

The University of Texas at El Paso

Chicana/o Legal History

CHIC 4301, CRN 28242, Spring 2018 (701)

UTEP CONNECT: 100% Online Course: Computer Access Required
7-Week Course: January 16, 2018 to March 4, 2018

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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:

In this course students will:

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

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 does racial identity impact the social, political, and economic equal rights of individuals?*

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 is a Discussion Forum entitled **Help Board**, located under the *General Discussion Forum* tab on the *Home Page*. The *Help Board* is for asking questions related to content OR any problems you are having. Make sure that you have clearly indicated the subject of your message. **If you are having technical difficulties, you will probably be directed to tech support.**

Reach Out to Others: Offer a fact, an article, link or other items that can help others learn something you can share. I have created a Discussion Forum entitled **The Deposition Café**, located under the *General Discussion Forum* tab on 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 utmost 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 access the Blackboard course shell. On the left-hand side of the Home Page under the Course Tools you will see the first link entitled **Are You Ready for Online Learning?** Please access that link and then click on **Check Your Technology**. Read this section carefully to ensure that you have the necessary software. If you do not, you will find links on this page for downloading the necessary software and it is free. 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:

I have provided a set of *Course Policies and Procedures*. On the *Home Page* go to the *Course Resources* folder and then click on *Class Policies and Procedures*. Please access the file as soon as possible and familiarize yourself with the do's and don'ts of the course. The information provided is extremely important and crucial for your success in this course. I also embedded the Course Policies and Procedures in the first Learning Module: Introduction and Getting Started

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 contact me immediately to discuss any special needs you might have. You must have a documented disability and in order to receive specific accommodations you will need to contact the **Center for Accommodations and Support Services (CASS)** at (915) 747-5148, or by email to cass@utep.edu, or visit their office located in UTEP Union East, Room 106 within the first week of class. For additional information please visit the CASS website at 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 four (4) Learning Modules. An Introduction and Getting Started module and three (3) theme related modules. **Learning Modules open at 8:00am (MST) on scheduled dates.** Each Theme-related learning module contains some or all of the following: short Introductions; a Lecture, which deals with the topic at hand; all Reading and Video links; Quiz links; Assignment links; and Discussion Board links. Theme-related learning modules, with the exception of modules 1, will last *approximately* 14-16 days.

Any embedded Quiz, Assignment, and Discussion links will open according to the scheduled due dates and deadlines. See Course Calendar for all due dates and deadlines. Remember: You will not see a Quiz and/or Assignment links until the day that they are scheduled on the Course Calendar.

Quizzes:

There will be four reading quizzes, one in each of the first four Learning Modules. The quizzes will be located inside of the individual Learning Modules.

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

Individual Assignments:

You will submit two (2) assignments: A Critical Response Paper for Learning Module 2 and a Legal Case Study Assignment for Module 3. I will provide detailed guidelines and grading rubrics for each assignment. Guidelines and grading rubrics will be located in the assigned Learning Module.

For your first assignment, I provided a set of guidelines on **“How to Write a Critical Response Paper”** located in the Course Resources Folder on the Home Page. Please access it right away so that you have time to ask me any questions regarding the assignment. I will also provide a set of questions to guide your analysis and these questions will be located in the assignment link.

Final Exam:

There will be a comprehensive Final Exam that covers Learning Modules 2, 3, and 4. I will provide a Final Exam Review Sheet to be located in Learning Module 4.

IMPORTANT: Check course calendar for assignment due dates and deadlines.

The grades will be divided as follows:

Quizzes	15%
Critical Response Paper	25%
Legal Case Study Assignment	30%
Final Exam	30%

Grading Scale:

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

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

January 16 – 20, 2018

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 January 17, 2018 at 11:59pm (MST) AND you are also required to take the **Syllabus/Plagiarism Quiz, which will be available Thursday January 18, 2018 at 5:00pm (MST) until Friday January 19, 2018 at 11:59pm (MST).**

The quiz is based on your reading of the Syllabus, Class Policies and Procedures, and the Plagiarism video. The video is located in the Learning Module 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 the History of Mexican Americans and the Law

January 20 – February 2, 2018

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 McIntosh, P. (1998) "White Privilege, Color, and Crime: A Personal Account, pgs. 1-7

Video – "The Uncomfortable Truth" (85 mins.)

Read – Navarro, M. (2012) "For Many Latinos, Racial Identity is More Culture Than Color," and Lantigua-Williams, J. (2016) "Criminal Justice is Becoming a 'Latino Issue'" and

Video – "White Like Me" (69 mins.)

Read – Griswold del Castillo, R. (1990) *The Treaty of Guadalupe Hidalgo*, pgs. 62-86; and *Botiller v. Dominguez* (1889), pgs. 9-16

Podcast – "Blood and Betrayal in the Southwest" (NPR 52 mins.)

Reading Quiz: available from January 27, 2018 at 8:00am (MST) to January 28, 2018 at 11:59pm (MST).

Critical Response Assignment: Due on February 2, 2018 at 11:59pm (MST). I provided a detailed assignment sheet and grading rubric inside of this Learning Module that explains what is expected for this assignment.

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

February 3 – February 18, 2018

Read – Valencia, R.A., et al (2004) *Mexican Americans and the Law*, pgs. xv-xx; and pgs. 3-19; and Ramirez, C. (2006) “Saying “Nothin:” Pachucas and the Languages of Resistance,” pgs. 1-33

Video – “Zoot Suit Riots” (55 mins.)

Read – *Hernandez v. Texas* (1954), pgs. 37-47; and Haney-López, I. (2004) “Race and Colorblindness after *Hernandez* and *Brown*,” pgs. 41-52

Video – “A Class Apart” (50 mins.)

Read – Haney-López, I. (2003), “The Chicano Movement Cases,” pgs. 15-40

Video – “The State of Arizona” (85 mins.)

Reading Quiz: available from February 10, 2018 at 8:00am (MST) to February 11, 2018 at 11:59pm (MST).

Legal Case Studies: Due February 18, 2018 at 11:59pm (MST). I provided a detailed assignment sheet and grading rubric inside of this Learning Module that explains what is expected for this assignment.

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

February 19 – March 4, 2018

Read – Stern, A.M (2005), “Sterilized in the Name of Public Health,” pgs. 1128-1138; and Valdes, M. (2016), “When Doctors Took ‘Family Planning’ Into Their Own Hands”

Video – “Southwest of Salem” (91 mins)

Read – *Espinoza v. Farah Mfg. Co.* (1973), pgs. 95-106; and *United States v. Brignoni-Ponce* (1975), pgs. 107-117

Podcast – “The Strange Death of José de Jesús Part I” (NPR 54 mins.)
“The Strange Death of José de Jesús Part II” (NPR 53 mins.)

Read – 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”

Video – “Precious Knowledge” (70 mins.)

Reading Quiz: available from February 25, 2017, at 8:00am (MST) to February 26, 2018, at 11:59pm (MST).

Note: Last Day to Withdraw with a “W” is February 26, 2018

Final Exam Due: Final Exam link will open on March 2, 2018 at 5:00pm (MST) and will close on March 4, 2018 at 11:59pm (MST).