

PS 3910: Honors Seminar: Discrimination and the Law | TR 11:00-12:20 pm, 1300 Cecil B Moore 036 | Fall 2013 | Dr. Heath Fogg Davis | GH 455 | hfd@temple.edu | Office/Hours: T 4:15-6:30 pm + by appointment

Course Description

Discrimination, the act of drawing distinctions, looms large in our social judgments and interactions. How might we distinguish between “benign” and “invidious” forms of discrimination? In this honors seminar we examine the criteria used by legal actors in drawing such lines. The structure of the course is both thematic and historical. We begin with the matter of racial discrimination—the genesis of U.S. anti-discrimination law. We then move on to consider how this legal paradigm has been extended and amended to cover other categories such as sex and gender, sexual orientation, and spysical and intellectual ability.

Course-Specific Learning Goals

- To recognize and comprehend legal reasoning as a distinct form of reasoning
- To understand how and why U.S. anti-discrimination law has evolved over time
- To develop critical questions pertaining to discrimination and law that interest you
- To evaluate and decide when and how alternative forms of reasoning (i.e., moral, political, cultural, personal narrative) are needed to redress particular cases of discrimination

Career Preparation Goals

- To hone professionalism
- To communicate effectively, both verbally and in writing
- To practice working effectively with others (teamwork)

Prior Knowledge

- Basic understanding of U.S. government (i.e., federalism, separation of powers, and judicial review)
- Basic understanding of political theory (i.e., distinctions between and among liberalism, conservatism, and radicalism)

Required Reading

Required readings will be posted to our BB site under the “content” tab.

General Premise

The seminar is a place for you, as an honors student, to engage in serious, rigorous, and advanced scholarship in a way that you may not yet have had the opportunity to do in other courses. The seminar may also help you form the basis of a senior thesis project, although that is not required.

In this class, the onus is truly on you as an integral part of our collective learning community. I will direct and help you, but the class is about practicing research techniques, reading texts closely, learning how best to assimilate the work of others into, and alongside, your own

insights. It is vital that you are aware of the audience of peers and get used to producing knowledge for the consumption of others.

COURSE POLICIES

Attendance

Strict. You should neither miss a class nor be late. Each of you has a serious responsibility to the members of this seminar. Therefore, you must arrive to class on time, and be prepared and ready to work. Students are permitted a maximum of one absence during the semester without penalty. In calculating this maximum there is no difference between an “excused” and “unexcused” absence. The allowance of one absence covers any absence, including that caused by illness, job obligations, emergencies, and any other contingencies. You should not use this absence lightly, since you may need it for one or more of the above circumstances. Any additional absence, for any reason, will negatively affect your final grade. After one absence your final grade will drop one third of a letter grade for each absence. For example, if your final grade is an A, but you have two absences, your final grade will be an A-.

Late arrivals and early departures are disruptive and unacceptable; if you anticipate being late or having to leave early on a regular basis, please make other arrangements. If you are ten minutes late, or leave class early, it will count as an absence. A student who is chronically late to class, leaves early, or is not prepared to participate in the day’s class work will not receive attendance and participation credit. Sleeping in class will count as an absence. In the unlikely event that you arrive late to class, take a seat closest to the door in order to minimize disruption.

Please refrain from leaving and returning as it disrupts the classroom atmosphere.

Class Engagement

Active course engagement and an attentive presence are essential. A seminar is not like a lecture course. You cannot hide. You must come to class prepared to present your response to the reading assignment when asked, to engage course material thoughtfully, and to share your observations and insights with your classmates. *Please note that class engagement has nothing to do with class attendance; attendance is mandatory and cannot be used to improve your grade.*

Class Etiquette

This class is designed to encourage discussion and exchanges of ideas in conjunction with the development of critical thinking, reading, and writing skills. I expect you to treat your fellow students with respect and courtesy, listening when they speak and refraining from personal attacks in your own statements. You may of course disagree with your fellow students, but listen attentively when they are speaking and respond in a courteous manner. Most of us have experienced how unnerving it can be to give a presentation, ask a question, or even speak up in a classroom setting. Extend to your classmates the same cordiality you would like them to extend to you.

Notes

In a seminar format it is tempting to let note-taking fall by the wayside. Resist this temptation! To help you stay on track with note taking I have posted a template on our BB site that is meant to guide your reading and help you determine what sort of information and evaluation should be included in your notes. The template, which you can download and print or fill out on your computer, is designed to make this crucial part of the course easier, so please give it a try, even if you are skeptical.

COURSE REQUIREMENTS

1. **Participation (10%):** See rubric. *We will develop the rubric together and I will post it to BB.*

2. **Class Presentation (15%):** Each student will take a turn in leading our seminar discussion with a short (10 minute) presentation. Instructions: Find a 1 or 2 sentence quotation from the day's assigned reading that you strongly agree with or strongly disagree with. Show us the quotation via technology or simply write it on the white board. Then use your remaining time to explicate the quotation and explain *why* you strongly agree/disagree with it. You may use cultural artifacts such as images, video, and/or audio to communicate your ideas. Be creative! *We will develop the rubric together and I will post it to BB.*

3. **Quizzes (10%):** There will be several impromptu quizzes given at the start of class throughout the semester. Each quiz will consist of 3 short questions from the reading assignment due that day. You are permitted to use your notes to answer these questions, but not our course readings or the Internet. The purpose of the quizzes is to reward those who complete the reading assignment, and to encourage good note taking. Each quiz will be graded as follows: 3 correct answers=100; 2 correct answers=85; 1 correct answer=70; 0 correct=50; absent=0. *I will drop your lowest score when calculating your final grade.* Everyone is allowed one absence or bad day.

4. **Research Paper Presentation: (15%)** You are required to give a 10-minute presentation of your research project during the final weeks of the semester (schedule to be determined). You are not expected to have completed the final draft of your paper by this time. But you should be in the final stages of revision and polishing. Please use the feedback from your peers and me as you put the final touches on your project. *We will develop the rubric together and I will post it to BB.*

5. **Seminar Research Paper: (50%)** The major assignment for this seminar will be a research paper of 15 pages double-spaced, 12-pt font. You are also required to submit a writing portfolio along with your final draft. Your writing portfolio will consist of the writing workshop assignments described and executed throughout the semester (details to follow). Your paper must use at least **ten sources** outside of our course readings, but **must substantively incorporate at least one source from our course-reading** list. In this paper you will bring together your close reading skills of court cases and academic articles and books. You should incorporate draft comments and critiques into a *significantly* revised, and polished final draft. In revising your paper, you should take seriously the comments and suggestions you receive on your work throughout the semester. The final draft should be a focused investigation of an idea, premise, or theory that you have explored through your own critical lens. It must have a focused, central thesis, and well-developed supportive and counter points throughout. It must

also include a carefully constructed works cited list, with accurate in-text citations. *Keep a folder of all drafts and responses: you will submit this with your final draft on **December 11, 2013**. We will develop the rubric together and I will post it to BB.*

Paper Format

http://www.temple.edu/writingctr/support-for-writers/documents/APA_Guide_Revised.pdf

Deadlines

Late assignments will not be accepted. An absence from class does not excuse a late paper. Your syllabus clearly indicates due dates so plan accordingly.

Disability Disclosure Statement

This course is open to all students who meet the academic requirements for participation. Any student who has a need for accommodation based on the impact of a disability should contact the instructor privately to discuss the specific situation as soon as possible. Please contact Disability Resources and Services at 215-204-1280 in 100 Ritter Annex to coordinate reasonable accommodations for your coursework and participation.

Statement on Academic Freedom

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The university has adopted a policy on Student and Faculty Academic Rights and responsibilities (Policy # 03.70.02) which can be accessed through the following link: http://policies.temple.edu/getdoc.asp?policy_non=03.70.02

Plagiarism

This instructor and the University take plagiarism extremely seriously. Personal pride should be sufficient deterrent, but there are also severe academic penalties for academic dishonesty. Please consult the University Bulletin concerning Temple's policy on plagiarism. Any kind of plagiarism for this class will result in failure of the course. The infraction will also be reported to university authorities.

Finally

Please remember that I hold everyone accountable to these course policies. They are here to provide a framework for the class, without which we would not get much accomplished. This seminar should be a fun time, as well as a challenging period of intellectual growth, and I look forward to working with you.

Course Schedule

Reading assignments are to be completed for the day listed. I reserve the right to make adjustments to our reading assignments, but will always give you fair warning at least one week in advance. You are expected to come to class prepared to discuss the reading assignment.

Week 1,	8/27:	Introduction, no reading assignment In-class work: developing our rubrics
	8/29:	No Class

Week 2	9/3:	McIntosh, "White Privilege" Haney Lopez, excerpt from <u>White By Law</u>
	9/5:	<u>Craft of Research</u> , prologue + chapter 1
Week 3,	9/10:	<u>What Brown v. Board of Education Should Have Said</u> e-book TU Library
	9/12:	<u>Craft of Research</u> , prologue + chapters 2-3
Week 4,	9/17:	<i>Floyd et. al v. City of New York</i> (2013) Schauer, excerpt from <u>Profiles, Probabilities and Stereotypes</u>
	9/19:	<u>Craft of Research</u> , chapter 4-5
Week 5,	9/24:	<i>United States v. Virginia</i> (1996) J.S. Mill, "The Subjection of Women"
	9/26:	<u>Craft of Research</u> , prologue + chapter 7+ 8
Week 6,	10/1:	Catharine MacKinnon, "Intersectionality as Method: A Note" Claire Snyder-Hall, "Choice Feminism"
	10/3:	<u>Craft of Research</u> , chapters 9 + 10
Week 7,	10/8:	<i>United States v. Windsor</i> (2013) Excerpt from David A.J. Richards, <u>Identity and the Case for Gay Rights</u>
	10/10:	<u>Craft of Research</u> , chapters 11 + 12
Week 8,	10/15:	Arneil, "Disability, Self-Image and Modern Political Theory" Kriegel, "A Cripple in the Crippled City"
	10/17	<u>Craft of Research</u> , chapters 13+14
Week 9	10/22	Young, "The Scaling of Bodies and the Politics of

		Identity” Rhode, excerpt from <u>The Beauty Bias</u>
	10/24	<u>Craft of Research</u> , chapter 16
Week 10	10/29	Spade, excerpt from <u>Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of the Law</u> Currah and Mulqueen, “Securitizing Gender”
	10/31	<u>Craft of Research</u> , chapter 17
Week 11	11/5	Feldman, excerpt from <u>Citizens without Shelter</u>
	11/7	<i>Readings TBD based on class vote</i>
Week 12	11/12	Research Project Presentations
	11/14	Research Project Presentations
Week 13	11/19	Research Project Presentations
	11/21	Research Project Presentations
Week 14	11/26	Research Project Presentations
	11/28	Thanksgiving Holiday—no class
Week 15	12/3	Conclusion + Celebration!