Critical Race Theory Seminar  
Professor Adrien K. Wing  
Fall 2011

This course will examine race relations and racial discrimination through the perspectives of proponents of the Critical Race Theory (CRT) movement, a collection of legal scholars who challenge both conservative and liberal political orthodoxies. CRT is part of an evolving critical jurisprudential tradition and we will look at some of the interrelated networks, including Critical Legal Studies (CLS), feminist jurisprudence, critical white studies, Queer Theory, Asian Crit, and LatCrit Theory as well. There will be a special emphasis on two topics: critical race feminism, which focuses on the status of women of color under the law; and global CRT, which explores international and comparative law manifestations and implications of CRT.

READINGs

The readings are:

2. Handouts

There may be additional short reading due to late breaking events. There may be guest speakers as well. There may be make up classes.

COURSE EVALUATION

1. This course satisfies the substantial writing requirement. The paper will count 60% of the final grade and will be due on December 5. The topic and requirements should be discussed with me early in the semester. We will workshop rough drafts of the papers near the end of the course. The amount of time for the workshop will depend on how many students are writing papers. If more than 20 students wish to do a research paper, the excess number will do a take home final exam.

2. Each student will do a 15 minute oral and written class presentation of one day’s readings. The length of the written component is variable. Many students now do powerpoint and we circulate the slides via email. Some of the powerpoints even contain video clips which can be highly effective. The presentation may include: questions raised by each reading, relations of the readings to other readings and current events, issues for further study, etc. DO NOT SUMMARIZE THE DAY’S READINGS. This aspect may include a role play, moot court, film clip or some other creative component. For the articles from the text, they are usually shortened version of law review pieces. You may want to seek out the full versions and also check for later articles. This assignment is worth 20%. The students should email the class the presentation no later than 6am of the day of the presentation.
3. Class participation will count 20% of the final grade. It includes regular class attendance as required by the ABA and Chapman as well as preparation and active contribution to class discussion. Comments should evidence a mastery of the readings. Anyone who will be absent should email me. There will be a CRT Roundtable at the end of the course which will count toward the class participation component. The Roundtable will consider cutting edge questions on where do we go from here?

OFFICE HOURS
The best time to reach me will be immediately after class. Additionally, you can email wing@chapman.edu or call my cell phone 319-621-7674. Please do not come to see me in the hour before class. You can also drop by, and the best days are Monday or Wednesday. Email if you want a specific appointment.

READINGS ---- all dates approximate. The readings may be adjusted to accommodate guest speakers, make ups, late breaking events, etc. (Do the reading for the day listed even if we have not finished the prior day’s readings)

Week One

Mon. Aug. 22  INTRODUCTION TO THE COURSE

Introduce Ourselves –sign up for presentations

Narrative


Binaries


Identity

Week Two  Mon. Aug. 29

Hate Speech

HANDOUT 2 Richard Delgado and Jean Stefancic, Four Observations about Hate Speech, 44 Wake Forest L. Rev. 353 (2009)

Criminal Law

Paul Butler, What Value(s) does the Fourth Amendment Serve? The White Fourth Amendment, 43 Tex. Tech L. Rev. 245 (2010)

James Forman, Jr., The Black Poor, Black Elites, and America’s Prisons, 32 Cardozo L. Rev. 791 (2010)

Family


Week Three  Mon. Sept. 5 no class

Week Four  Mon. Sept. 12

Affirmative Action


Queer Crit

Catherine Smith, Queer as Black Folk, 2007 Wisc. L. Rev. 379

Week Five  Mon. Sept. 19

LatCrit

Week Six Mon. Sept. 26

CRITICAL RACE FEMINISM

Introduction Text pp. xii-19

Essentialism and Antiessentialism: Ain't I a Woman?

Angela Harris, Race and Essentialism in Feminist Legal Theory Text pp. 34-41
Kathleen Cleaver, Racism, Civil Rights, and Feminism Text pp. 48-56
Berta Hernandez, Latinas - Everywhere Alien: Culture, Gender, and Sex Text pp. 57-69
Margaret Montoya, Mascaras, Trenzas, y Grenas: Un/masking the Self while Un/braiding Latina Stories and Legal Discourse Text pp. 70-77
Lea Vandervelde & Sandhiya Subramanian, Mrs. Dred Scott Text pp. 78-87

Week Seven Mon. Oct. 3

Outsiders in the Academy and Profession

Ken Mack, A Social History of Everyday Practice: Sadie T. M. Alexander and the Incorporation of Black Women into the American Legal Profession, 1925-1960 Text pp. 91-100

Lani Guinier, Of Gentlemen and Role Models Text 106-113
Angela Gilmore, It Is Better to Speak Text pp. 114-19

Pamela Smith, Failing to Mentor Sapphire: The Actionability of Blocking Black Women from Initiating Mentoring Relationships Text pp. 120-30

Pamela Bridgewater, Transforming Silence: The Personal, Political, and Pedagogical Prism of Abortion Narrative Text pp. 149-56
Week Eight Mon. Oct. 10

On Mothering or Not

Patricia Williams, Spare Parts, Family Values, Old Children, Cheap  Text pp. 159-66


Twila Perry, Transracial Adoption: Mothers, Hierarchy, Race, and Feminist Legal Theory  Text pp. 176-85

Adrien Wing, Polygamy in Black America  Text pp. 186-94

Criminality

Anita Allen, Against Drug Use  Text pp. 197-208

Paula Johnson, At the Intersection of Injustice: Experiences of African American Women in Crime and Sentencing  Text pp. 209-18

Maria Ontiveros, Rosa Lopez, Christopher Darden, and Me: Issues of Gender, Ethnicity, and Class in Evaluating Witness Credibility  Text pp. 219-27

Week Nine Mon. Oct. 17

Michele Goodwin, Gender, Race, and Mental Illness: The Case of Wanda Jean Allen Text pp. 228-37

Margaret Chon, Erasing Race? A Critical Race Feminist View of Internet Identity Shifting Text pp. 238-49

Lisa Ikemoto, Male Fraud  Text pp. 250-258

Domestic Violence


Donna Coker, Enhancing Autonomy for Battered Women: Lessons from Navajo Peacemaking
Text pp. 287-97

**Week Ten Mon. Oct. 24**

*Working*

Regina Austin, Sapphire Bound! Text pp. 301-308
Paulette Caldwell, A Hair Piece: Perspectives on the Intersection of Race and Gender
Text pp. 309-17
Devon Carbado & Mitu Gulati, The Fifth Black Woman Text pp. 318-27
Taunya Banks, Toward a Global Critical Feminist Vision: Domestic Work and the Nanny Tax
Debate Text pp. 328-38
Dorothy Brown, Race, Class, and Gender Essentialism in Tax Literature: The Joint Return
Text pp. 339-48
Sumi Cho, Converging Stereotypes in Racialized Sexual Harassment: Where the Model
Minority Meets Suzie Wong Text pp. 349-66
Emma Coleman Jordan, Race, Gender, and Social Class in the Thomas Sexual Harassment
Hearings: The Hidden Fault Lines in Political Discourse Text pp. 367-72

**Week Eleven Mon. Oct. 31**

*On the Borders*

Azizah al-Hibri, Muslim Women's Rights in the Global Village: Challenges and Opportunities
Text pp. 375-84
Leti Volpp, Feminism versus Multiculturalism Text pp. 395-405
HANDOUT 5 Karla Mari McKanders, The Unspoken Voices of Indigenous Women in
Immigration Raids, 14 J. Gender, Race & Just. 1 (2010)
Adrien Wing & Monica Nigh Smith, Critical Race Feminism Lifting the Veil?: Muslim
Women, France and the Headscarf Ban, 39 UC Davis L Rev. 743 (2006)
Week Twelve  Mon. Nov. 7

Future

HANDOUT  6  Sumi Cho, Postracialism, 94 Iowa L. Rev. 1589 (2009)


Week Thirteen  Mon. Nov. 14  workshop papers

Week Fourteen  Mon. Nov. 21  workshop papers

Week Fifteen Mon. Nov. 28  CRT Roundtable  Where do we go from here??