

## *RACE AND LAW*

CREDIT	3	INSTRUCTOR	John S.W. Park
OFFICE		OFFICE HOURS	
TIME	13:20 ~ 15:00	CLASSROOM LOCATION	TBA
E-MAIL	jswpark@ucsb.edu		

### [COURSE INFORMATION]

COURSE DESCRIPTION & GOALS	This course offers an overview of how American legal institutions defined and enforced public rules based on race and racial categories. We begin with a discussion of the American constitution, then proceed to the law of slavery, Native American removal, restrictions against Chinese and Asian immigrants, and race-based segregation. We discuss the American Civil Rights Movement, followed by studies of desegregation and notions of “colorblindness.”
PREREQUISITE	None, although some familiarity with American history and civics would be helpful.
COURSE REQUIREMENTS	Students will be expected to complete the assigned readings and to attend the weekly lectures. All of the readings for this class will be posted online.
GRADING POLICY	Final grades will depend upon class participation (20%), and then two essay exams (40% each), one at the end of the third week and then the other at the end of the sixth week. For class participation, students will have the option of writing three one-page papers that correspond to the week’s readings.
TEXTS & NOTES	We will read influential cases from the United States Supreme Court, as well as influential scholarly articles in American legal history and in comparative ethnic studies.
INSTRUCTOR’S PROFILE	John S.W. Park is Professor of Asian American Studies at the University of California at Santa Barbara. He has served as the Chair of his Department, as a Senior Associate Dean in the College of Letters and Science, and as the Chair of several committees in the Academic Senate. He completed his graduate work in law, philosophy, and public policy at Harvard and at Berkeley, and he writes and teaches topics in ethnic studies, Anglo American political theory, and American legal history, especially American immigration history. He has published four books on immigration law and immigration history, and all of them have addressed themes in American public law, political theory, and political philosophy.

[WEEKLY SCHEDULE]

WEEK (PERIOD)	WEEKLY TOPIC & CONTENTS	COURSE MATERIAL & ASSIGNMENTS	NOTES
1	Race and the American Constitution	Essays by Jill Lepore, Bradley Nicholson, Akhil Amar, and Edmund Morgan; these authors explore themes in colonial American history, as well as the antecedents of the American constitution.	
2	Native American Removal and the Law of Slavery	<i>Cherokee Nation v. Georgia</i> (1831); <i>Dred Scott v. Sandford</i> (1856). Essays by Mark Tushnet, Ariela Gross, Benjamin Madley, and Louis Menand.	
3	Chinese Exclusion, Asian Exclusion	<i>Yick Wo v. Hopkins</i> (1886); <i>Chae Chan Ping v. United States</i> (1889); <i>Ozawa</i> (1922); and <i>Thind</i> (1923). Essays by Sucheng Chan, Ronald Takaki, Peter Duus, and Mae Ngai.	
4	The Law of Segregation	<i>The Civil Rights Cases</i> (1883); <i>Plessy v. Ferguson</i> (1896); and <i>Gong Lum v. Rice</i> (1927). Essays by Leon Litwack, Winthrop Jordan, Mark Golub, W.E.B. Du Bois, Natalia Molina.	
5	The American Civil Rights Movement	<i>Korematsu v. United States</i> (1944); <i>Oyama v. California</i> (1948); <i>Shelley v. Kraemer</i> (1948); and <i>Brown v. Board of Education</i> (1954). Essays by Saul Friedlander, Mary Dudziak, and James Whitman.	
6	Race and Contemporary Law	<i>San Antonio v. Rodriguez</i> (1973); <i>Plyler v. Doe</i> (1982); <i>Richmond v. Croson</i> (1989); <i>R.A.V. v. St. Paul</i> (1992); and <i>Shaw v. Reno</i> (1993). Essays by Neil Gotanda, Jeremy Waldron, and Charles Lawrence.	