Does the law adequately address these issues? How, if at all, should it be changed?
- e. Based on Chapter 12, does the dominant culture's perception and portrayal adversely affect the ability of people of color to obtain justice? If so, what steps should legal institutions take to ensure equality?

The first reading assignment for the class is pp. 1-50. Based on these readings, be prepared to discuss what constitutes racial discrimination.