

Race, Gender, and the Law (POL3090)
Prof. Samuel R. Galloway
Tue. & Fri. 4.30 – 6.10
Office Hours: Tue. & Fri. 12.30. – 2.00.

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1. Course Summary:

This course offers an examination of the relationship between race, gender, and the law by developing an intersectional analytical framework that is informed by the activism and scholarship of Black women. We will explore how race, gender, and the law are political matters shaped by public opinion, elected officials, and institutional policy, as well as activism and scholarship. In the process, we will develop an intersectional approach to analyzing the politics of race, gender, and the law, specifically as it illuminates enduring political structures of power and offers a way of understanding novel activist and scholarly challenges. We will consider both historical and contemporary examples of the political interplay of race, gender, and the law in examples that range from constitutional law to criminal justice.

2. Course Objectives:

Completion of this course will secure an introduction to the dynamic relationship between race, gender, and the in contemporary American political life. It will also provide a survey of interdisciplinary approaches to understanding the role of race and gender in political science and legal studies. Finally, skills such as critical reading, analytical writing, and collaborative discussion will be reinforced and expanded.

3. Required Texts:

All texts are available on Moodle.

Please be sure to come to class with the assigned texts and materials.

- = required readings.
- o = optional readings.

In addition to the assigned readings and resources on Moodle, it is expected that you will watch at least the headlines segment (the first 10 – 15 minutes) of the daily weekday broadcast of Democracy Now!, which begins live at 8am and is archived by 9am: www.DemocracyNow.org.

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4. Grading:

Attendance: 20%.

Class Participation/Discussion Board: 20%.

Final Paper: 30% (see below for details).

First Paper: 15% (see below for details).

In-Class Presentation: 15% (see below for details).

5(a). First Paper—Critical Reconstruction of an Argument:

The first written assignment will be 750 – 1000 words in length (approximately 3-4 double-spaced, 12 point, Times New Roman font, **margins justified** pages). Papers either over or under this range will not receive full consideration. The goal of this essay is to reconstruct an argument encountered in the readings on ideology and to conclude with a critical evaluation of the argument thus reconstructed. The format of this essay is 75% reconstruction, 25% critical evaluation.

5(b). Final Paper—Critical Construction of an Original Argument:

The objective of the final paper assignment is to provide students with the opportunity to conduct original research about a topic of their choosing regarding the relationship between politics and the media using the resources provided by the course.

The final written assignment will 1750 – 2000 words in length (approximately 7 – 8 double-spaced, 12 point, Times New Roman font, and **margins justified** pages). Papers either over or under this range will not receive full consideration. The goal of this essay is to critically construct an original argument informed by engagement with readings in the class.

A specific grading rubric for the final paper will be circulated in advance of the assignment.

A paper proposal of 150-200 words must be submitted and approved in advance. A sample proposal will be provided.

6. In-Class Presentation:

One in-class presentation will be delivered over the course of the semester. The purpose of the in-class presentation is to allow students to lead the classroom discussion by framing the material under consideration. Like the first written assignment, successful presentations will reconstruct and critically evaluate an essential aspect of the reading by making it accessible to the class for further discussion. Each presentation should be about 5 – 7 minutes in duration (approximately 2.5 – 3.5 pages long, or 500 – 750 words). Presentations must be submitted for approval 48 hours in advance of the class. Thus, a presentation on Friday must be submitted by Tuesday (5pm) and a presentation on Tuesday must be submitted by Saturday (5pm) for approval and any required revisions.

7. Discussion Board

One discussion board post per week is expected, for a total of 13 discussion board posts. Six (6) of these posts can be replies to other posts. A discussion board post raises a question inspired by

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the reading and shares it with the class in advance of our meeting. A successful discussion board post poses possible answers to the question it raises and invites others to either help adjudicate or share additional possibilities. The discussion board post is factored into your class participation grade.

8. Intellectual Honesty/Plagiarism:

Simply: *do not* plagiarize. If there are any questions whatsoever about the proper way to cite a source, please consult me in the final instance. Proven plagiarism will lead to automatic failure of the course and will be referred to the College administration for additional sanction.

9. Attendance:

Because of the importance of attendance, absences will be excused only in documented cases of illness, personal emergency, or religious observance. I expect *prior notification* of your absence (via email) and reserve the right to request additional documentation. After the second unexcused absence, each additional unexcused absence will result in a deduction of *one full letter grade* from your participation grade.

10. Unwavering Expectations for Respectful Discourse and Conduct:

Under no circumstances will disrespectful discourse or conduct be welcome in our classroom. We will treat one another with respect, patience, and understanding. Learning inherently involves the risk of allowing knowledge to change your life, and this requires courage. We will all exercise an unwavering commitment to encouraging one another in this process.

11. Accessibility Statement:

The Office of Disability Resources collaborates directly with students who identify with disabilities to create accommodation plans, including testing accommodations, in order for students to access course content and validly demonstrate learning. For students who may require accommodations, please contact the Office of Disability Resources as soon as possible: 914-251-6035, ODR@purchase.edu (Student Services Building, #316A), www.purchase.edu/odr

12. Proviso

Revision of Syllabus: This syllabus is subject to revision. Any changes will be announced in advanced in class and via email.

Emails Responses: I will do my best to reply to your email within 24 hours. If you have not heard back from me within 24 hours, please feel free to follow-up. Be sure to allow yourself enough time to receive a timely reply.

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13. Class Schedule:

Introduction

Week One:

Tuesday, 9/1: Introduction

Ideology

Friday, 9/4: White Supremacy

- Martinot, Steve. "Whiteness, Democracy, and the Hegemonic Mind," in *White Self-Criticality Beyond Anti-Racism*, ed. George Yancy. Ch. 12. Pp. 167 – 187.

Week Two: Color-Blindness

Tuesday, 9/8:

- Cohen, Cathy J. "Millennials & the Myth of the Post-Racial Society: Black Youth, Intra-generational Divisions & the Continuing Racial Divide in American Politics," *Daedalus*, Spring 2011, Vol. 140, No. 2, pp. 197-205.

Friday, 9/11:

- Naomi Murakawa and Katherine Beckett. "The Penology of Racial Innocence: The Erasure of Racism in the Study and Practice of Punishment." *Law & Society Review*, September/December 2010, Vol. 44, No. 3/4, pp. 695-730

Intersectionality

Week Three: The Activist Origins of Intersectionality

Tuesday, 9/15:

- "The Combahee River Collective Statement" + Barbara Johnson and any additional interview(s) in *How We Get Free*, ed. Keeanga-Yamahtta-Taylor.

Friday, 9/18:

- David, Angela. "Coalition Building Among People of Color" and "Reflections on Race, Class, and Gender in the USA." Chapters 21 & 22 of *the Angela Davis Reader*.

Week Four: Intersectionality Confronts the Law:

Tuesday, 9/22

- Harris, Cheryl I., "Whiteness as Property." *Harvard Law Review*, Vol. 106, No. 8, p. 1707, 1993.

Friday, 9/25

- Crenshaw, Kimberle. "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color." *Stanford Law Review* 43, no. 6 (1991): 1241-299.

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Week Five: Traversing the Intersectional Grid

- **Grading Rubric & Prompts for First Written Assignment Out**
- **Week Five Snap-Shot Evaluation Out**

Tuesday, 9/29

- Cathy J. Cohen. “Punks, Bulldaggers, and Welfare Queens: The Radical Potential of Queer Politics?” *GLQ* 1 May 1997; 3 (4): 437–465

Friday, 10/2

- Collins, Patricia Hill. 2017. “On Violence, Intersectionality and Transversal Politics.” *Ethnic & Racial Studies* 40 (9): 1460–73

Race and Gender Within the Institutions of the Law

Week Six: Establishing White Supremacy in the Law

- **Optional Writing Workshop during Office Hours**

Tuesday, 10/6:

Law: The United States Constitution.

Judicial Review: Dred Scott:

- Howard, Cory H. 2015. “A Return to Dred Scott?: How Recent Supreme Court Jurisprudence Reflects Dred Scott’s Legal Reasoning and Fails to Protect the Most Vulnerable in Today’s Society.” *Faulkner Law Review* 6 (2): 333–68.

Friday, 10/9: Jim Crow

Law: Withdraw Car Act (Louisiana, 1890)

<http://projects.leadr.msu.edu/makingmodernus/exhibits/show/plessy-v-ferguson1896/louisiana-separate-car-act--18>

Judicial Review: *Plessy v. Ferguson* (1896)

- George Lipsitz. "From *Plessy* to *Ferguson*." *Cultural Critique* 90 (2015): 119-39.

Week Seven: Reform and Reaction in the Law

- **First Written Assignment Due**

Tuesday, 10/13:

Judicial Review: *Brown v the Board of Education* (1954)

Civil Rights Act (1964) & the Voting Rights Act (1965)

- Marable, Manning. 2005. “The Promise of Brown: Desegregation, Affirmative Action, and the Struggle for Racial Equality.” *Negro Educational Review* 56 (1): 33–41.

Friday, 10/16:

Law: Violent Crime Control and Law Enforcement Act (1994)

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Judicial Review: *Shelby County v. Holder* (2013)

- John Rennie Short (2014) “The Supreme Court, the Voting Rights Act and Competing National Imaginaries of the USA,” *Territory, Politics, Governance*, 2:1, 94-108, DOI: 10.1080/21622671.2013.875938.

Week Eight: White Supremacy in the Criminal Justice System—Police

Tuesday, 10/20

- Martinot & Sexton, “The Avant-Garde of White Supremacy,” *Afro-Pessimism: an Introduction*, ed. Frank B. Wilderson III. Ch. 3 pp. 49 – 66.
 - o Lisa Guenther, “Seeing Like a Cop: A Critical Phenomenology of Whiteness as Property,” in *Race as Phenomena* ed. Emily S. Lee, Ch. 11. 189 – 206.

Friday, 10/23

- Ritchie Andrea J. and Delores Jones-Brown. “Policing Race, Gender, and Sex*: A Review of Law Enforcement Policies,” *Women & Criminal Justice*, 27:21–50, 2017

Week Nine: White Supremacy in the Criminal Justice System—Courts and Sentencing

Tuesday, 10/27

- Mogul, Joey, Andrea J. Ritchie, and Kay Whitlock. *Queer (In)Justice: The Criminalization of LGBT People in the United States*. Chapter 4: Objection! (31 pages).

Friday, 10/30

- Ritchie, Andrea J. "Crimes against Nature: Challenging Criminalization of Queerness and Black Women's Sexuality." *Loyola Journal of Public Interest Law* Vol.14 (2012): 355.

Week Ten: White Supremacy in the Criminal Justice System—Prisons

Tuesday 11/3: ELECTION DAY—VOTE!

Friday, 11/6

- Davis, Angela Y. and Cassandra Shaylor, “Race, Gender, and the Prison Industrial Complex: California and Beyond,” *Meridians: feminism, race, transnationalism*, Volume 2, Number 1, 2001, pp. 1-25.
 - o Angela Davis, “From the Prison of Slavery to the Slavery of Prison: Frederick Douglass and the Convict Lease System,” in *Angela Davis Reader*, Ed. Joy James. Pp. 61 – 73.

Week Eleven: White Supremacy in the Criminal Justice System—Prisons

- o **Grading Rubric & Prompts for Final Written Assignment Out**

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Tuesday, 11/10

- Gilmore, Ruth Wilson. "Globalisation and US Prison Growth: From Military Keynesianism to Post-Keynesian Militarism." *Race & Class* 40, no. 2-3 (March 1999): 171–188.

Friday, 11/13

- Richie, Beth E. "Challenges incarcerated women face as they return to their communities: Findings from life history interviews." *Crime & Delinquency* 47, no. 3 (2001): 368-389.
- Against All Odds (2020). Dir. Messiah Rhodes. *Al Jazeera Contrast*, episode 1 and 2. <https://ajcontrast.com/againstallodds>

Sexual Politics of Race, Gender and the Law

Week Twelve:

Tuesday, 11/17

- Angela Davis, "Reflections on the Black Woman's role in the Community of Slaves," *The Angela Davis Reader*, Ch. 7, pp. 111 – 128.

Friday, 11/20

- Hartman, Saidiya. "Seduction and the Ruses of Power." *Callaloo* 19, no. 2 (1996): 537-60.

Week Thirteen

Tuesday, 11/24

- Spillers, Hortense. "Mama's Baby, Papa's Maybe: An American Grammar Book" (1987), in *Afro-Pessimism: an Introduction*, ed. Frank B. Wilderson III. Chapter IV. Pp, 91 – 122.

Friday, 11/27:

Remember and, in your own way or with others, pay tribute to the Wappinger people who were dispossessed of their land, called Quarropas, upon which eventually Purchase College was built. You can learn more about the Wappinger here: <https://www.purchase.edu/live/news/4160-the-native-voice>
Which Indigenous people inhabited the lands where you live? How has settler colonialism shaped your community?

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Political Responses

Week Fourteen: Abolition Feminism:

- **Office Hours Writing Workshop**
- **Paper Proposal Due.**

Tuesday, 12/1

- Davis, Angela. “Unfinished Lecture on Liberation II,” *Angela Davis Reader*, Ch. 3, pp. 53 – 60.
- Davis, Angela. “Feminism and Abolition: Theories and Practices for the Twenty-First Century.” *Freedom is a Constant Struggle*, Ch. 8.

Friday, 12/4

- Stanley, Eric A., Dean Spade, and Queer (In)Justice. "Queering Prison Abolition, Now?" *American Quarterly* 64, no. 1 (2012): 115-27.

Week Fifteen: Resistance:

Tuesday, 12/8

- Cathy Cohen, “Deviance as resistance: A New Research Agenda for the Study of Black Politics” *Du Bois Review*, 1:1 (2004) 27–45.

Friday, 12/11

- Hartman, Saidiya. “Anarchy of Colored Girls Assembled in a Riotous Manner,” *The South Atlantic Quarterly*, 2018, Vol.117 (3), p.465-490.

Week Sixteen: Say Her Name!

Tuesday, 12/15

- Shatema Threadcraft. “North American Necropolitics and Gender: On #BlackLivesMatter and Black Femicide” *The South Atlantic Quarterly* 116:3, July 2017.

Friday, 12/18

- Battle, Nishaun T. “From Slavery to Jane Crow to Say Her Name: An Intersectional Examination of Black Women and Punishment.” *Meridians (Middletown, Conn.)* 15, no. 1 (December 2016): 109–136.

Week Seventeen:

Tuesday, 12/22: **Final Written Assignment Due.**