

**LSTU 365**  
**Race, Class Law and Politics**  
**General Education/Major Group Course**  
**T/Th 1-2:15 p.m. Main 302**  
**Instructor: Dr. Maria Stalzer Wyant Cuzzo**  
**Associate Professor of Legal Studies**  
**Sundquist 335**

*Instructor:* Dr. Maria Stalzer Wyant Cuzzo has a Ph.D. from the University of Minnesota (1995) with specializations in Judicial Politics and Process, American Government and Political Theory. She also has a J.D. (1984) from the University of Minnesota Law School and is a Qualified Neutral and Trained Mediator in the states of Wisconsin and Minnesota. She practiced law in Wisconsin for five years specializing in civil litigation, family law and appellate practice. She provides mediation services to Douglas County Circuit Court and trains in mediation/conflict resolution throughout the region.

*Office Hours:* MTWThF, 2:30-3:30 p.m., by appointment or request as schedule permits. Office hours are in Sundquist 335 (second building on Catlin Avenue, 3<sup>rd</sup> floor to the left off the elevator)

*Phone Access:* (715) 394-8482—please use voice mail as needed BUT NOTE THAT I DO NOT RESPOND AS QUICKLY TO VOICE MAIL AS EMAIL. FOR PROMPT RESPONSE, EMAIL IS ALWAYS BEST.

*Email:* [mcuzzo@uwsuper.edu](mailto:mcuzzo@uwsuper.edu)

*Snail Mail:* I have a box in Sundquist Hall so you can use campus mail to send me notes, if necessary. PLEASE DO NOT MAIL PAPERS OR OTHER WORK THROUGH CAMPUS MAIL. You can leave a note tacked to my office door pad—I check that every time I go in and out of the office. You can also leave a note or message with Janet Blair in the HPS Departmental Office, 2<sup>nd</sup> floor Sundquist (x8465).

*Commitment to You:* Legal Studies is committed to providing a quality program with a personal touch. We, your staff people, work hard to ensure that. Please, if you have any problems or just want to talk and share, feel free to drop by and see us about anything that is important to you.

*Additional Policies:* See Political Science/Legal Studies Policies located at <http://polsci.uwsuper.edu/RIGHTS.htm>. Please consult this website for these additional policies. These additional policies are incorporated into this syllabus. You are responsible for knowing what they are.

## **WELCOME TO LEGAL STUDIES!**

**On behalf of UW-Superior and the Legal Studies program, WELCOME to this course and this field of study! We are very pleased to have you with us and look forward to assisting you in achieving your academic and career dreams and goals. You are helping to build one of the “quality programs with a personal touch” here at this University—part of a new array of people and programs here that are designed to prepare people to live, work and learn in the next century. So thanks for choosing this institution and this field of study. We APPRECIATE you!**

**Please consult the program summary sheet for additional information about the overall field of Legal Studies. We will have an opportunity to talk more about your specific goals and plans during Spring Advisement in April 2006. You can also catch me anytime during the semester to discuss any concerns you might have.**

### **COMPETENCIES IN LEGAL STUDIES CURRICULUM GENERALLY**

The Legal Studies major/minor curriculum is designed to achieve certain educational objectives and outcomes over the course of four years of study. These include:

- ability to read and understand simple and complex legal readings (philosophy, documents, commentary, original works)
- ability to critically analyze different perspectives on legal readings and arguments (to see multiple points of view and different ways of interpreting texts)
- ability to write effectively
- ability to effectively articulate and defend arguments in writing
- ability to effectively articulate and defend arguments orally
- ability to think on your feet and quickly assess a situation
- ability to extend arguments to multiple levels of thought
- recognition of underlying assumptions and stated perceptions about ideas and practices and ability to articulate those assumptions/perceptions as part of an analysis
- recognition of the link between theory/ideas and impact in the real world of practice and human living (praxis)
- consideration and preliminary decisions about one’s ethical responsibilities to oneself, to others, to one’s profession and the world
- understanding of American legal history
- understanding of the institutions and operation of the American legal system
- understanding of the role of legal procedure in our American legal system
- ability to read and brief a court case
- knowledge of our American constitutional law tradition and cases
- ability to do basic legal research of cases, statutes, regulations, secondary literature
- ability to read social science literature about law and critically evaluate it
- comprehension and basic skills in conflict resolution
- knowledge of content areas of at least some substantive fields of law

- recognition of diversity of peoples and perspectives as it relates to law
- understanding of the significance of law in human living and the operation of law in human practices
- opportunity for some real world, in-field experience so that student can see the relevance of ideas/practices learned in academic curriculum
- opportunity for participation in community based legal work
- participation in a community of learning as a valued member
- positive relationship with faculty and advisor as it relates to Legal Studies work

By the end of your four years of academic work, you should possess some level of competence in each of the above listed areas of academic outcome.

The Paralegal Certificate curriculum is designed to achieve certain educational outcomes at the end of two years of academic work including:

- knowledge of the key ideas/concepts of several substantive areas of law
- understanding of the role, importance and operation of legal procedures
- skills in how to construct an argument
- ability to read, brief and use a court case
- ability to write a memorandum of law
- ability to research and write a brief
- ability to engage in advanced legal research
- basic comprehension of the liberal arts tradition of law
- ability to research documents/forms within specific areas of law

This course emphasizes the importance of the following course objectives, all designed to build your competences over four years of study.

### **COURSE OBJECTIVES**

This course explores how the law has interacted with, impacted and affected race, ethnicity and class issues in the United States context. Students will read and criticize key legal cases, explore arguments made in legal settings about race/ethnicity/class, examine the areas of silence or inaction by the law and assess the current interconnection between race, ethnicity, class and law.

With this goal in mind, the specific substantive objectives of this course include the following:

- to understand and explore values, assumptions, systems, actors and operations of the American legal system as they relate to race, ethnicity, gender and class;
- to understand the differential impact of the American judicial system on various minority and other demographic groups within the relevant regimes (e.g. women, men, gay and lesbian, African Americans, Indians, Hispanics, the poor, the powerless, etc.);

- to understand and explore the pressing race, ethnicity, gender and class issues that the American judicial system faces in today’s world, nationally and globally;
- to understand the underlying assumptions and values of various positions and issues and to explore why people in the United States can believe what they do;
- to critically evaluate arguments made on different issues;
- to identify relevant research approaches to race, ethnicity, gender and class politics as they relate to law;
- to appreciate the importance of pluralism and diversity within understandings of justice and judicial systems;
- to identify significant current issues;
- to recognize the citizenship responsibilities and practices that are relevant to current issues in race, ethnicity, gender and class as it relates to the law and the importance of the legal system (local, state, national and global) on individual lives.

In addition, this course provides you an opportunity to learn more about critical thinking and evaluation skills. We will be examining the processes and competencies of critical thought while we learn more about concrete legal, economic, social and political questions of our time.

### **COURSE MATERIALS**

Ok...ok....so there are five books! For some of you who are “Cuzzo veterans”, you know that my courses invite you to read a lot of materials to expand your awareness and knowledge. I’m fully aware that some of you take me up on this invitation and some of you do not. But the opportunity is provided for you to fully participate by continuing to develop your critical reading skills in this class.

Let me explain why having an array of books is important to your learning experience. This is a liberal arts, academically demanding program—both in Legal Studies and Paralegal Education. Mastering the arts and skills of reading large amounts of materials accurately, fairly and efficiently is an important and valuable life skill. What better place to practice than here in the classroom where we can identify and refine what we will need to successfully practice later in our lives—whether in our citizenship, our workplaces, our homes or our broader inter-relationships. Also, the field of Legal Studies is an emerging field, so there are no standard texts that easily pull together all the divergent and intriguing approaches. This 300 level course is designed to explore in-depth certain facets of the nexus with gender, class and race in our society as it relates to law. To do that, you need to be exposed to an array of ideas. The readings for this class were chosen for their contribution to your foundation construction—each piece is critical to a coherent, solid whole.

The following five texts were ordered for this course and are available through the bookstore:

David Cole, *No Equal Justice: Race and Class in the American Criminal Justice System*: this is a chilling picture of why it matters to be poor and minority when interacting with the American criminal justice system. This is a social science analysis of the reality of race and class in American justice. It presents the theory of “racialized justice.”

Paul Kivel, *Uprooting Racism: How White People Can Work For Racial Justice*: this book gives advice and guidance to the white ally who desires to work for racial justice in the world but doesn’t know how. Through explaining the dynamics of racism and then offering practical suggestions, the book helps us all better understand the challenge of combating racism.

Crenshaw, Gotanda, Peller, Thomas, *Critical Race Theory*: Critical race theory is one of the most exciting developments in legal studies today and is drawing major attention, along with Critical Gender Studies and Critical Legal Studies in the holistic sense. This book brings together excerpts from the primary thinkers and writers in this emerging area for analysis.

Clara Bingham and Laura Leedy Gansler, *Class Action: The Story of Lois Jenson and the Landmark Case that Changed Sexual Harrassment Law*: This is a real life story of the northern Minnesota case that generated the key definitions of sexual harassment in the workplace. Read and feel the experience of Lois Jenson.

Catherine McKinnon, *Feminism Unmodified*: This book presents a collection of Catherine McKinnon’s writings on Feminism---a very provocative and passionate woman’s voice on issues of gender.

Various handouts as we go.

I have no problem with students sharing texts and expenses of getting them. It is your responsibility to make sure that you have access to texts in a timely fashion but cooperative sharing can help you all. We will be doing a lot of work with texts in class so you will need to share in the classroom setting as well.

Taken together, these works give you, the student, a solid and well rounded introduction to many different schools of thought about the role of law, the legal system, and the future of law in our country. We will also have some (not many) handouts in class as we go.

For a complete set of University rules and procedures, as well as rights and responsibilities of students, please see: <http://turing.uwsuper.edu/polsci/RIGHTS.htm>. These politics were adopted by the Political Science/Legal Studies Program and apply to all classes. You are responsible for downloading these rules and being aware of them throughout the semester.

## COURSE PERFORMANCE METHODS

You are encouraged to view this course as an opportunity for learning and self development, first and foremost. Each class session will be a combination of lecture, open discussion with the entire group, small group work and some guests. Unlike some classes in the past, this course is heavily dependent on readings. Most class discussions will be working extensively with the readings directly so you have to be caught up in here.

As for the grade, students will be evaluated and graded on the following *equally weighted assignments*:

**(1) A weekly reflections, which will create a class journal for you and a final, comprehensive reflection that summarizes the following theme:**

*Please state clearly the three most important lessons or ideas that you learned during this semester from this course, how you encountered or “got” these lessons and how you would explain the essence of each of these three ideas to someone that knows nothing about difference issues.*

Weekly reflections will be collected every Thursday in class. You should bring them typed and ready to hand in. You will date every reflection (your responsibility). The weekly reflections should include your reactions to the following questions:

(a) what were the most memorable themes/learnings of the week? How did you “get” those learnings? How did the readings supplement, complement or challenge those learnings?

(b) select TWO specific quotes out of the readings (reference book and page); write the quote out in your paper and then reflect on the quote in two paragraphs. Why was it important? How did it fit into the book? Why did you select it?

Weekly reflections should be no longer than two single spaced pages of writing. Each reflection **MUST** contain both parts to get credit.

I encourage you to think about the comprehensive question during the semester and jot down ideas or thoughts as you go to make this part of your final easier. Final reflection is due during Finals Week, Friday, May 19, 2006, 10:30-12:30 p.m.

The weekly reflections (14 of them) count as one unit; the final reflection essay counts as one unit.

Weekly reflections: will be graded on the check plus, check and check minus system with top evaluation being check plus and lowest evaluation being check minus. Failing to turn in an essay by the ending time of class is a ZERO (period). Check pluses are worth three points, checks are worth 2 points and check minuses are worth 1 point. 38-42 points is an A; 33-37 is a B; 28-36 is a C; 23-27 is a D and below that is an F.

- (2) **Two short (5-6 page) thought essays on different topics** to be provided in class: one on *Uprooting Racism* and one on feminism drawing from McKinnon and the *Class Action* book. Each essay is regarded as a separate and discrete part of the overall grade. You will prepare a draft of each essay for **peer review** by an editing partner in the class (see last page of syllabus for specific days when drafts are due to be exchanged). Each partner needs to “turn around” the draft during a 20 minutes read session provided in class or at an outside time agreed to outside of class. Then you will rewrite the essay based on their recommendations and your decisions on what the best final draft will look like. Finally, you will turn in both your draft (with partner comments) and your revised essay to the instructor. You will be graded both of your draft and the peer review work that you did for your partner!

This will allow you to work on both your editing skills with each other and your self-editing skills on your own work. The final grade on each of these two papers will be based on (1) substantive content of your analysis; (2) the degree of editing work done between the drafts; (3) the judgment of the writer in making final drafts as strong as possible; (4) strength of basic writing and argumentation skills demonstrated in the paper; (5) successful inclusion of references and use of the books.

**Due Dates: Uprooting Racism paper: Thursday, February 23 in class; peer review on 2/21 in class**

**Feminism paper: due 5/11 in class; peer review 5/9 in class (no instructor)**

- (3) An **oral presentation in class** that summarizes the key themes (areas of similarity and areas of divergence, broad lessons to be drawn, most important points) from FOUR essays to be selected by each of you from the Crenshaw book. You are to select your four preferred essays no later than the 5<sup>th</sup> week of class. Then you will read and carefully consider the themes/lessons/points that are common and divergent within these essays. This is an act of “synthesis”—“the combining of parts or elements so as to form a whole” (Webster’s). You will formulate a theme statement for your presentation. During weeks 6, 7, 8 of class, we will have in-class presentations on your chosen essays. It is fitting that your voices and reflections should end our class on this subject.

You are asked to prepare a one page class handout and provide one copy for each student in the class. Your presentation should be 10-12 minutes with up to five additional minutes for discussion and questions. You should be prepared to answer questions from the audience about your essays. You should focus on synthesis of ideas as opposed to mere summary of what you read. What was most important? What cut across essays? What did it take to impact your thinking? The presentation will be graded on (1) clarity of theme development; (2) mastery of the essay’s material; (3) ability to find common themes between essays and clearly explain them drawing from the essay materials; (4) ability to transcend the materials to create something with your own voice; (5) coherence and

presentation style/manner. Your peers will prepare written critiques for you as well as mine.

(4) **Attendance and participation** in class discussions is expected. Each class will have a sign up sheet for you to establish your attendance. Absences should be explained and can be excused at the discretion of the instructor. More than three absences that are unexplained will result in a 1/3 of one letter grade lowering of final grade. Every absence after that amount will continue to lower the letter grade at instructor's discretion.

This means that there are SIX units of work expected for this class.

I expect assignments to be turned in ON TIME. If something happens, students have the burden to notify the instructor of why an assignment will be late at least 24 hours IN ADVANCE of the deadline or within 24 hours AFTER the deadline. Students who fail to communicate may receive an "F" grade for the project so please communicate! I am very understanding that "life happens" and "school is not life" but I can be very frustrated when these things occur and you fail to fulfill your obligation to communicate and just opt out or disappear. Please, keep me informed and we'll all get along just fine.

Exams and papers should be left on my office chair if I am not in the office. PLEASE do not slide them under my door or leave them in the hallway or tacked to my office door, unless I instruct otherwise. You can drop them off in HPS Departmental Office, 2<sup>nd</sup> floor Sundquist, during regular office hours.

PLEASE ALWAYS SAVE YOUR PAPERS AND DOCUMENTS ON DISK AND KEEP A COPY FOR YOUR FILES. If materials are lost, the student is ultimately responsible to provide another copy so please safeguard your work product by responsible authorship and saving.

### **CUZZO'S QUICK PAPER PRIMER (MORE TO COME...)**

This course will ask you to grow and stretch in your paper writing skills. Let me start with what is NOT acceptable—gut reactions without reasoning or argument, assertions without development, poor grammar/punctuation/spelling or form. These concerns go to both substantive and procedural aspects of good writing. You are expected to proofread and to take pride of authorship in your work. Each of these assignments is an opportunity for you to showcase the best that you can do at a given point in your intellectual development. You will be asked to do this every day in the workplace at some point (if not already) so I expect the same high caliber of performance here. Consider this "in field training" of the demands of life.

What is a solid, coherent, intellectually defensible paper? Generally I look for three components that form a whole:

- (1) **BREADTH:** can the student identify multiple possibilities or alternative positions for the topic? Are you able to look at a question or concept and

analyze it from many different views? Can you spot, without judgment, the multidimensionality of a concept, idea or topic? Can you construct and articulate a clear array of possibilities?

- (2) DEPTH: once you identify the potentials of a subject, can you exercise judgment about which particulars you want to focus on and develop in depth? Can you articulate WHY certain dimensions of a topic are intriguing, important or significant and merit further, in-depth consideration? Can you make clear to the reader which of those aspects you are focusing on and then develop those particulars with argument, examples, thoughts, reactions and justifications that are rich, layered and coherent?
- (3) DIMENSIONALITY: have you found your unique author's voice? Are you willing to state what you truly think and then defend it? Can you exercise and own your judgments and withstand and anticipate criticisms and meet them with your unique imprint?

Together, these three things stamp your paper as your own. Yet you must fulfill the rigor of logical and academic thought. But can you offer clear and coherent views, arguments, justifications and support while still retaining your unique individuality? That is the challenge...and the opportunity here.

### COURSE SCHEDULE

- **Weeks One-Four: Basic Concepts: What is racism? How can one be a better ally? How does racism relate to law? Brainstorm!**
  - **Readings: Crenshaw, Introduction; Kivel (entire); Cole (entire) We'll deal with Kivel first, then Cole.**
  - **Select your four essays from Critical Race Theory and turn in during class on 2/14**
- **Weeks Five-Eight: What is Race and Class? How does it play out in criminal justice?**  
**Readings: Critical Race Theory: entire; we will have essay reports during these weeks; oral presentations**  
**Oral Presentations in Class Circles**
- SPRING BREAK: March 20-24: rest and rejuvenate!**
- **Weeks Nine-Ten: catch up on presentations and final thoughts on race; additional readings on class**
- **Weeks Eleven to Fifteen: Feminism**  
**Readings: Class Action first; McKinnon second**  
**Paper #2: peer review on 4/9; due in class on 5/11**

**FINAL REFLECTIONS DUE Friday, May 19, 10:30-12:30 in our usual room;  
five minute oral summaries of lessons learned**

*Thanks for your participation!*