AFRAS 380: Blacks and the American Justice System  
Fall 2014  

T/Th 11-12:15  
HH 210

Professor Francis Njubi Nesbitt  
Room: AL371  
Office Hours: T/Th 8-9 a.m. or by appointment

This course examines the legal construction of race and ethnicity in the United States. It explores the writings of scholars influenced by the civil rights movement, Black Power and critical race theory. The aim of the course is to interrogate the intersections among race, racism and power and place the law in a broader context that includes politics, economics and history. There are two objectives. The first is to understand the regime of white supremacy in the United States, its subordination of people of color and the relationship between that structure and cherished ideas of “rule of law” and “equal protection.” The second is to examine practical efforts to do something about the link between racism and law as expressed in African American social movements. The writers we will examine reject the notion that scholarship should be “neutral” and “objective.” They question the very foundation of the liberal order, including theories of equality, individualism, rationalism and Constitutional neutrality. These scholars not only try to understand our social situation but strive to change it; they set out not only to ascertain how society is organized, but to transform it for the better.

Texts

Requirements
There are four essential requirements for the successful completion of this course:

Attendance
Attendance is required. Arrive on time or you will not be allowed into the class. **Do not use computers, cell phones or other electronic gadgets during the class period. If you do so you will be asked to leave and marked absent.**
Exams
There will be two midterms (on Sept. 25th and Nov. 6th) and a final exam on Dec. 16 at 10:30 to 12:30 p.m.. The exams will cover all course materials including lectures, readings, discussions and films.

Term paper
Each student should pick a topic discussed in class and write an 8-10 page research paper. The instructor must approve the paper topic.

Grading policies
Participation/attendance 20%
Term paper 20%
Midterms 30%
Final exam 30%

A (100-90); B (89-80); C (79-70); D (69-60); F (59-)

Course Schedule

Week One: Introduction
Aug. 26-28
Marc Mauer Invisible punishment the collateral consequences of mass incarceration

http://www.urban.org/UploadedPDF/1000557_invisible_punishment.pdf

Archcity defenders’ white paper on municipal justice in Missouri

https://www.dropbox.com/s/vwptqn3mhq9xy7/ArchCity%20Defenders%20Municipal%20Courts%20Whitepaper.pdf

Week Two Sept. 2-4: Slavery

Davis, Are Prisons Obsolete? pp. 22-39

Documents (Blackboard)

- The Constitution
- Slave Codes
- Dred Scott
- Black codes
**Week Three: Reconstruction**  
Sept. 9-11

Read Davis, *Are Prisons Obsolete?* pp. 22-39

“Legacy of the first reconstruction,” Marable, pp. 3-39

Documents
- 13th 14th and 15th amendments
- Redemption

**Week Four: Jim Crow Segregation**  
Sept. 16-18  

Jim Crow Laws  
**Documents**  
- Plessy v. Ferguson  
- Brown v. Board of Ed

**Week Five: Civil Rights**  
**Documents**  
Sept. 23-Sept. 25

Davis, *Are Prisons Obsolete?* pp. 22-39 contd

Civil Rights  
- CRA 1964  
“The demand for civil rights reform,” Marable, pp. 40-60

**Midterm Sept 25th**

**Week Six: Voting Rights**  
Sept. 30-Oct. 2  
- Marable, pp. 61-85

Documents
- VRA 1965  
- FHA 1968  
- Affirmative Action

**Week Seven: Conference**

Oct. 7: Germany conference
PART TWO
Week Eight: The New Jim Crow

Oct. 14-Oct. 16

Week Nine: The Lockdown
Oct. 21-23

Week Ten: Color of Justice

Oct. 28-Oct. 30
Alexander, *The New Jim Crow*, pp. 97-140
Davis, *Are Prisons Obsolete?* pp. 40-59

Week Eleven: The Cruel Hand

Nov. 4-Nov. 6
Alexander, *The New Jim Crow*, pp. 140-177
Davis, *Are Prisons Obsolete?* pp. 60-83

**Midterm Nov. 6**

Week Twelve: The Cruel Hand contd.

Nov. 11: Veterans Day


Week Thirteen: The New Jim Crow
Nov. 18-Nov. 20
Davis, *Are Prisons Obsolete?* pp. 84-104

Week Fourteen: The New Jim Crow

Nov. 27: Thanksgiving Recess
Week fifteen: The Fire This T-me

Dec. 2-4
Alexander, *The New Jim Crow*, pp. 221-262
Davis, *Are Prisons Obsolete?* pp. 105-115

Week sixteen

Dec. 9: last class

Term Paper Due

Exam Week

*Dec. 16: Final Exam at 10:30-12:30 p.m.*