

The University of Texas at El Paso

## ***Chicana/o Legal History***

CHIC 4301, CRN 18565, Fall 2021 (8W1)

**UTEP CONNECT:** 100% Online Course: Computer Access Required  
8-Week Course: August 23, 2021, to October 15, 2021

**Dr. Irma V. Montelongo**

Office Hours: Contact via Blackboard

Office: Graham Hall 110B

Phone: 915-747-7612

Email: imontelo@utep.edu

*The “law” is a short term for a very complex aggregation of principles, norms, ideas, rules, practices, and the activities of agencies of legislation, administration, adjudication, and enforcement, backed by political power and legitimacy. The complex “law,” thus condensed into one term is abstracted from the social context in which it exists and is spoken of as if it were an entity capable of controlling context.*

*Sally Falk Moore, 1973, Law and Society Review*

### **Course Description:**

This course examines the legal history of the Chicana/o community’s struggle for civil rights, social justice, and equal protection under the law. It interrogates legal theories on race and racial formation and the ways racial identity impacts the equal economic, social, and political rights of individuals. Additionally, the course explores the intersections of race, class, gender, and sexuality to better understand the complexities of both individual and community discrimination and its relation to the law. Lastly, it examines important precedent-setting cases in American law related to civil rights and the ways Chicana/os have legally challenged inequality in the U.S. Students will develop a number of skills to include critical thinking, reasoning, analysis, and maintaining a point of view, verbally and in writing. Additionally, this course will help students develop computer skills and electronic communication skills.

### **Student Learning Outcomes:**

**By the end of the course, students will:**

1. understand the precedent-setting cases in American law and their relation to developing race relations in the U.S.
2. be able to explain how racial ideology was/is articulated in law.
3. understand how Chicana/o identity and community formation was/is embedded in social, political, and economic legal justice.
4. better understand the role of legal practices and their influence on the Chicano movement.
5. better understand intersections of race, class, gender, and sexuality and the discrimination and struggle for legal rights by people on the margins.
6. develop critical thinking and analytical skills necessary for effective communication both orally and written.

**The guiding questions for this course are the following:** *What is the legal history of the Chicana/o community and the struggle for civil rights, social justice, and equal protection under the law? How do intersections of race, class, and gender impact the legal rights of marginalized individuals such as immigrants, women, and LGBTQ communities.*

### **Required Materials:**

- Access to computer and internet
- All readings and videos for the class are posted on the **Blackboard** Learning Management System (LMS) site and are located inside of the Learning Module for any particular week.

All course content will be delivered via the **Blackboard** LMS. To access Blackboard go to <https://my.utep.edu> and click on the “Blackboard” tab on the left-hand side of the page. Follow the link in that box and login using your UTEP login and password.

The Blackboard course shell contains **all** materials related to this course. You will also use Blackboard to send e-mails to your fellow classmates or to me – always remember to include an appropriate subject line to prevent your email from going into the junk mail folder. **All correspondence for this class must be done through Blackboard email.**

**\*\*\* IMPORTANT:** You must get into the habit of checking Blackboard **EVERY DAY** to make sure you do not miss any important announcements.

### **Our Virtual Classroom:**

All communication must be conducted through Blackboard Email. Please do not send emails to my UTEP address. If you email me be sure to include as much information as possible to include your first and last name, title of class, and CRN number. I will respond to you within 24 hours.

**NOTE:** I will be checking Blackboard and my email regularly Monday- Friday between 8:00am – 5:00pm. I do not check email or Blackboard on Saturdays or Sundays.

Online learning is not a spectator sport. It is everyone's responsibility to participate fully so everyone can get the most from the experience. Here are some simple rules to follow to ensure participation and engagement in the learning process:

**Ask Questions:** I have created a Discussion Forum called **HELP BOARD**, located under the **General Discussion Forums** tab on the *Home Page*. The *Help Board* is for asking questions related to content OR any course issues. Clearly indicate the subject of your thread. **If you are having technical difficulties, you will be directed to UTEP tech support.**

**Reach Out to Others:** Offer a fact, an article, link or other items that can help others learn something you can share. There is another class Discussion Forum called **The Deposition Café**, also located under the *General Discussion Forum* tab on the *Home Page*. There is an additional link to the General Discussion Forums in the left-hand area of the Home Page. The Deposition Café is for the entire class to share relevant information and to participate in leisure conversations as well. The only requirement is that you treat one another with the respect

Inappropriate behavior/comments online will not be tolerated. Inappropriate behavior **WILL BE** subject to disciplinary action. I reserve the right to drop you from this course if you use our class as a venue for insulting or insensitive comments, attacks toward other students or the instructor.

### **Required Software:**

Please make sure that all of your computer hardware is working properly and please make sure that you have all of the required software and that the software is up to date. It is very important that your Java software and your Adobe software is up to date. Blackboard works best with Mozilla Firefox and Google Chrome, but does not communicate well with Safari and especially Internet Explorer. **Stay away from Internet Explorer.**

Please ensure that you have the necessary software. You must have *Adobe Acrobat Reader* to access the readings for the class and a media player plug-in to view the assigned videos (*Adobe Flash Player, Windows Media Player, QuickTime Player, VLC Player, etc.*). If you use Google Chrome as your browser, then the Adobe Flash Player is already built in. When creating documents, slide presentations, spreadsheets, etc., you must use *Microsoft Office* or a compatible program (see 10 Free MS Word Alternatives). Be sure you have the appropriate word processing software because if I cannot open your documents, they **WILL NOT** be graded.

### **Course Policies and Procedures and Grading Rubric:**

I have provided a set of *Course Policies and Procedures*, and a *Grading Rubric* located under the **Course Resources** tab on the *Home Page*. Please access them as soon as possible and familiarize yourself with the do's and don'ts of the course and the grading scales for all assignments. The information provided is extremely important and crucial for your success in this course.

### **Academic Dishonesty:**

Academic dishonesty is prohibited and is considered a violation of the UTEP Handbook of Operating Procedures. It includes, but is not limited to cheating, plagiarism, and collusion. Cheating may involve copying from or providing information to another student, processing unauthorized materials during a test, or falsifying research data on laboratory reports. **Plagiarism** occurs when someone intentionally or knowingly represents the words or ideas of another person's as ones' own. **Collusion**, involves collaborating with another person to commit any academically dishonest act. Any act of academic dishonesty attempted by a UTEP student is unacceptable and will not be tolerated. Violations will be taken seriously and will be referred to the Dean of Students Office for disciplinary action. Students may be suspended or expelled from the University for such actions.

### **Students with Disabilities:**

I will make any reasonable accommodations for students with limitations due to disabilities, including learning disabilities. Please inform me immediately of any special needs you might have. If you have a documented disability and require specific accommodations you will need to contact the **Center for Accommodations and Support Services (CASS)** at 747-5148, or by email to [cass@utep.edu](mailto:cass@utep.edu), or visit their office located in UTEP Union East, Room 106 within the first two weeks for classes. For additional information please visit the CASS website at [www.sa.utep.edu/cass](http://www.sa.utep.edu/cass)

### **Attendance Policy:**

This is an online class so there is no real attendance policy. Attendance is taken by measuring your work online. You are responsible for doing all the work and meeting all deadlines and due dates.

### **Deadline Policy:**

**Deadline for assignments and quizzes is 11:59 PM (MST) on the due date; CHECK COURSE CALENDAR for all due dates and deadlines as late submissions will not be graded.** Please ensure that you carefully read the Course Calendar and all instructions. It is your responsibility to meet all class requirements.

### **Learning Modules:**

The class consists of five (5) Learning Modules. An Introduction and Getting Started module, three (3) theme related modules, and a Final Exam module. **Learning Modules open at 8:00am (MST) on scheduled dates.** When you open a learning module you will see a table of contents on the left-hand side of the module. The table of contents contains all sections of the lecture as well as the quiz link (when visible) and the group discussion board link (always visible). All readings, videos, and podcast links, as well as assignment guidelines are embedded in the lectures. Theme-related learning modules, with the exception of modules 1 and 5, will last approximately 12-16 days.

#### **1. Quizzes (20% of final grade):**

There will be four quizzes, one in each of the first four Learning Modules. There is no quiz during the week of the Final Exam. The quizzes will be embedded in the table of contents of the individual learning modules. **The quiz links will open and close according to scheduled dates and deadlines.** See Course Calendar for all due dates and deadlines. Remember: You will not see a Quiz link until the day that they are scheduled on the Course Calendar.

***IMPORTANT: Check course calendar for scheduled quiz dates and deadlines.***

#### **2. Video Blog Assignment (20% of final grade):**

You will submit one (1) video blog for Learning Module 2. The blog will be a 3-5-minute-long video where you share your critical analysis of the readings, films, and podcasts located in the learning module. For this assignment you will need to create a *YouTube* channel (if you don't already have one) where you will upload your video.

I have provided instructions for creating a video blog and for creating a YouTube channel in Learning Module 1: Introduction and Getting Started. After you upload your video, you will post the link to your video blog in the Blackboard group discussion board located in Learning Module 2. I will provide a detailed assignment embedded in Learning Module 2 to help you develop your video blog. You will be graded on the quality of your critical analysis and the ideas you present in your video **as well as your participation in your group discussion board.** See course calendar for assignment due date and deadline.

#### **3. Group Discussion Board (20% of final grade):**

I will divide the class into groups of 4-5 students. Each student will belong to only one group. In this group discussion board, you are required upload your video blogs and then discuss each other's analysis, ideas, themes, etc. for approximately 3 days. You will be responsible for 3 discussion boards, one for each theme-related learning module.

**4. Critical Response Papers (20%):** You will submit two (2) Critical Response Paper for Learning Module 2. The paper will be 2-3 pages in length, double-spaced, 12pt font. I will provide detailed guidelines to help you think critically of the question(s) I will ask. **See Course Calendar for due dates and deadline.**

#### **5. Final Exam (20% of final grade):**

You will have a comprehensive final exam at the end of the course that will cover all three theme-related learning modules. I will provide a review sheet to be located in Learning Module 5.

### **Grading Scale:**

A: 100-90 B: 89-80 C: 79-70 D: 69-60 F: 59 and less

*See Grading Rubric for more information on assignments, discussions, and final exam.*

**GRADUATE CREDIT FOR THIS COURSE:** In order to obtain graduate credit for this course, you must satisfactorily complete a graduate level project with a topic and parameters approved beforehand by the course instructor.

## Course Calendar:

### Learning Module 1: Introduction and Getting Started

August 23 – August 27, 2021

**The following information is very important!**

The first week of the course is your opportunity to study the syllabus and to familiarize yourself with the Blackboard System. Ask me any questions you have regarding course content as well as the class policies and procedures.

**You are required to post an introduction to yourself in the [Deposition Café](#) by Wednesday August 25, 2021, at 11:59pm (MST) AND you are also required to take the [Syllabus/Plagiarism Quiz](#), which will be available Thursday August 26, 2021, at 5:00pm (MST) until Friday August 27, 2021, at 11:59pm (MST).**

The quiz is based on your reading of the Syllabus, Class Policies and Procedures, Grading Rubric, and the Plagiarism video. The video is located Learning Module 1 entitled “Introduction and Getting Started.” The **Deposition Café and Help Board** are located under the General Discussion Forums tab on the Home Page.

**NOTE:** The instructor cannot provide technical support. For questions concerning the site and any technical questions or support you must the UTEP Help Desk. The following link provides the contact information for assistance: <http://admin.utep.edu/Default.aspx?tabid=74092>

### Learning Module 2 – Critical Race Theory and Racial Restriction and the Law

August 28 – September 12, 2021

**All readings and videos listed in this course calendar are required.**

**Read** – Delgado, R. and Stefanic, J. (2012) *Critical Race Theory: An Introduction*, pgs. xiii-xxi; **and** 1-13; **and** Haney-López, I. (1996) “Racial Restrictions in the Law of Citizenship,” pgs. 37-47; **and** “The Prerequisite Cases,” pgs. 49-77; **and** Painter, N.I. (2015) “What is Whiteness,” and McIntosh, P. (1998) “White Privilege, Color, and Crime: A Personal Account, pgs. 1-7; and Navarro, M. (2012) “For Many Latinos Racial Identity is More Culture than Color; and Williams, J.L. (2016) “Criminal Justice is Becoming a Latino Issue”

**Podcast** – “The Debate Over Critical Race Theory” (33 mins.)

**Video** – “White Like Me” (69 mins.)

**Reading Quiz:** available from Sept. 5, 2021, at 8:00am (MST) to Sept. 6 at 11:59pm (MST).

**Individual Video Blog:** due September 9, 2021, at 11:59pm (MST).

**Group Discussion Boards** are in effect from Sept. 10, 2021, at 8:00am to Sept. 12, at 11:59pm (MST).

### **Learning Module 3 – The Legal Construction(s) of Mexican American Racial Identity**

**September 13 – September 24, 2021**

**Read** – Griswold del Castillo, R. (1990) *The Treaty of Guadalupe Hidalgo*, pgs. 62-86; **and** *Botiller v. Dominguez* (1889), pgs. 9-16 **and** Valencia, R.A., et al (2004) *Mexican Americans and the Law*, pgs. xv-xx; **and** pgs. 3-19; **and** *Hernandez v. Texas* (1954), pgs. 37-47; **and** Haney-López, I. (2003), “The Chicano Movement Cases,” pgs. 15-40

**Podcast** – “Blood and Betrayal in the Southwest” (NPR 52 mins.)

**Video** – “A Class Apart” (50 mins.)

**Reading Quiz:** available from Sept. 20, 2021, at 8:00am (MST) to Sept. 21, at 11:59pm (MST).

**Critical Response Paper:** due September 24, 2021, at 11:59pm (MST).

### **Learning Module 4 – Bodies, Sexuality, Immigration, Education and the Law**

**September 25 – October 8, 2021**

**Read** – Stern, A.M (2005), “Sterilized in the Name of Public Health,” pgs. 1128-1138; **and** Novack, N. and N. Lira (2018) “Forced Sterilizations Programs in California Once Harmed Thousands, Particularly Latinas” (NPR article); **and** *Espinoza v. Farah Mfg. Co.* (1973), pgs. 95-106; **and** *United States v. Brignoni-Ponce* (1975), pgs. 107-117; **and** Valencia, R.A., et al (2004) *Mexican Americans and the Law*, pgs. 20-40; **and** Strauss, V. (2017) “Federal Judge Tells Arizona It Can’t Ban Mexican American Studies”

**Podcast** – “The History of Sterilization in the U.S.” (77 mins.)

**Video** – “Precious Knowledge” (70 mins.)

**Reading Quiz:** available from Oct. 3, at 8:00am (MST) to Oct. 4, 2021, at 11:59pm (MST).

**Critical Response Paper:** due October 7, 2021, at 11:59pm (MST).

**Note: Last Day to Withdraw with a “W” is November 30, 2018**

### **Learning Module 5 – Final Exam**

**October 8, 2021 – October 15, 2021**

Final Exam will open on **October 12, 2021 at 8:00am (MST) and will be available through October 15, 2021 at 11:59pm (MST)**. Good Luck!