

The Ohio State University
Freshman Seminar Program: Arts & Sciences 1137. __ (Proposal)
Autumn 2016
Tuesday 12:40PM-1:35PM (or 1:10PM-2:05PM) | Room TBD

Title: African Americans & the Law: Major Cases

Professor: Simone Drake, MSL, PhD | Associate Professor | African American & African Studies | drake.194@osu.edu | (614) 292-8079 | 386E University Hall (office)

Course Description

This course introduces students to major legal cases affecting African Americans from slavery through the civil rights era. We will pay close attention to historical context and the social and political climates during the time the cases were decided. Various ideas about freedom, citizenship, justice, democracy, and the possibility of a *colorblind* justice system will be discussed.

Course Objectives

- To consider the centrality of African American citizenship to the US legal system.
- To develop, supported by case law, working definitions of key words: freedom, citizenship, justice and democracy.
- To think about why so many of the “landmark” legal cases deal with racial discrimination and inequalities, yet this nation touts a colorblind justice system.
- To hone critical reading skills.
- To develop rhetorical writing skills, particularly in the crafting of definitional arguments.

Required Texts

David Roediger, *How Race Survived US History: From Settlement and Slavery to the Obama Phenomenon*

All other reading and viewing material will be available electronically, either on Carmen (supplemental reading) or the Digital Media Services website for streaming (viewing) or on the Internet (case law and legislation).

Assignments

Participation	20%
Response Paper: Antebellum	20%
Response Paper: Reconstruction	20%

Response Paper: Civil Rights	20%
Comprehensive Reflection Paper	20%

Participation: Regular and robust participation is expected. Regular attendance is required. Absences, other than documented excused absences (bereavement, hospitalization, contagious illness, or severe injuries) will adversely affect your final grade for the course.

Antebellum Response Paper

This two-page, double-spaced, thesis-driven paper will develop a working definition of *freedom* based upon reading assignments from weeks 1-4.

Reconstruction Response Paper

This two-page, double-spaced, thesis-driven paper will develop a working definition of *citizenship* based upon reading assignments from weeks 5-8.

Civil Rights Response Paper

This two-page, double-spaced, thesis-driven paper will develop a working definition of either *justice* or *democracy* based upon reading assignments from weeks 9-14.

*Papers should adhere to the following format: one-inch margins, Chicago style for citations, title, no white space other than margins, and NO cover pages.

Comprehensive Reflection Paper

This paper is a 3-4 page, double-spaced critical analysis that reflects upon: 1) how your ideas about the law in relationship to African Americans has changed from the beginning of the semester to the end; 2) your thoughts on why so many “landmark” US legal cases have dealt with racial discrimination and inequality; and 3) have African Americans’ relationship with the law made progress since the so called end of the civil rights movement.

OSU Standard Grade Scheme

- 93 - 100 (A)
- 90 - 92.9 (A-)
- 87 - 89.9 (B+)
- 83 - 86.9 (B)
- 80 - 82.9 (B-)
- 77 - 79.9 (C+)
- 73 - 76.9 (C)
- 70 - 72.9 (C-)
- 67 - 69.9 (D+)
- 60 - 66.9 (D)
- Below 60 (E)

Disability Services

If you have a documented disability, please register with Student Life Disability Services. After registration, make arrangements with me as soon as possible to discuss your accommodations, so they may be implemented in a timely fashion. If you have any questions about this process, please contact Disability Services at 614-292-3307 or slds@osu.edu.

Academic Misconduct

It is the responsibility of the Committee on Academic Misconduct to investigate or establish procedures for the investigation of all reported cases of student academic misconduct. The term “academic misconduct” includes all forms of student academic misconduct wherever committed; illustrated by, but not limited to, cases of plagiarism and dishonest practices in connection with examinations. Instructors shall report all instances of alleged academic misconduct to the committee (Faculty Rule 3335-5-487). For additional information, see the Code of Student Conduct at <http://studentlife.osu.edu/csc/>.

SCHEDULE

Week One: August 23

Introduction: What is “colorblind justice?”

In-class writing assignment

Week Two: August 30

Roediger, Chapter 1

Somerset v. Stuart http://www.nationalarchives.gov.uk/pathways/blackhistory/rights/slave_free.htm

Week Three: September 6

Roediger, Chapter 2

Dred Scott v. Sandford (C-SPAN Landmark Cases: <http://landmarkcases.c-span.org/>)

Week Four: September 13

Roediger, Chapter 3

The Slaughterhouse Cases (C-SPAN Landmark Cases: <http://landmarkcases.c-span.org/>)

Week Five: September 20

Thirteenth Amendment

Quentin Tarratino, *Django* (view at: drm.osu.edu)

Week Six: September 27

Roediger, Chapter 4

1866 Civil Rights Act

14th Amendment

Plessey v. Ferguson

Week Seven: October 4

Roediger, Chapter 5

United States v. Carolene Products (1938)

Week Eight: October 11

Shelley v. Kraemer

Civil Rights Act of 1968/Fair Housing Act

Week Nine: October 18

Roediger, Chapter 6

Brown v. Board of Education (C-SPAN Landmark Cases: <http://landmarkcases.c-span.org/>)

Optional: *Méndez v. Westminster & Brown II*

Week Ten: October 25

Heart of Atlanta Motel, Inc. v. United States (1964)

Civil Rights Act of 1964

Week Eleven: November 1

Ava Duvernay, *Selma* (view at: drm.osu.edu)

Week Twelve: November 8

Mapp v. Ohio (1961) (C-SPAN Landmark Cases: <http://landmarkcases.c-span.org/>)

Optional: *Terry V. Ohio* and *Whren v. United States*

Week Thirteen: November 15

Fifteenth Amendment

Baker v. Carr (1962) (C-SPAN Landmark Cases: <http://landmarkcases.c-span.org/>)

Voters Right Act of 1965

Week Fourteen: November 22

No class—Thanksgiving Break

Week Fifteen: November 29

Reflection

Week Sixteen: December 6

Wrap-Up

Instructor Bio

Simone Drake is an associate professor and vice chair of African American and African Studies. Her research interests are broad and interdisciplinary, focusing on: critical race, gender, and legal studies; theories of black feminisms and black masculinities; visual and popular culture; and the literature of the African Diaspora in the Americas. Many of these research areas intersect in her books, *Critical Appropriations: African American Women and the Construction of Transnational Identity* (LSU Press, Southern Literary Studies Series, 2014) and *When We Imagine Grace: Black Men and Subject Making* (forthcoming U of Chicago P, 2016). She serves on the editorial board for *Spectrum: A Journal on Black Men* (Indiana UP), and she is a junior scholar in the Ford Foundation supported Scholars Network on Black Masculinity. Her intellectual pursuits are deeply intertwined with a commitment to community engagement through work at her department's Community Extension Center, as well as through volunteer grant writing, diversity workshops, and other services for the local community. Professor Drake teaches a wide variety of undergraduate course, including: Black Visual Culture and Popular Media; Introduction to African American Literature; Theorizing Race & Ethnicity; Topics in Black Masculinity Studies; Black Women, Culture, and Politics; and Global Perspectives on the African Diaspora.