

**Race and the Law:  
Exploring the Law through Critical Race Theory and Other Lenses  
Spring 2017  
LAW 379M (28865)  
Wednesday 3:45-6:45pm  
School of Law  
The University of Texas at Austin**

**Instructors:**

**Dr. Gregory J. Vincent**

Vice President for Diversity and Community Engagement  
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**Jessica Khalaf, Co-Instructor**

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**Course Description:**

This course will examine the issue of race within American law and jurisprudence through a historical as well as a contemporary context. The intersection of race, ethnicity, gender, and class will be a focus throughout the course. Critical race theory will be the primary lens through which the law and cases will be discussed and analyzed.

**Course Requirements:**

***Class Participation/Attendance (20%)***

Active participation in class discussions is important and expected of all students. Assigned readings should be completed prior to class so that students arrive prepared to contribute insightful ideas and questions to the learning community. Points for class participation will be given at the discretion of the instructors and will be based upon students' substantive class contributions, regular attendance, personal responsibility, and professional behavior.

Students are expected to attend every class session. Please contact Jessica Khalaf in advance if you need to miss class. In addition, cell phones and other communication devices should be turned off during class. If special circumstances require a student to receive a call or message during class, please inform Jessica prior to class and appropriate arrangements will be made.

## ***Assignments***

### **1. Group presentation (40%)**

In groups consisting of 3-4 students, you will create a 40-45 minute long presentation that will include a reading component that will be shared with the entire class beforehand. The reading should consist of 50 pages, give or take a few pages; this will be posted on Canvas by each group. The presentation needs to include at least a 30 minute presentation while the remaining time is intended to be a discussion among all students.

Groups will be decided during the first day of class. You and your group will have flexibility in the format and topic of your presentation. A handout will be shared of possible focus areas.

Guidelines for the group presentation are, but not limited to: comprehensive representation of various views about your topic; rigor of research and presentation; connection to courses' readings and discussions

Early on in the semester, each group will present their topic to the class where you will receive feedback from the instructors as well as your fellow classmates. This also ensures that groups do not have similar presentation topics.

### **2. Final paper (40%)**

The final paper may be on a topic of your choice related to any area of race and the law. You may use the book(s) as guidelines for an area of focus. Your focus can also be on any of the theories through which examine the cases and readings, including Critical Race Theory, either in support or as a critique.

Your paper topic may not be the same topic as the group presentation topic.

You will have opportunities throughout the semester to discuss your paper topic with the instructors and classmates. The paper must be at the caliber of a law review article.

The final paper should be at least 20 double spaced, pages (excluding endnotes).

### ***Required Text:***

Higginbotham, F. M. (2015). *Race law: Cases, commentary, and questions* (4<sup>th</sup> ed.). Durham, NC: Carolina Academic Press.

Delgado, R. & Stefancic, J. (2012). *Critical race theory: An introduction* (2<sup>nd</sup> ed.). New York, NY: New York University Press.

Additional readings will be posted on Canvas.

### ***Grading Standards and Procedures:***

Class Attendance/Participation	20%
Group Project	40%
Final Paper	40%

\* Instructor evaluation regarding preparation/participation is subjective and will be based on observations/judgments made during general class discussion, group exercises and written assignments. Thusly, it is incumbent upon all class members to come prepared to discuss assigned readings and to participate in the related discussions.

**Additional Course Policies:**

***Students with Disabilities/Academic Accommodations***

The University of Texas at Austin provides upon request appropriate academic adjustments for qualified students with disabilities. For more information, contact the Office of the Dean of Students at 471-6259, 471-4641 TTY.

***Policy on Scholastic Dishonesty***

Students are expected to be above reproach in scholastic activities. Students who violate University rules on scholastic dishonesty are subject to disciplinary penalties, including the possibility of failure in the course and dismissal from the University. “Scholastic dishonesty includes, but is not limited to, cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an exam for another person, any act designed to give unfair advantage to a student or the attempt to commit such acts.” (Regent’s Rules and Regulations, Part One, Chapter VI, Section 3, Subsection 3.2, Subdivision 3.22) Since scholastic dishonesty harms the individual, all students, and the integrity of the University, policies on scholastic dishonesty will be strictly enforced.

**Please be aware that the instructor has the right to modify class assignments and due dates as deemed appropriate.**

Date	Objectives & Readings	Assignments Due
Week 1 Jan. 18 <sup>th</sup>	<b>Logistics and Syllabus</b> Interest Convergence, Bell article (on Canvas)	
Week 2 Jan. 25 <sup>th</sup>	<b>Critical Race Theory</b> Delgado & Stefancic. <i>Critical race theory: An introduction</i>	
Week 3 Feb. 1 <sup>st</sup>	<b>Part One: Analysis and Framework</b> , p. 3-66 of <i>Race Law</i> Harris, C.L. (1993). Whiteness as property (on Canvas) Report out on group projects	<i>Group Project Topics (in class)</i>
Week 4 Feb. 8 <sup>th</sup>	<b>Part Two: Slavery</b> , p. 67-180 of <i>Race Law</i>	
Week 5 Feb. 15 <sup>th</sup>	<b>Part Three: Reconstruction, Citizenship, and Sovereignty</b> , p. 181-254 of <i>Race Law</i> Report out on final paper topics	<i>Final Paper Topics (in class)</i>

Week 6 Feb. 22 <sup>nd</sup>	<b>Part Three: Reconstruction, Citizenship, and Sovereignty, cont.</b> p. 255-334 of <i>Race Law</i>	
Week 7 Mar. 1 <sup>st</sup>	<b>Part Four: Segregation,</b> p. 335-402 of <i>Race Law</i>	
Week 8 Mar. 8 <sup>th</sup>	<b>Part Four: Segregation, cont.</b> p. 402-471 of <i>Race Law</i>	
Week 9 Mar. 15 <sup>th</sup>	<b>Spring Break</b>	
Week 10 Mar. 22	<b>Part Five: Attempted Eradication of Inequality,</b> p. 473-570 of <i>Race Law</i> <b>Sweatt Symposium Lecture</b> (location: TBD)	
Week 11 Mar. 29 <sup>th</sup>	<b>Part Five: Attempted Eradication of Inequality, cont.</b> p. 570-648 of <i>Race Law</i> Outline of final paper	<i>Outline of final paper (on Canvas)</i>
Week 12 Apr. 5 <sup>th</sup>	<b>Part Six: Supreme Court Confirmation Controversies,</b> p. 649-692 of <i>Race Law</i>	<i>Upload reading materials for group presentations (on Canvas)</i>
Week 13 Apr. 12 <sup>th</sup>	<b>Part Seven: Ongoing Controversies,</b> p. 693-728 of <i>Race Law</i> <b>Sweatt Symposium Lecture</b> (location: TBD)	
Week 14 Apr. 19 <sup>th</sup>	<b>Group Presentations</b>	
Week 15 Apr. 26 <sup>th</sup>	<b>Group Presentations</b> Course wrap-up	
May 13 <sup>th</sup>	<b>Final Papers due by 11:59 pm on Canvas</b>	<i>Final Paper (on Canvas)</i>