

CRITICAL RACE THEORY: CRITICAL RACE FEMINISM

Professor Adrien Katherine Wing

Spring 2006

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 that originated with Critical Legal Studies (CLS) in the 1970s, and now includes feminism, critical white studies, Queer Theory, Asian Crit, and Lat-Crit Theory as well. This semester a special emphasis will be placed on critical race feminism, an offshoot of CRT that focuses on the status of women of color under the law.

READINGS

The readings include:

1. **CRITICAL RACE FEMINISM: A READER** (Adrien Wing editor)(NYU Press 2d edition 2003)[hereinafter text]
2. Handouts

COURSE EVALUATION

1. There will be a take home open book final exam distributed at the end of the course. The number of days will be mutually agreed upon by the class. The exam will contain 3 essay questions for a total of 12 double spaced typed pages. The exam will count 60% of the final grade.
2. Each student will do one class presentation which will count 20% of the final grade. The presentation will include an oral portion in which the student will be responsible for leading class discussion on an article. This aspect may include a role play, moot court, film clip or some other creative component. Each student will submit a written portion which will contain: the written version of the oral component; and may contain the student's opinion of the strengths and weaknesses of the arguments; a comparison of the article to other articles in the course and outside knowledge if applicable; questions for discussion raised by the article; issues for further study, etc. While there is no maximum page length, it is contemplated that 2 single spaced pages should be sufficient. Each student should xerox sufficient single spaced copies for each class member. If this presents a financial problem, please let me know.

If you wish to do a power point presentation or show a video, you should contact Patty Ankrum in the Audiovisual room to reserve equipment and be trained at least a week in advance.

3. Class participation will count 20% of the final grade as well. It includes regular class attendance and preparation as well as active contribution to class discussion. Comments should evidence a mastery of the readings. If you are going to miss class, please email me.

4. Those desiring to do a research paper for writing credits should be sure to discuss the proposed paper with me early in the semester.

5. Anyone needing course or exam accommodations should contact Associate Dean Linda McGuire.

OFFICE HOURS

The best time to reach me is right after class. Please do not come to see me in the hour before class. Feel free to stop by my office in room 410. My phone is 335-9129. My email address is adrien-wing@uiowa.edu. My secretary is Kati Jumper in room 469. Phone 335-9081. Email kati-jumper@uiowa.edu.

NON LAW STUDENTS

The course is open to juniors, seniors and graduate students. Please note that this course is offered by the College of Law. Class policies on matters such as requirements, grading, and sanctions for academic dishonesty are governed by the College of Law. Students wishing to add or drop this course after the law school's official deadline require the approval of the Dean of the College of Law. Details of the University policy of cross enrollments may be found at <http://www.uiowa.edu/~provost/deos/crossenroll.doc>.

READINGS ---- all dates approximate ---- there may be make up classes

WEEK ONE

Mon. Jan 9, Tues. Jan. 10

INTRODUCTION TO THE COURSE

- Introduce Ourselves
- What is Race
- What is Racism
- What is Critical Race Theory

Handout 1 INTRODUCTION TO CRT

Peggy McIntosh, White Privilege
Ian Haney Lopez, The Social Construction of Race
US Civil Rights Commission, Racism in America

Wed. Jan. 11

Kimberle Crenshaw et al, Introduction to CRITICAL RACE THEORY: KEY WRITINGS
THAT FORMED THE MOVEMENT

WEEK TWO

Mon. Jan. 16

No class –Martin Luther King Jr. holiday

Tues. Jan. 17

Handout 2

Derrick Bell, The Chronicle of the Constitutional Contradiction
Neil Gotanda, A Critique of Our Constitution is Colorblind

Wed. Jan. 18

Handout 3

Paul Butler, Racially Based Jury Nullification: Black Power in the Criminal Justice System
Paul Butler, Much Respect: Toward a Hip Hop Theory of Punishment

EXTRA CLASS

Fri. Jan 20 3 or 4pm with reception

Guest speaker Professor Paul Butler

WEEK THREE

Mon. Jan. 23

Handout 4

Patricia Williams, Alchemical Notes: Reconstructing Ideals from Deconstructed Rights
Richard Delgado, Words that Wound

Tues. Jan. 24

Handout 5

Cheryl Harris, Whiteness as Property
Mary Dudziak, Desegregation as a Cold War Imperative

Wed. Jan. 25

Handout 6

Jody Armour, Race Ipsa Loquitur: Of Reasonable Racists, Intelligent Bayesians, and Involuntary
Negrophobes
Raymond Brown, The “American Taliban” versus the Junior “Beltway Sniper:” Toward
Understanding Death, “Brainwashing,” “Terror,” and Race in the Court of Public
Opinion

WEEK FOUR

Mon. Jan. 30

Handout 7

Dorothy Roberts, The Social and Moral Cost of Mass Incarceration in African American
Communities
Regina Austin, Back to Basics: Returning to the Matter of Black Inferiority and White
Supremacy in post-Brown Era

Tues. Jan. 31

Handout 8

Angela Onwuachi-Willig, Using the Master's "Tool" to Dismantle his House: Why Justice
Clarence Thomas Makes the Case for Affirmative Action
Harvey Gee, From Bakke to Grutter and Beyond: Asian Americans and Diversity in
American Schools

Wed. Feb. 1

Handout 9

Natsu Saito, Symbolism under Siege: Japanese American Redress and the Racializing of Arab
Americans as Terrorists

WEEK FIVE

Mon. Feb. 6

Handout 10

Kevin Johnson, The Case for African American and Latina/o Cooperation in Challenging Racial
Profiling in Law Enforcement
Robert Williams, Vampires Anonymous and Critical Race Practice

Tues. Feb. 7

Handout 11

Dorothy Roberts, BlackCrit Theory and the Problem of Essentialism
Frank Valdes, Theorizing Outcrit Theories: Coalitional Method and Comparative Jurisprudential
Experience-RaceCrits, QueerCrits and LatCrits

Wed. Feb. 8

Continued discussion of Valdes article

WEEK SIX

Mon. Feb. 13

Handout 12

Devon Carbado, Race to the Bottom

Tues. Feb. 14

Handout 13

Richard Delgado, Crossroads and Blind Alleys: A Critical Examination of Recent Writing about Race

Wed. Feb. 15

CRITIQUES OF CRT

Handout 14

Dan Farber and Suzanna Sherry, Telling Stories out of School
Richard Posner, book review of Farber and Sherry, Beyond All Reason
Randall Kennedy, Racial Critiques of Legal Academia

WEEK SEVEN

Mon. Feb. 20

continued

Richard Epstein, Legal Education and the Politics of Exclusion
George Will, Liberals Rely on Racial Strife
Jeffrey Rosen, The Bloods and the Crits

Tues. Feb. 21

TRADITIONAL FEMINISM

Handout 15

Catherine MacKinnon, Not By Law Alone: From a Debate with Phyllis Schlafly (1982) in
FEMINISM UNMODIFIED
Catherine MacKinnon, Towards a Feminist Theory of the State

Catherine MacKinnon, From Practice to Theory, Or What is a White Woman Anyway? AND
Martha Mahoney, A Reply to Catherine MacKinnon
Pat Cain, Feminist Jurisprudence: Grounding the Theories

Wed. Feb. 22

continued

WEEK EIGHT

Mon. Feb. 27

CRITICAL RACE FEMINISM

Text pp. xiii-19

Tues. Feb. 28

Essentialism and Anti-Essentialism

Handout 15 cont.

Mari Matsuda, When the First Quail Calls: Multiple Consciousness as Jurisprudential
Method

Kimberle Crenshaw, Demarginalizing the Intersection of Race and Sex
Text pp. 23-33

Wed. Mar. 1

Angela Harris, Race and Essentialism in Feminist Legal Theory
Judy Scales Trent, Black Women and the Constitution
Kathleen Cleaver, Racism, Civil Rights, and Feminism
Text pp. 34-56

WEEK NINE

Mon. Mar. 6

Berta Hernandez Truyol, Latinas – Everywhere Alien: Culture, Gender, and Sex
Margaret Montoya, Mascaras, Trenzaz y Grenas
Text pp. 57-77

Tues. Mar. 7

Lea Vandervelde & Sandhya Subramanian, Mrs. Dredd Scott

Outsiders in the Academy and Profession

Kenneth Mack, A Social History of Everyday Practice: Sadie TM Alexander and the
Incorporation of Black Women into the American Legal Profession, 1925-1960
Text pp. 78-100

Wed. Mar. 8

Anita Hill, A Tribute to Thurgood Marshall: A Man who Broke with Tradition on Issues of
Race and Gender
Lani Guinier, Of Gentlemen and Role Models
Angela Gilmore, It is Better to Speak
Text pp. 101-19

WEEK TEN

March 13, 14,15 NO CLASS spring break

WEEK ELEVEN

Mon. Mar. 20

Pamela Smith, Failing to Mentor Sapphire: The Actionability of Blocking Black Women
from Initiating Mentoring Relationships
Pamela Bridgewater, Transforming Silence: The Personal, Political, and Pedagogical Prism
of Abortion Narrative
Text pp. 120-30, 149-56

Tues. Mar. 21

On Mothering and Not

Patricia Williams, Spare Parts, Family Values, Old Children, Cheap
Dorothy Roberts, Punishing Drug Addicts who have Babies
Twila Perry, Transracial Adoption
Text pp. 159-85

Wed. Mar. 22

Adrien Wing, Polygamy in Black America

Criminality

Anita Allen, Against Drug Use
Text pp. 186-208

WEEK TWELVE

Mon. Mar. 27

Paula Johnson, At the Intersection of Justice: Experiences of African American Women in Crime and Sentencing
Maria Ontiveros, Rosa Lopez, Christopher Darden, and Me: Issues of Gender, Ethnicity, and Class in Evaluating Witness Credibility
Text pp. 209-27

Tues. Mar. 28

Michele Goodwin, Gender, Race, and Mental Illness: The Case of Wanda Jean Allen
Margaret Chon, Erasing Race? A Critical Race Feminist Views of Internet Identity Shifting
Text pp. 228-49

Wed. Mar. 29

Lisa Ikemoto, Male Fraud
Text pp. 250- 58

Handout 16

Sherri Sharma, Beyond “Driving While Black” and “Flying While Brown:” Using Intersectionality to Uncover the Gendered Aspects of Racial Profiling

WEEK THIRTEEN

Mon. Apr. 3

Domestic Violence

Linda Ammons, Mules, Madonnas, Babies, Bathwater, Racial Imagery, and Stereotypes: The African-American Woman and Battered Woman Syndrome

Gloria Valencia-Weber and Christine Zuni, Domestic Violence and Tribal Protection of
Indigenous Women in the United States
Text pp. 261-69, 278-86

Tues. Apr. 4

Donna Coker, Enhancing Autonomy for Battered Women: Lessons from Navajo Peacemaking

Working

Regina Austin, Sapphire Bound!
Text pp. 287-308

Wed. Apr. 5

Paulette Caldwell, A Hair Piece: Perspectives on the Intersection of Race and Gender
Devon Carbado & Mitu Gulati, The Fifth Black Woman
Text pp. 309-27

WEEK FOURTEEN

Mon. Apr. 10

Taunya Banks, Toward a Global Critical Feminist Vision: Domestic Work and Nanny Tax
Debate
Dorothy Brown, Race, Class, and Gender Essentialism in Tax Literature
Text pp. 328-348

Tues. Apr. 11

Sumi Cho, Converging Stereotypes in Racialized Sexual Harassment
Emma Jordan, Race, Gender, and Social Class in the Thomas Sexual Harassment Hearings
Text pp. 349-372

Wed. April 12

Roundtable on Critical Race Theory/Feminism
Where do we go from Here?

Read the following:

GLOBAL CRITICAL RACE FEMINISM

Leti Volpp, Feminism versus Multiculturalism
Elvia Arriola, Voices of Despair: Women in the Maquiladores, Latina Critical Legal Theory,
and Gender at the US-Mexico Border
Text pp. 395-15

Handout 17 (to be distributed later)

Adrien Wing & Monica Nigh Smith, Critical Race Feminism Lifts the Veil?: Muslim Women,
France, and the Headscarf Ban

WEEK FIFTEEN

Mon. Apr. 17

Continue

Tues. Apr. 18

Finish roundtable
Conclusion of Course
Take Home Exam distributed

Wed. Apr. 19 –no class

The Roundtable scheduled for Wed April 12 and Monday April 17 will take place at my home
sometime between Wed-Mon night: 819 South lawn Drive Iowa City (phone 354-2849). There will
be a potluck dinner as well.