

PS 4896 004: Capstone Seminar: [Discrimination and the Law](#) | TR 2:00-3:20 pm, GH 604 | Fall 2019 | Dr. Heath Fogg Davis | GH 447 (PS) + AH 819 (GSWS) | [hfd@temple.edu](mailto:hfd@temple.edu) | Office Hours: W 2:30 pm to 4:30 pm + by appointment.

### Course Description

The capstone seminar is meant to build upon the research skills you honed in the research preparation seminars. There, you focused on how to develop a research question. Here, you will practice that skill and push further to organize and draft a research paper that is anchored by a well-crafted research question. Like all capstones, this seminar has a particular theme.

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, between “direct” and “indirect,” and “structural” or “organizational” discrimination? Can the law prevent us from unconscious or implicit bias? If it can, then should we use the law to do this work? We consider various definitions of discrimination in light of a wide array and intersection of social identifications, such as religion, race, sex and gender, sexual orientation, physical and intellectual ability, gender identity, and criminal history.

### Macro Learning Goals

In this seminar you will *practice*:

- How to identify a research interest
- How to develop that interest into a research topic
- How to further develop a research topic into a research question

And *learn*:

- How to draft and revise a 15-page research paper

### Micro Learning Goals

You will also learn:

- The unique features of legal reasoning
- The differences between humanistic and social scientific research methods

### 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

We will be reading and working with *The Craft of Research*, which is available to you for free via the Charles Library website. You are also welcome to purchase a hard copy. All other required readings are posted to this Canvas site according to their due date under the Modules.

## General Premise

The capstone seminar is a place for you 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. 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

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. If you miss more than 2 classes without a documented emergency, your participation grade will be negatively impacted. You will incur a 1% participation grade penalty for each unexcused absence. For example, if you miss 4 classes you will incur a 2% participation grade penalty. Late arrivals (past 2:10 pm) count as absences. If you arrive late to class, take a seat closest to the door in order to minimize disruption.

### 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.

### 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've posted to Canvas a template 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 posted to Canvas.

2. **Agreement/Disagreement Resonance Presentation (10%)**: Each student will take a turn, either by themselves or in pairs, in leading our seminar discussion with a short presentation. Here are the instructions:

### Preparation

1. As you read the readings assigned for your designated day, be on the lookout for a sentence with which you either strongly agree or strongly disagree.
2. Find a cultural artifact that you see as being connected in some way to the sentence you chose. This might be a brief YouTube video of a movie or television scene, a news article, an artistic image, song lyrics, a poem, a photograph, an object, or anything else that you'd like to share with us. Be creative!
3. Because of our class size, some of you have been assigned a presentation partner. In those cases, the two of you will select, together, one cultural artifact. And then, individually, select a sentence with which you either strongly agree or strongly disagree.

### Presentation

Your PowerPoint presentation should contain:

1. A slide with your chosen sentence written on it. Read it to us, and then explain why you either strongly agree or strongly disagree with it.
2. Your chosen cultural artifact. Show it to us (max. 5 mins), and then explain the resonance you feel between it and your chosen sentence.

The total time of the presentation should not exceed 15 minutes. Check out the rubric on Canvas to see how you will be evaluated.

Check out the rubric on Canvas to see how you will be evaluated. Important tip: Do not assume that previous presenters have followed the instructions and model your presentation on theirs.

My hope is that you will find this format less daunting and more interesting than a traditional class presentation.

3. **Quizzes (10%)**: There will be several quizzes given at the start of class throughout the semester. Each quiz will consist of 3 short questions: *2 based upon the reading assignment due that day and 1 based upon the previous class discussion* (this includes everything: mini-lectures, debates, and general discussion). You are permitted to use your notes to answer these questions, but not the text or the Internet. The purpose of the quizzes is to reward those who complete the reading assignments, and to encourage good attendance and note taking. I will drop your 2 lowest quiz scores when calculating your final grade.

4. **Worksheets (10%)**: There are 10 worksheets. Each worksheet must be completed and submitted via the link on Canvas by its due date in order to receive a completion grade of 1 point per worksheet. I will allow one late submission without a grade penalty. So, if you submit 9 worksheets on time and one late, you will still receive full credit: 10%. Beyond that, you will lose 1 point per late/no submission. See Canvas modules for due dates.

5. **Three research development assignments** Two are graded and one is ungraded, but I will give you feedback on the ungraded assignment.

Assignment 1= 10%

Assignment 2=10%

Assignment 3=ungraded

Assignment instructions will be posted to Canvas.

6. **Research Paper Presentation (10%)**: You are required to give a brief 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. The rubric will be posted to Canvas.

7. **Seminar Research Paper (30%)**: 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 worksheets and your paper. 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 12 by 11:59 pm.* I will post the rubric to Canvas.

#### Paper Format

[http://www.temple.edu/writingctr/support-for-writers/documents/APA\\_Guide\\_Revised.pdf](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 assignment. 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](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 and all 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
	8/29	<b>APSA—No Class</b> Reading: <i>The Craft of Research</i> , Chapter 1 Podcast: "The Rise of They"
Week 2	9/3	Reading: "The Concept of Discrimination" entries 1-3 Video Clip: "A Class Divided"
	9/5	Reading: "The Concept of Discrimination" entries 4-7 Reading: <i>The Craft of Research</i> , Chapter 2
Week 3	9/10	Reading: Appiah, "Stereotypes and the Shaping of Identity" Reading: <i>The Craft of Research</i> , Chapter 3
	9/12	Reading: The Fourteenth Amendment Reading: Plessy v. Ferguson (1898) Reading: <i>The Craft of Research</i> , Chapter 4
Week 4	9/17	Reading: Jolls and Sunstein, "The Law of Implicit Bias" Reading: "The Unintended Consequences of Diversity Statements" Reading: <i>The Craft of Research</i> , Chapter 5 <b>Assignment: #1 Due</b>
	9/19	Reading: Yuracko, "Private Nurses and Playboy Bunnies" Reading: <i>The Craft of Research</i> , Chapter 6
Week 5	9/24	Reading: Markovits and Bickford, "Constructing Freedom: Institutional Pathways to Changing the Gendered Division of Labor" Reading: <i>The Craft of Research</i> , Chapter 7
	9/26	Reading: Waldron, "Homelessness and the Issue of Freedom"

		Reading: <i>The Craft of Research</i> , Chapter 8
Week 6	10/1	Reading: Burgess, "Gender and Sexuality Politics in the James Bond Film Series: Cultural Origins of Gay Inclusion in the Military" Reading: <i>The Craft of Research</i> , Chapter 9
	10/3	Reading: <i>Masterpiece Cake Shop v. Colorado Civil Rights Commission</i> Reading: <i>The Craft of Research</i> , Chapter 10 Class Field Trip: Special Collections Research Center in Charles Library
Week 7	10/8	Reading: The Americans with Disabilities Act (1993) Reading: Barnes and Burke, "The Diffusion of Rights" Reading: <i>The Craft of Research</i> , Chapter 11
	10/10	Reading: Hamraie, <i>Building Access</i> Reading: <i>The Craft of Research</i> , Chapter 12
Week 8	10/15	Reading: Davis, "Why the 'Transgender' Bathroom Controversy Should Make Us Rethink Sex-Segregated Public Bathrooms" Reading: <i>The Craft of Research</i> , Chapter 13
	10/17	Reading: Longman, "Track's New Rules Could Exclude Some Female Athletes" Reading: <i>The Craft of Research</i> , Chapter 14
Week 9	10/22	Reading: Simonson, "Rethinking 'Rational Discrimination' Against Ex-Offenders" Reading: "Ban the Box" Philadelphia <b>Assignment: #2 Due</b>
	10/24	Reading: Sampaio, "Racing and Gendering Immigration Politics" Reading: Report by Temple University's Sheller Center for Social Justice Presentation: Temple Law Students from the Sheller Center <i>The Craft of Research</i> , Chapter 17
Week 10	10/29	Reading: "How a 1973 U.S. Supreme Court Decision has Contributed to Our Inequality" Reading: Wikipedia entry for San Antonio School District v. Rodriguez
	10/31	Reading: Yammamoto, "The Social Meaning of Redress" Reading: Balfour, "Unthinking Racial Realism: A Future for Reparations"

Week 11	11/5	In-Class Preparation for Research Project Presentations
	11/7	Research Project Presentations
Week 12	11/12	Research Project Presentations
	11/14	Research Project Presentations
Week 13	11/19	Research Project Presentations <b>Assignment: #3 Due</b>
	11/21	Research Project Presentations
Week 14	11/26	Fall Break—No Class
	11/28	Fall Break—No Class
Week 15	12/3	Research Project Presentations
	12/5	Research Project Presentations
	12/12 by 4:30pm	Final Research Paper Due