

Prof. Allan Puzalan Isaac

Mondays 3:55-6:55 pm  
Office Hours: Mondays 10:00-12:00  
And by appointment

**01:050:300:02 Law, Race, and Literature**  
**An Introduction to Critical Race Theory**

Law and Literature both inhabit the realm of interpretation, rhetoric, form, ethics and epistemology; they mediate our relationship to society and shape how we imagine the world and ourselves. This course introduces Critical Race Theory, an emerging movement in critical legal studies led by African American, Latino and Asian American legal scholars. How does the law inform how we talk about and imagine race? Informed by literary studies, postmodernism, feminism, and continental political philosophy, this eclectic group of scholars and practitioners continues the civil rights tradition by challenging set liberal premises and racial orthodoxies to open up new ways of thinking about race and racism. Through careful close reading and writing assignments, the class will begin to explore a critique of liberalism, the legal construction of whiteness, how racism pervades civil institutions and the complex, oftentimes incommensurate, intersections, of race, gender, class and sexuality. The class will then apply these critical skills in analysis of five literary works and the issues they raise about race, desire and the law. Prerequisites: At least one class in American history or literature or Philosophy is suggested.

**Texts:**

Crenshaw et al., Eds. *Critical Race Theory: Key Writings*  
Morrison. *Playing in the Dark*  
Gilman. *Herland*  
Chesnutt, *Marrow of Tradition*  
Hwang. *M Butterfly*.  
Melville. *Benito Cereno*  
Okada, *No-No Boy*  
Reader available

WEEK	MATERIAL
Sept 8	Exercise; Intro: Narratives in Race and the Law ; What is CRT? <i>Ozawa</i> and <i>Thind</i> prerequisite cases in Appendix (handout)
Sept 15	Haney-Lopez, "White by Law"; Gotanda, "Critique of 'Our Constitution is Color Blind'" (CRT, 257) Crenshaw, "Race, Reform and Retrenchment" (CRT, 103);
Sept 22	Lawrence, "The Id, The Ego, and Equal Protection" (CRT, 235); Read Scalia and Marshall Decisions on Washington v. Davis; Ross, "Innocence and Affirmative Action" ®
Sept 29 <b>RACE AND LIT</b>	Morrison. <i>Playing in the Dark</i> Gilman. <i>Herland</i> (Read how racialization and citizenship is produced; what is considered a just society in this feminist utopia?)

Oct 6	Gilman, <i>Herland</i> <b>Group 1 Presentation</b> 2. Cheryl Harris, "Whiteness as Property" (CRT, 276)
Oct 13	<i>Plessy v Ferguson</i> ; Start Chesnutt. <i>Marrow of Tradition</i>
Oct 20 <b>RACE AND LAW</b>	Chesnutt. <i>Marrow of Tradition</i> (Read how law produces identity and abstract notions of property) <b>Group 2 Presentation</b>
Oct 27 <b>Midterm due</b>	Film: <i>Of Civil Wrongs and Rights: The Fred Korematsu Story</i> , read Chang, Narrating Asian America and Hohri, "Resistance" ® for background; Discussion of Film
Nov 3	<i>Korematsu v US</i> Okada. <i>No-No Boy</i> (Read how law and nation produces subjectivity and madness) <b>Group 3 Presentation</b>
Nov 10	Butler, "Sovereign Performativities"; Yoshino, "Covering" ®
Nov 17	Hwang, <i>M Butterfly</i> ; Eng, "Heterosexuality in the Face of Whiteness" ® (What is truly being tried in court?) <b>Group 4 Presentation</b>
<b>INTERPRETATION And ETHICS</b> Nov 24	Movie: "Blade"; Root, "Bill of Rights for Racially Mixed People" ® ;
<b>INTERPRETATION And ETHICS</b> Dec 1	Melville, "Benito Cereno" in Collection; Key Cases; <b>Group 5 Presentation</b>
Dec 8	Reparations: "The Debt" and "Uncivil Wars"®; Listen to NPR program on Corporate Reparations: <a href="http://www.npr.org/templates/story/story.php?storyId=1141016">http://www.npr.org/templates/story/story.php?storyId=1141016</a> <b>FINALS DUE: TBA</b>

### Requirements:

This class is a lecture-discussion course. Attendance and participation are important in our work in the course. More than three absences (for whatever reason) will result in a grade-drop in the final grade. Repeated and excessive tardiness will count as an absence. Missed office appointments without prior notice will also count as an absence. Inquiry papers are due when we discuss the reading. Late inquiry papers will not be accepted.

You must bring your reader and the day's reading to class at all times for close readings.

You must bring to my attention during the first two weeks any approved requests for special accommodations.

Students will hand in a total of **FOUR** 1-page single-spaced papers on the class readings for the semester, due in person or via E-mail no later than 12noon the day the readings are scheduled. TWO should be handed in before midsemester break. **I will call on you that day.**

**The INQUIRY Paper:** Inquiries are **NOT** summaries, responses or reactions but explorations of your **CLOSE reading of and across** texts. Start the paper with a quote from the text. Copy down four lines or so from the literary or critical text. Decide which quote is crucial to the literary or critical work. For literary texts/novels, choose a theme or image that is central to the text. First, explain how the passage sets the mood, tone; analyze the use of language, figures of speech (metaphors/metonyms etc), diction, etc. Interrogate how a passage moves the narrative or argument of the piece. Does it offer a contradiction? Second, does this contradiction reveal a tension in the argument or story's movement? Does it reveal a higher level of truth that the author is getting at? Ask how it moves the rest of the work or impedes the argument. Do we believe it? What are its political and/or aesthetic helpfulness AND limits? As a practice in CLOSE READING (one of our few tools in literary studies), your paper should ALWAYS base its argument in the text.

These short **inquiry papers** and active listening and **class participation** will count as 1/3 your grade. Choose 4 of the 9 opportunities to write an Inquiry Paper. The second third of your grade will be based on your **midterm** consisting of short essays and a section of 10 identifications. The Final consists of short essays and a brief **final paper** (4-5 pages).

I will ask **5 groups** of 3 students to present on the 5 literary/dramatic texts. The group will prepare, distribute and **present** a 4-page paper and a set of questions to the rest of the class. **These students will be exempt from 3 inquiry papers.**

Some important writing guidelines. Presentations, inquiry papers and question sets are practices in **close reading** and **critical synthesis** (with other readings and/or current phenomena) asking what are the political and/or aesthetic **stakes** as well as the critical **limits** of the reading(s).

Format is 12pt Times Roman, 1-inch margins. Single space if necessary for inquiry papers.

Put names of all presenters on the paper. For presenters: Papers are due 11am so that I may go over them to plan the class accordingly and make copies for everyone.

In presentations, limit your summary of the reading to ONE (1) page. Yes, this is difficult. It asks you to pinpoint the central argument in one strike. For a novel identify the theme. This is not a summary paper, but rather a critical interpretive paper. (The questions are to be no less critical and interpretive.)

Start the paper with a quote **from the text**. Decide which quote is crucial to the literary or critical work.

Following the three-point (-and-counterpoint, for some) analysis expository format. Each subsequent page should develop one point of the group's argument. You may have to abridge your point but may elaborate in class. For literary texts/novels, choose a theme or set of images that is central to the text. Ask how this sets the mood, tone, use of

language, process of racialization, etc. **What is the central organizing principle of this fantasy/ work of the imagination?**

For critical texts, pick three main points or crucial turns in the author's argument. Ask how it moves or impedes the argument. Do we believe it? What are its political and/or aesthetic helpfulness AND limits? **What is the central organizing principle of this critical imagination?**

**As a practice in CLOSE READING (one of our few tools in literary studies), start each page with a very brief quote of a moment or passage in the text.**

**In short, base your argument in the text. Interrogate how does this passage moves the narrative or argument of the piece. Does it offer a contradiction? Does this contradiction reveal a tension in the argument?**

**Does it reveal a higher level of truth that the author is getting at? What is the relevance of this tension, turn in argument, trope, etc to the larger argument. How does it agree or disagree with another author, etc.**

Please check for grammatical and spelling accuracy (as well as stylistic finesse).

I hope this set of guidelines clarifies some issues, sets the evaluative criteria, and provides the skeleton for your presentations and inquiry papers.