

Latina/os & the Law

Catalog Description: Examines the Latina/Latino experience in the U.S. how and when the law, through the courts, has most often operated as an instrument of subordination and oppression, but has also at times been leveraged for positive social transformation. Students will come to understand that the law is a deeply contested social space that is central to U.S. social hierarchies based upon race, ethnicity, sexuality, gender, class, immigration status, and religion.

Required Materials

Required Course Book:

Delgado, Richard and Jean Stefancic. *The Latino/a Condition: A Critical Reader*, 2nd edition, New York University Press, 2011.

PDF files or links to e-books on Canvas

Course Schedule Overview

Week 1:	Syllabus Review & Introductions
Week 2:	Defining Terms, Identifying Methods
Week 3:	A Case for Counterstory
Week 4:	Who We Are...?
Week 5:	Crossing Borders, Borders Crossed
Week 6:	Critical Analysis Writing Week
Week 7:	How Does the Legal System Work for Us?
Week 8:	When We Fight Back
3/15-23	SPRING BREAK, NO CLASSES
Week 9:	Critical Analysis Writing Week
Week 10:	Assimilation: Strategy or Surrender?
Week 11:	Intersectional Considerations
Week 12:	Linguistic (in)Justice
Week 13:	Latines and CRT: A History
Week 14:	Counterstories: Naming Our Own Reality
Week 15:	Counterstory Project Writing Week
Finals Week:	Final Seminar Project Due

Course Objectives

Learning objectives for this course are broad. Discussions responses on Canvas will be aimed at modeling these objectives and giving students an opportunity to see them in action; discussions, activities, assignments, and papers represent opportunities for students to practice these objectives and receive feedback that will be useful in improving as scholars. These objectives will be framed around the content of this particular course and reflect the contemporary and ongoing conversations concerning an introduction to writing studies and its applications and implications in a multitude of fields and disciplines. The broad objectives are that students will:

1. Demonstrate proficiency in critical and constructive thought
2. Demonstrate proficiency in communicating complex ideas through writing
3. Possess a basic understanding of Latino/as and the Law with an applicability of analysis and criticism to history and cases

4. Comprehend basic conceptions of critical race theory
5. Understand application of basic analytic concepts for framing discussion to the course topics

Major Assignments and Grading

Undergraduate Students

Questions and Quotes (Q & Q's):

This assignment will be due at the beginning of each class period from week 3 through week 14. Each week you will submit one typed question and two typed quotes from the assigned readings. You should pose open-ended questions that generate conversation and cannot be answered with a "yes" or "no." Your question can address a specific reading or a theme running through several readings. Quotes may be anything from the readings that resonate with you. Along with the quote, write a paragraph or two explaining why you find the quote significant. Personal reflections that are connected with the readings/discussions are perfectly appropriate for this assignment. ****NOTE: I do not accept Q&Qs on days students do not attend class, unless previous arrangements for an excused absence have been made**** **Value: 20% total**

Criticism Analysis:

Due at the end of week 6 and week 9, you will write a 5-6 page short essay that will build toward your Counterstory Seminar Project. Each essay will undergo a writing process in which you will submit a first draft to me on Canvas for feedback, in addition to a draft for in-class peer review. Final drafts will not be accepted without documented submission of first drafts, and grades are determined based on evidence of significant revision between first and final drafts. **Value: 20% each, 40% total**

Counterstory Seminar Project:

At the conclusion of the semester, you will present a project which you build on your arguments and writing from your Q&Qs, Critical Analysis assignments, and other media and media-oriented forms of documentation utilized throughout the course. In this assignment you will weave references to our readings, your own writing and documenting, and class discussions together to form either a counterstory of your own creation or analysis of a text you identify as counterstory. Additional details forthcoming. **Value: 35%**

Discussion Post and Participation:

Because this is a hybrid course, options for course participation will vary. In some cases, you will be asked to submit answers to Canvas discussion prompts, discuss course content in small groups either in-person or in Zoom break-out rooms, so to contribute questions to a shared Google doc. **Value: 5%**

Graduate Students

Questions and Quotes (Q & Q's):

This assignment will be due at the beginning of each class period from week 3 through week 14. Each week you will submit one typed question and two typed quotes from the assigned readings. You should pose open-ended questions that generate conversation and cannot be answered with a "yes" or "no." Your question can address a specific reading or a theme running through several readings. Quotes may be anything from the readings that resonate with you. Along with the quote, write a paragraph or two explaining why you find the quote significant. Personal reflections that are connected with the readings/discussions are perfectly appropriate for this assignment. ****NOTE: I do not accept Q&Qs on**

days students do not attend class, unless previous arrangements for an excused absence have been made Value: 10% total**

Criticism Analysis:

Due at the end of either week 6 or week 9 (graduate students have a choice), you will write a 5-6 page short essay that will build toward your Counterstory Seminar Project. Each essay will undergo a writing process in which you will submit a first draft to me on Canvas for feedback, in addition to a draft for in-class peer review. Final drafts will not be accepted without documented submission of first drafts, and grades are determined based on evidence of significant revision between first and final drafts. **Value: 20% total**

Rhetorical Precis and Discussion Facilitation of Assigned Reading:

You are each expected to facilitate class discussion once in the semester. Sign up will be during week two. I will provide a detailed assignment sheet on Canvas. **You are required to meet with me during office hours one week (minimum) prior to your scheduled facilitation to discuss the approaches you are considering and any questions you may have.** By the time of your scheduled facilitation, you should have carefully and critically read through the day's readings. Before the day of your facilitation, you will submit to Canvas a handout that includes a rhetorical precis for the assigned readings/authors and an accompanying list of discussion questions. You should feel free to suggest up to 10 pages of additional readings for the class in anticipation of your own facilitation. You are not responsible for a Q&Q on the day of your facilitation. **Value: 20%**

Facilitation Reflection Paper:

A day or two after your facilitation, you will submit a 2-page reflection paper about your experience. Include a short summary of the discussion, including the ways it did and did not go according to your plan. Again, I will provide a detailed assignment sheet for this assignment on our course website. **Value: 10%**

Counterstory Seminar Project:

At the conclusion of the semester, you will present a project which you build on your arguments and writing from your Q&Qs, Critical Analysis assignments, and other media and media-oriented forms of documentation utilized throughout the course. In this assignment you will weave references to our readings, your own writing and documenting, and class discussions together to form either a counterstory of your own creation or analysis of a text you identify as counterstory. Additional details forthcoming. **Value: 35%**

Discussion Post and Participation:

Because this is a hybrid course, options for course participation will vary. In some cases, you will be asked to submit answers to Canvas discussion prompts, discuss course content in small groups either in-person or in Zoom break-out rooms, so to contribute questions to a shared Google doc. **Value: 5%**

Grade Breakdown

Note: To earn a passing grade, you must complete all major writing assignments.

- 90-100%=A
- 80-89.99%=B
- 70-79.99%=C
- 60-69.99%=D
- 59.99% and less=F

Daily Reading Schedule
Professor Aja Y. Martinez

Week 1 Syllabus Review & Introductions

Due: Review Syllabus and Daily Reading Schedule

Week 2 Defining Terms, Identifying Methods

Garcia “Latine vs Latinx? What Young People of Latin American Descent Think of These Terms

Due: Discussion #1

Martinez “Prologue: Encomium of a Storyteller” from *Counterstory* 1st edition

Due: Discussion #2

Week 3 A Case for Counterstory

Martinez from *Counterstory* 2nd edition “A Case for Counterstory”

Martinez and Smith from *The Origins of Critical Race Theory* “Richard Delgado and Jean Stefancic: People on a Parallel Way”

Q&Q: #1 due (will complete first one together in-class)

Martinez from *Counterstory* 1st edition “Richard Delgado and Counterstory as Narrated Dialogue”

Delgado “Storytelling for Oppositionists and Others:

Q&Q: #2 due

Week 4 Who We Are...?

Oboler from *The Latino/a Condition* “Hispanics? That’s What They Call Us,” p. 8-10

Haney López from *The Latino/a Condition* “Chance, Context, and Choice in the Social Construction of Race,” p. 11-18

Stavans from *The Latino/a Condition* “Life in the Hyphen,” p. 30-33

Q&Q: #3 due

Oquendo from *The Latino/a Condition* “Re-imagining the Latino/a Race,” p. 34-41

Rodriguez from *The Latino/a Condition* “The Question of Race,” p.42-47

Chacon Mendoza from *The Latino/a Condition* “Gateway to Whiteness: The Census and Hispanic/Latino Identity,” p.48-53

Q&Q: #4 due

Week 5 Crossing Borders, Borders Crossed

Acuña from *The Latino/a Condition* “Occupied America,” p. 61-64

Carrasco from *The Latino/a Condition* “Latinos in the United States: Invitation and Exile,” p.78-85

“1790 Naturalization Act”

“Treaty of Guadalupe Hidalgo”

Q&Q: #5 due

Acuña from *The Latino/a Condition* “Greasers Go Home,” p. 86-91

Koulish from *The Latino/a Condition* “The Privatization of Immigration Control,” p. 101-105

Daniels from *The Latino/a Condition* “Puerto Rico and the Federal Government,” p. 106-109

Grenier from *The Latino/a Condition* “The Cuban American Exile Ideology,” p. 110-113

Q&Q: #6 due

Week 6 Critical Analysis Writing Week

****Due for in-class peer feedback: A draft of your Critical Analysis 1 assignment****

****Writing Day** NO CLASS**

****Due to BB no later than 11:59PM: Final draft of your Critical Analysis 1 assignment****

Week 7 How Does the Legal System Work for Us?

Delgado and Stefancic from *The Latino/a Condition* “Racial Depiction in American Law and Culture,” p. 177-182

Perea from *The Latino/a Condition* “The Black/White Binary Paradigm of Race,” p. 335-342

Delgado from *The Latino/a Condition* “The Black/White Binary: How Does It Work?” p. 343-349

Menchaca from *The Latino/a Condition* “Chicano Indianism,” p. 350-356

Q&Q: #7 due

Delgado and Palacios from *The Latino/a Condition* “Mexican Americans as a Legally Cognizable Class,” p. 357-363

Martinez from *The Latino/a Condition* “Mexican American and Whiteness,” p. 364-368

Haney López from *The Latino/a Condition* “Race and Erasure: The Salience of Race to Latino/as,” p. 373-384

Wilson from *The Latino/a Condition* “Brown over ‘Other White’: Mexican American Litigation Strategy in School Desegregation Lawsuits,” p. 385-391

Q&Q: #8 due

Week 8 When We Fight Back

López from *The Latino/a Condition* “The Idea of a Constitution in the Chicano Tradition,” p. 279-282

Acuña from *The Latino/a Condition* “Early Chicano Activism: Zoot Suits, Sleepy Lagoon, and the Road to Delano,” p. 283-293

Olivas from *The Latino/a Condition* “‘Breaking the Law’ on Principle,” p. 294-301

Q&Q: #9 due

Acosta from *The Latino/a Condition* “Life in the Trenches,” p. 302-307

Haney López from *The Latino/a Condition* “Legal Violence and the Chicano Movement,” p. 308-311

López from *The Latino/a Condition* “The Work We Know So Little About,” p. 319-324

Q&Q: #10 due

Week 9 Critical Analysis Writing Week

****Due for in-class peer feedback: A draft of your Critical Analysis 2 assignment****

****Writing Day** NO CLASS**

****Due to BB no later than 11:59PM: Final draft of your Critical Analysis 2 assignment****

Week 10 Assimilation: Strategy or Surrender?

Gutiérrez from *The Latino/a Condition* “LULAC and the Assimilationist Perspective,” p. 399-404

Waters from *The Latino/a Condition* “Assimilation and Demographic Replenishment,” p. 409-411

Rodriguez from *The Latino/a Condition* “A Scholarship Boy,” p. 412-413

Montoya from *The Latino/a Condition* “Masks and Acculturation,” p. 414-420

Q&Q: #11 due

Martinez “The American Way”

Navarrette from *The Latino/a Condition* “Harvard Homeboy,” p. 425-428

Cammarota from *The Latino/a Condition* “Going to School: ‘Two Struggles,’” p. 433-439

Q&Q: #12 due

Week 11 Intersectional Considerations

Saragoza et al from *The Latino/a Condition* “Who Counts? Title VII and the Hispanic Classification,” p. 454-458

Lovell Banks from *The Latino/a Condition* “*Mestizaje* and the Mexican *Mestizo Self*: *No Hay Sangre Negra*, So There Is No Blackness,” p. 463-466

Delgado from *The Latino/a Condition* “Locating Latinos in the Field of Civil Rights: The Neoliberal Case for Radical Exclusion,” p. 472-480

Huntington “The Hispanic Challenge”

Chavez from *The Latino/a Condition* “Latina Sexuality, Reproduction, and Fertility as Threats to the Nation,” p. 531-540

Johnson and Ong Hing from *The Latino/a Condition* “Do Immigrants Take Away Black Jobs?” p. 484-488

Rivera from *The Latino/a Condition* “Domestic Violence Against Latinas,” p. 517-522

Q&Q: #14 due

Week 12 Linguistic (in)Justice

Bender from *The Latino/a Condition* “The English Language Movement,” p. 568-570

Perea from *The Latino/a Condition* “American Languages, Cultural Pluralism, and Official English,” p. 571-578

Delgado from *The Latino/a Condition* “The Law of the Noose: A History of Latino lynching and Its Relation to Official English,” p. 583-589

Q&Q: #15 due

Méndez from *The Latino/a Condition* “Hernandez: The Wrong Message at the Wrong Time,” p. 590-592

Piatt from *The Latino/a Condition* “Attorney as Interpreter,” p. 593-596

Perea from *The Latino/a Condition* “Buscando América: Why Integration and Equal protection Fail to Protect Latinos,” p. 597-604

Q&Q: #16 due

Week 13 Latines and CRT: A History

Delgado “Liberal McCarthyism and the Origins of Critical Race Theory”

Herrera “Challenging a Tradition of Exclusion: The History of an Unheard Story at Harvard Law School”

Q&Q: #17 due

“AZ SB 1070”

“AZ HB 2281”

Romero, Arce, and Cammarota “Barrio Pedagogy: Identity, Intellectualism, Activism, and Academic Achievement Through the Evolution of Critically Compassionate Intellectualism”

Martinez “Critical Race Theory Counterstory as Allegory: A Rhetorical Trope to Raise Awareness About Arizona's Ban on Ethnic Studies”

Q&Q: #18 due

Week 14 Counterstories: Naming Our Own Reality

Kennedy “Racial Critiques of Legal Academia”

Delgado “When a Story is Just a Story: Does Voice Really Matter”

Q&Q: #19 due

Olivas “My Grandfather’s Stories and Immigration Law,” p. 223-228

Anzaldúa “Borderlands,” p. 249-252

Delgado “Rodrigo’s Chronicle,” p. 253-260

Martinez from *Counterstory* 1st edition “Diary of a Mad Border Crosser”

Martinez “Alejandra Writes a Book”

Q&Q: #20 due

Week 15 Counterstory Project Writing Week

****Due for in-class peer feedback: Brainstorms/Outlines/Proposal for Counterstory Projects****

****Due for in-class peer feedback: Draft 1 Counterstory Projects****

Week 16 Finals Week

Due: Final Seminar Project Due to Canvas, no later than 11:59PM