

Liberty and Justice: Race, Ethnicity, and Gender in American Law  
 PHIL 451-IC/HD -- Spring 2010  
 Julie Van Camp, Professor of Philosophy, California State University, Long Beach  
 Monday: 7:00-9:45 pm -LA5-246

### Course Syllabus

#### Texts:

*Ethical Issues in the Courts: A Companion to Philosophical Ethics*, 2d. ed., Julie Van Camp (Wadsworth Publishing Company, 2006)

*Supplementary Readings*, University Bookstore [page numbers are to supplement, unless otherwise indicated]

Introduction to the Course	
CLASS MEETINGS: LA5-246	ACTIVITY POINTS**
<u>Monday, January 25</u> Issues for the Course (7) How to Read a Court Decision ( <i>Ethical Issues</i> , 166) Philosophy: A Brief Guide (10) Structure of the Court System (25)	Post comment on the Beachboard discussion board introducing yourself, major, career goals (2 points)  DEADLINE: Monday, 2/1 - 9 am
<b>I. Introduction to the nature of "justice"</b> <b><i>Development of working senses of "justice" for use throughout the course, with special attention to issues of race, ethnicity, and gender</i></b>	
<u>Monday, February 1</u> <i>United States v. The Amistad</i> (27) Thomas Jefferson on Slavery (34)	On-Line Quiz on Course Plagiarism policy (4 points) DEADLINE: Monday, 2/8 - 9 am
<u>Monday, February 8*</u> [A-1] "Justice and Utility," J. S. Mill (40)	Up to 3 points for participation in discussion (threaded Discussion Board): readings for 2/1 & 2/8 DEADLINE: Monday, 2/15 - 9 am
<u>Monday, February 15*</u> [A-2] "The Constitution and the Subgroup Question," Martha Minow (45) "Justice and Nature," Thomas Nagel (48)	Short Paper assignment posted on Beachboard DUE: Monday, 2/22-7:00 pm (Beachboard Dropbox)
<b>II. Making Distinctions by Race, Gender and Ethnicity in the Law</b> <b><i>How the law historically has identified and distinguished races, ethnic groups, and gender</i></b>	
<u>Monday, February 22*</u> [A-3] <i>Scott v. Sandford</i> (56) <i>Korematsu v. U.S.</i> ( <i>Ethical Issues</i> , 113)	On-Line Quiz: readings for 2/22 (4 points) DEADLINE: Monday, 3/1 - 9 am
<u>Monday, March 1*</u> [A-4] <i>Bradwell v. State of Illinois</i> (65) <i>Muller v. Oregon</i> (71) <i>Geduldig v. Aiello</i> (74)	4 points for Brief of <i>Loving V. Virginia</i> (case assigned for 3/8) DEADLINE: Monday, 3/8 - 9 am
<u>Monday, March 8*</u> [A-5] "Racial Formation in the United States," Omi (80) "Federal Data on Race and Ethnicity," OMB (84) <i>Loving v. Virginia</i> ( <i>Ethical Issues</i> , 37)	3 points for participation in discussion (threaded Discussion Board): readings for 3/8  DEADLINE: Monday, 3/15-9 am

<b>III. Implementing distinctions by race, ethnicity, and gender</b> <b><i>Different ways in which distinctions have been implemented in the law</i></b>	
<u>Monday, March 15*</u> [A-6] <i>Strauder v. West Virginia</i> (89) "Democracy in America," de Tocqueville (93) <i>Michael M. v. Sonoma County</i> <i>(Ethical Issues, 132)</i> <i>U.S. v. Virginia (Ethical Issues, 134)</i> <i>Plyler v. Doe (Ethical Issues, 26)</i>	4 points for On-Line Quiz: readings for 3/15  DEADLINE: Monday, 3/22 - 9 am
<u>Monday, March 22</u> Mid-term Exam 7:15 - 9:15 pm	<i>In-class open-book essay exam: You may write your exam in a bluebook or on a laptop in our classroom (Word or Wordperfect)</i>
<u>Monday, March 29:</u> NO CLASS	Spring Break
<u>Monday, April 5:</u> NO CLASS:	State Budget Furlough Day
<b>IV. The Meaning of "Equal Protection"</b> <b><i>Should distinctions by race, ethnicity, and gender be eradicated?</i></b> <b><i>Are they ever justified?</i></b>	
<u>Monday, April 12*</u> [A-7] "Reconstruction," Fredrick Douglass (101) <i>Civil Rights Cases</i> (104) <i>Plessy v. Ferguson (Ethical Issues, 115)</i> <i>Brown v. Bd. of Education (Ethical Issues, 117)</i>	Up to 4 points for briefing any one case assigned for 4/12  DEADLINE: Monday, 4/12 - 9 am
<u>Monday, April 19*</u> [A-8] <i>Minor v. Happersett</i> (112) <i>Reed v. Reed</i> (118) <i>Frontiero v. Richardson</i> (120)	4 points for On-Line Quiz: readings for 4/12 & 4/19  DEADLINE: Monday, 4/26 - 9 am
<u>Monday, April 26*</u> [A-9] "Feminism, Law, and Bioethics," Rothenberg (126) <i>Cal. Federal v. Guerra (Ethical Issues, 128)</i> <i>International Union, UAW v. Johnson Controls (Ethical Issues, 129)</i>	Up to 3 points for participation in discussion (threaded Discussion Board): readings for 4/26  DEADLINE: Monday, 5/3 - 9 am
<u>Monday, May 3*</u> [A-10] "Reverse Racism," Stanley Fish (131) "Affirmative Action," Owen M. Fiss (138) <i>Regents of the University of California v. Bakke (Ethical Issues, 118)</i>	4 points for On-Line Quiz: readings for 5/3  DEADLINE: Monday, 5/10 - 9 am
<u>Monday, May 10*</u> [A-11] Testimony: Judiciary Committee, Linda Chavez (141) <i>Coalition v. Pete Wilson (Ethical Issues, 126)</i> <i>Grutter v. Bollinger</i> (147)	
<b>FINAL EXAM:</b> Monday, May 17: 7:15-9:15 pm	

\*In-class attendance points available for these class meetings.

\*\*For more details on the activity points, please see Course Requirements and Grading.