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**AAS 293** / Spring 2021 / Department of Africana and American Studies  
Office Hours: By appointment via Zoom on Mondays/Thursdays

## **AAS 293 / AMS 293** **RACE, LAW, AND SOCIETY** (SPRING 2021—SYLLABUS FOR ONLINE COURSE)

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# SECTION ONE

## Introduction

Folks/People/Guys,

Welcome, welcome, to this Spring 2021, AAS 293/AMS 293 *online* class—in the ongoing second tragic year of the COVID-19 *manmade* pandemic (and in the year of a new presidential dawn). Below, is a detailed description of this course, together with an indication of the basic requirements. Before you go through them, I want to emphasize some key points about this course:

(a) This online course will be taught asynchronously, and *not* synchronously. What is the difference? A *synchronous* online course is where the course is taught live at set times/days via, for example, Webex or Zoom. On the other hand, an asynchronous online course is the opposite, where students learn at times of their own choosing *on their own*, but within the broader parameter of a course schedule in terms of assignment due dates and deadlines. Therefore, as an asynchronous online course it will require from you, first, a lot of self-motivation and *self-discipline*,<sup>1</sup> second, it will be mainly test/quizzes driven; and third, a good internet connection coupled with a properly functioning computer. Note: course materials are not optimized for so-called smart phones. (Please drop this class if you cannot meet any one or more of these fundamental requirements.)

(b) The principal purpose of this course is to explore sociologically and politically how law impacts society, and how society impacts law from the perspective of race/ethnicity, as an impediment to constitutional democracy—understood to comprise two parts: the *procedural*, and the *authentic* (or substantive).

### IMPORTANT

Please go through this syllabus super-carefully, because a syllabus is a contract.

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<sup>1</sup>A good example of self-discipline is always keeping up with class announcements and homework assignments. (In fact, regularly viewing and digesting class announcements on a timely basis is mandatory.) If you lack self-discipline, this course may not be the right one for you.

- (c) Because this is also a Gen Ed course, you will be introduced to the workings of a *research* university (in contrast to a teaching university), *and* how to succeed in such a university. Therefore, this topic will also be part of this course.<sup>2</sup>
- (d) Because I am dealing with a lot of students, responses to e-mails will take place mainly on Mondays and Thursdays. **Do not send me e-mails about concerns that are already covered by this syllabus or announcements and the FAQs on the class home page.** (The FAQs page should be considered an extension of this syllabus.) Please note: I access my e-mails only through a desktop computer and not through any mobile device. (Question: Why am I telling you this?)
- (e) To foster *professionalism* (which includes courteousness) in an environment where many have come to believe the very false notion that rudeness equals personal strength, your e-mails must begin with this salutation *Dear Instructor...* and this closure *Sincerely...* plus your name as it appears in school records, **otherwise you may not get a response.**
- (f) All materials (including films/documentaries) that are assigned for homework must be versions available via links on the class home page. Do not use any other versions.
- (g) When an instructor devotes time to produce material specifically for a class, then that material takes precedence over anything else that is assigned. Man, you have to be super-intelligent not to know this!
- (h) The course workload, in terms of homework assignments, will require—*on average*—about 8–9 hours per week.<sup>3</sup> All homework must be completed as per course schedule; in other words, you are not allowed to let your homework pile up until the day of the test. NOTE: If you are taking more than 15 credit hours, rearrange your class schedule by dropping one of your other classes.
- (i) Regardless of which race you think you belong to, please do NOT racialize the **epistemology** on which this course rests. What does this mean in practice? The view that since this course deals with knowledge by and/or about people of color it is not important enough to require *diligence*. <-- What does this word mean?

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<sup>2</sup> A research university is different from a teaching university. Compared to a teaching university, the responsibility for learning falls heavily on your own shoulders because faculty are expected to spend only 40% of their time teaching; they are required to devote the rest of their time to *research* and service.

<sup>3</sup> Based, roughly, on this formula: 40 hour work-week, divided by 15 (credit hours), multiplied by 3 (credit hours).



(j) If you are still registered in this course after the last day for drop/add, then it will be understood that you have *contractually* agreed to abide by all the requirements and instructions

concerning this course. ← Read this sentence again! In rare circumstances, course requirements may be subject to change, but with prior notice (and usually it will be to make requirements easier and not harder).

## SECTION TWO

# Basic Course Information

### 1. Course Requirements (may be subject to change, at instructor's discretion, *but with prior notice*)

#### *Course Requirements and Grading Policy*

(a) The four required textbooks, indicated below, are now *optional*—that is, you do not have to purchase them. Instead, you will be assigned online readings; plus films, of course. (This may present copyright issues that I will have to deal with.)

(b) Instead of textbooks, you are **required** to purchase a USB flash drive (if you do not have one already) for your computer. Cost of this drive is usually less than ten dollars, and definitely much less

than that of textbooks. The purpose of this USB drive is so that you can download and save required online homework, which will include, besides readings, AV materials (films, documentaries, videos, etc.). Note: Films assigned for this class will be available for



download. *Streaming is totally discouraged.* To do well on the tests/quizzes, you will be expected to view a film *twice*, leaving at least two days in between, with absolutely no distractions of any kind (texting, gossiping, etc.)

(c) **80%** of course grade will be based on written and/or multiple-choice quizzes; tests; extra credit quizzes; etc. Missed tests/quizzes cannot be made up, unless, with rare exception, you have an excuse backed up by written documentation. ←Read this sentence again. **20%** of course grade will come from a test-based term paper *project*. (More about this requirement later.) Your final course grade, therefore, will be computed by using this formula:  $C*0.8 + D*0.2$

(d) There is no final exam in this course.

(e) Letter grade equivalents of percentage points: A =97-100 A- =93-96 B+ =90-92 B =85-89 B- =80-84 C+ =73-79 C =66-72 C- =60-65 D+ =55-59 D =51-54 F =0-50

## Extra Credit

In light of frequent requests every semester for an extra credit assignment, from time to time, you **may** be assigned additional course-relevant material. Quizzes on this material will count toward extra credit earning you bonus points. However, note that since this is a favor, an individual may forfeit such bonus points for unprofessional behavior. ← Read this sentence again.

### **IMPORTANT**

**If you are still registered in this class after the last day for drop/add then it will be taken to mean that you have *contractually* agreed to abide by all the requirements and instructions concerning this course. ← Read this sentence again!**

## Policy on Incompletes

Incompletes will NOT be assigned in this course. Note that university policy is that incompletes are assigned at the discretion of the instructor. ← *Read this sentence again.*

## 2. Course Description (What this course is about)

This course is one of the most important classes you will ever take in this school. Yes, I know; I know; probably all teachers say that about their classes. Be that as it may, the principal purpose of this course is to explore that part of U.S. law that has dealt with the human and civil rights of African Americans (and by implication other racial ethnic groups in U.S. society: Asian Americans, Hispanic Americans, Native Americans, etc.). We will do this by examining relevant Congressional legislation and U.S. Supreme Court decisions. However, where appropriate, decisions of the Executive branch made under various 'Executive Orders' will also be considered. In Part One of the course we will concentrate on an area of legal studies called 'Critical Race Theory,' where our concern will be to explore the interaction of law and race from the perspective of issues such as culture, history, gender, identity, politics, class, the media, etc. In Part Two we will examine the interaction between race and law from the perspective of the historical evolution of democracy in United States. Please note that the primary focus of this course will be on how law impacts

society, and how society impacts law. Less attention will be devoted to the nitty-gritty of how law is legislated or decided (case law). In other words, this is not a course typical of a law school; it is a course typical of departments such as African American Studies, American Studies, Sociology, Political Science; and so on. However, if you are intending to go to law school, you should still find this course of relevance.

### 3. Pedagogy (How this course will be taught)

1. Given that for most of you, because of your major, this course will probably be the only one of its kind you will ever take in this school, you will be expected to do some work in this class, even though it's a Gen Ed class.

Really? Yes. ☺ Therefore, if you are on probation and/or you are working more than 20 hours at a job, and you are carrying more than 15 credit hours, you are strongly, strongly urged to rearrange your course schedule by dropping one of your other class(es).

2. This course will be taught from the perspective of a “foundational course,” meaning in addition to factual content it will also seek to provide you with a firm grounding in key analytical theories and concepts that lie behind the major themes, debates, and issues relating to race, law, and society .
3. This course will be taught from an *inter-disciplinary* perspective. That is, it will introduce you to whatever insights, concepts, and theories relevant to the study of a given topic, regardless of their disciplinary location.
4. From a **structural** point of view, the course has three parts to it: (a) films and other audio-visual material; (b) course readings; and (c) lecture notes (analytical comments, questions, definitions, and so on). Be super-careful about paying close attention to item (c)—meaning study the material with diligence.

#### **IMPORTANT**

If you are still registered in this class after the last day for drop/add then it will be taken to mean that you have *contractually* agreed to abide by all the requirements and instructions concerning this course. ← Read this sentence again!

5. Please note that the course will also briefly introduce you, as the course progresses, to what may be called “the ways of a *research* university” (research, publication, service, tenure, governance, and so on). While some of this information may appear not to be related to the content of this course--it is part of what is called the *hidden curriculum* (the teaching of *executive function skills*, which is also the unstated requirement of Gen Ed classes). I consider it my responsibility as a teacher to encourage you to learn these important skills, as well as introduce you to information that can help you succeed in achieving your educational goals. About the difference between a *research* university and a teaching university: compared to a teaching university, the responsibility for learning falls heavily on your own shoulders because faculty are contractually required to spend only about 40% of their time teaching; they must devote the rest of their time to research and service. If you haven’t already figured it out, this is the reason why, unlike say a community college, this is not a “hold-my-hand-and-pamper-me” type of educational institution.
6. Given that most of you are doing majors/minors in business, STEM, health sciences and other similar fields, and therefore, you, most likely, will never take another course that deals with similar subject matter as this one, my effort will be directed toward teaching you, both, *concepts* (as tools of analysis), as well as *factual* information. You should also note that some of the assigned readings will be written by the instructor, and since they will constitute extensions of class-lectures, you will be well advised to pay special attention to them.

## **SECTION THREE**

### **Learning Outcomes**

(What you are expected to learn in this course)

See separate document, available via the class home page.

## **SECTION FOUR**

### **Textbooks (Optional)**



As indicated above, the required textbooks are now optional—you do **not** have to purchase them. However, for those of you who may desire to go more deeply into some of the topics that will be covered in the course, then these are the original textbooks:

- (a) *Race, Law, and American Society: 1607 to Present (Second Edition)* (By Gloria J. Browne-Marshall.) New York, NY: Routledge, 2013. ISBN: 978-0415522144.
- (b) *Critical Race Theory: An Introduction (Third Edition)* (By Richard Delgado, and Jean Stefancic.) New York, NY: NYU Press, 2006. ISBN: 978-1479802760.
- (c) *White by Law: The Legal Construction of Race (Second Edition)* (By Ian Haney López) New York, NY: NYU Press, 2006. ISBN: 978-0814736944.
- (d) *The New Jim Crow: Mass Incarceration in the Age of Colorblindness (10th Edition)* (By Michelle Alexander). New York, NY: New Press, 2020. ISBN: 978-1620971932

## SECTION FIVE

### Course Proceedings Schedule

The course proceedings schedule that specifies course assignments, test dates, etc. is available as an interactive document; and you can access it via the class home page.

## SECTION SIX

### General Course Administrative Policies

- (a) You are reminded that the University’s “Student Responsibility Statement” (available [here](#)) specifies as follows: “By accepting responsibility for their education, students enhance the development of their academic, social and career goals. As a condition of enrollment, students are responsible for reviewing, understanding, and abiding by the university’s regulations, procedures, requirements and deadlines as described in official publications, including the university’s undergraduate catalog, UB websites, and official university email communications. In addition, all students are required to positively affirm their knowledge of UB’s Student Conduct Rules, University Standards and Administrative Regulations (available here) prior to their inaugural semester at

UB. Asserting a lack of knowledge of university regulations will not be accepted as a basis for an exception to these regulations.” ← Folks, read this last sentence again. (Note: the student code of conduct, and administrative rules and regulations, just mentioned are available [here](#), and [here](#).) In other words: this course strictly abides by university policies on

- (i) academic honesty (available [here](#));
- (ii) disability (available [here](#));
- (iii) discrimination (available [here](#));
- (iv) sexual harassment (available [here](#));
- (v) academic freedom (see below); and
- (vi) classroom etiquette (available [here](#)).

(b) **Special Note on Disability:** Reasonable accommodations for equal access to this course because of disability should be requested through Accessibility Resources in Capen 60. However, providing me with a note from the disability office is not enough. You must also indicate how I can best accommodate your needs.

(c) As already noted, to foster *professionalism* (which includes courteousness) in an environment where many have come to believe the very false notion that rudeness equals personal strength, your e-mails must begin with this salutation *Dear Instructor...* and this closure *Sincerely...* plus your name as it appears in school records, ***otherwise you may not get a response.***

**NOTE**  
To foster *professionalism* (which includes courteousness) in an environment where many have come to believe the very false notion that rudeness equals personal strength, your e-mails must begin with this salutation *Dear Instructor...* and this closure *Sincerely...* plus your name as it appears in school records, ***otherwise you may not get a response.***

## **SECTION SEVEN**

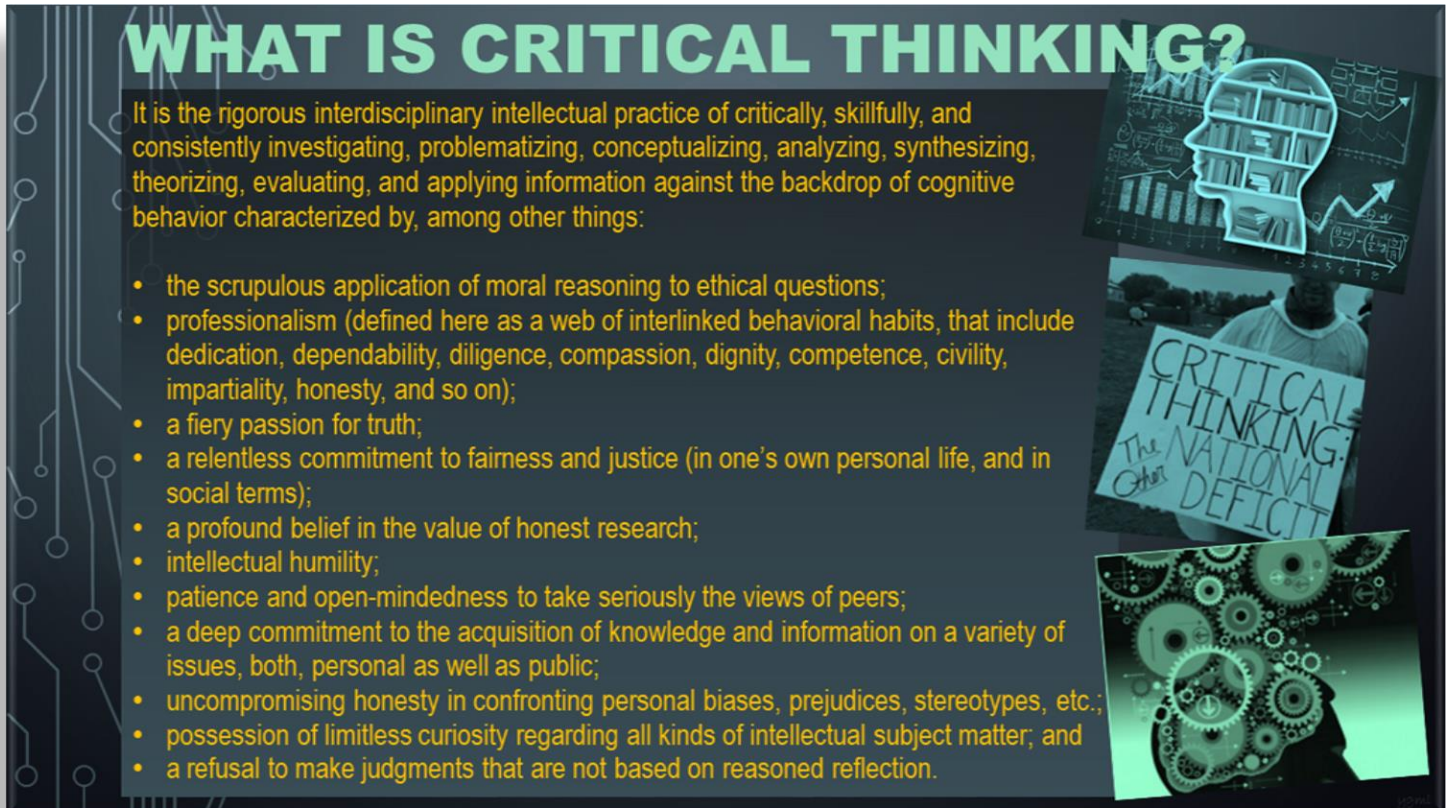
# **Academic Freedom**

People, because of the kinds of topics we will be covering in this course (relating to race, gender, class, democracy, the rule of law, etc., etc.) which may sometimes provoke

controversy among some of you, it is really important that you understand the university's policy on academic freedom *as it relates to faculty*. This policy reads in part:

The University supports the principle of academic freedom as a concept intrinsic to the achievement of its institutional goals. This principle implies a trust in the integrity and responsibility of the members of the academic community. Samuel P. Capen, former Chancellor of the University of Buffalo, who is remembered for the tradition of academic freedom he implemented during his leadership of the University, said in 1935:

“Acceptance by an institution of the principles of academic freedom implies that teachers in that institution are free to investigate any subject, no matter how much it may be hedged about by taboos; that they are free to make known the results of



## WHAT IS CRITICAL THINKING?

It is the rigorous interdisciplinary intellectual practice of critically, skillfully, and consistently investigating, problematizing, conceptualizing, analyzing, synthesizing, theorizing, evaluating, and applying information against the backdrop of cognitive behavior characterized by, among other things:

- the scrupulous application of moral reasoning to ethical questions;
- professionalism (defined here as a web of interlinked behavioral habits, that include dedication, dependability, diligence, compassion, dignity, competence, civility, impartiality, honesty, and so on);
- a fiery passion for truth;
- a relentless commitment to fairness and justice (in one's own personal life, and in social terms);
- a profound belief in the value of honest research;
- intellectual humility;
- patience and open-mindedness to take seriously the views of peers;
- a deep commitment to the acquisition of knowledge and information on a variety of issues, both, personal as well as public;
- uncompromising honesty in confronting personal biases, prejudices, stereotypes, etc.;
- possession of limitless curiosity regarding all kinds of intellectual subject matter; and
- a refusal to make judgments that are not based on reasoned reflection.

The infographic includes three images: a head silhouette filled with books, a person holding a sign that says 'CRITICAL THINKING: The NATIONAL DEFICIT', and a cluster of interlocking gears.

their investigation and their reflection by word of mouth or in writing, before their classes or elsewhere; that they are free as citizens to take part in any public controversy outside the institution; that no repressive measures, direct or indirect,

will be applied to them no matter how unpopular they may become through opposing powerful interests or jostling established prejudices, and no matter how mistaken they may appear to be in the eyes of members and friends of the institution; that their continuance in office will be in all instances governed by the prevailing rules of tenure and that their academic advancement will be dependent on their scientific competence and will be in no way affected by the popularity or unpopularity of their opinions or utterances....”

(The full policy is available via the student code of conduct, available [here](#).)