

Disclaimer: This is an indicative syllabus only and may be subject to changes. The final and official syllabus will be distributed by the instructor during the first day of class.

The American University of Rome
International Relations Program

Department or degree program mission statement, student learning objectives, as appropriate

Course Title:	Racial Justice and the Law
Course Number:	IA 214
Credits & hours:	3 credits
Pre/Co-Requisites:	Permission of the instructor

Course description

In the context of the socio-legal environment of Italy, the European Union (EU), and the global south, including South Africa, the course will study the use of the law both to perpetuate and eradicate racial and economic injustice. While a significant focus of the course examines the United States from the inception and rise of slavery during the colonial period through the racial desegregation decision of the United States Supreme Court in *Brown v. Board of Education* in 1954 to the present, a comparative analysis of such circumstances as the treatment of migrants in Italy and other countries within the EU, or apartheid and post-apartheid South Africa will inform that review. The course analyzes the history of racism and the role of the courts, implicit bias as an offshoot of white supremacy, the criminal justice system and its impact on racial minorities, including African-Americans in the United States. Regarding the issue of implicit bias, especially in the criminal justice system, the course examines how current legal systems continue to maintain racial hierarchy while using less explicit language of discrimination. A significant focus of the course is on policing and the criminal justice system.

Recommended Readings *(subject to change)*

- Jill Abramson and Jane Mayer, *Strange Justice: The Selling Of Clarence Thomas* (1994).
- Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (2010).
- Jack Bass, *Unlikely Heroes* (1981).
- Derrick Bell, *Faces at The Bottom Of The Well: The Permanence Of Racism* (1992).
- Paul Butler, *Let's Get Free: A Hip-Hop Theory of Justice* (2009).
- Sheryl Cashin, *The Failures of Integration: How Race and Class are Undermining the American Dream* (2004)
- Christopher Edley, *Not All Black and White: Affirmative Action And American Values* (1996)
- Ian F. Haney Lopez, *Post Racial Racism: Racial Stratification and Mass Incarceration In The Age Of Obama* (2010)
- Ariela Gross, *What Blood Won't Tell: A History of Race On Trial In America* (2010)
- James Loewen, *Lies My Teacher Told Me: Everything Your American History Textbook Got Wrong* (2007)

- Hazel Markus And Paula Moya, Eds., Doing Race: 21 Essays for The 21st Century (2010)
- Rachel Moran, Interracial Intimacy: The Regulation of Race And Romance (2001).
- James Patterson, Brown V. Board of Education: A Civil Rights Milestone And Its Troubled Legacy (2001)
- Randall Robinson, The Debt: What America Owes to Blacks (2000)
- Frank H. Wu, Yellow: Race in America Beyond Black And White (2001)

Course Learning Objectives

At the end of the course, students will be able to:

1. demonstrate an understanding of racial equality, racially based violence, and other issues pertaining to the issues of racial justice.
2. examine the extent to which law has both failed and supported the quest for racial equality.
3. compare legal approaches for addressing racial equality.
4. demonstrate an understanding of how the concept of intersectionality is relevant to addressing racial equality.
5. demonstrate excellent research, writing, and analytical skills necessary for writing a research paper on a topic related to racial justice.

Course Learning Activities

- Readings and Assignments, with occasional reflection papers on assignments (LO 1,2,3)
- 3 classes per week. These classes will include lectures, group discussions as well as activities involving active student participation, including dialogue and debates (LO 1,2,3)
- 1 weekly excursion (LO 2,3)
- 2 Class presentations (LO 4,5)
- 2 Research papers (LO 5)

Assessment tools

Class participation	10%
Oral presentation	20%
Research Paper	70%

COURSE SCHEDULE

Lecture Title	Readings
Comparative Perspectives On Racial Justice: The USA, European Union And Italy. [PA]	Derrick Bell, <i>Race, Racism and American Law</i> , Chapter 2 (<i>Race and American History</i> 19-40); Christopher A. Shinn, Inside the Italian Empire: Colonial Africa, Race Wars, and the 'Southern Question', in <i>Shades of Whiteness</i> (35-51); Being Black in the EU: The Experiences of Persons of African Descent (2023)
Apartheid South Africa and Colonialism [PA]	
Professional Excursion: Visit to the Cassazione – the Italian Supreme Court	
Black Lives Matter: Race, The Criminal Justice System and Policing [KB] The Status of Policing and Black Lives	The Thirteenth Amendment: Modern Slavery, Capitalism, and Mass Incarceration, Michele Goodwin: ** Read Prior to starting program. Safety: https://www.whitehouse.gov/briefing-room/presidential-actions/2022/05/25/executive-order-on-advancing-effective-accountable-policing-and-criminal-justice-practices-to-enhance-public-trust-and-public-safety/ Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public US Commission on Civil Rights – Police use of Force: An Examination of Modern Policing Practices (PDF) Case study: Elijah McClain—New York Times: <i>Here's What You Need to Know About Elijah McClain's Death</i> : https://www.nytimes.com/article/who-was-elijah-mcclain.html
Black Lives Matter: Race, The Criminal Justice System and Policing [KB] Policing, Black Lives and Livelihood: A Historical Overview	<i>The History of Policing in the United States</i> , Gary Potter, parts 1-6: https://ekuonline.eku.edu/blog/police-studies/the-history-of-policing-in-the-united-states-part-1/ <i>The New Jim Crow</i> , Michelle Alexander: Chapter 3: The Color of Justice
Professional Excursion - Visit to the Senato.	
Black Lives Matter: Race, The Criminal Justice System and Policing [KB] The Policing and Mass Incarceration of Black Americans and the Thirteenth Amendment	The Thirteenth Amendment: https://constitution.congress.gov/constitution/amendment-13/ <i>The Thirteenth Amendment in Legal Theory</i> , Cornell Law Review: https://www.cornelllawreview.org/2019/09/08/the-thirteenth-amendment-in-legal-theory/ <i>The 13th Amendment Could End Racist Policing</i> , Slate: https://slate.com/news-and-politics/2020/06/police-abolition-13th-amendment-slavery-racism.html
Black Lives Matter: Race, The Criminal Justice System and Policing [KB] The Policing and Mass Incarceration of Black Americans and the Thirteenth Amendment (continued)	A Thirteenth Amendment Framework for Combating Racial Profiling (PDF excerpt), William M. Carter Jr.
Black Lives Matter: Race, The Criminal Justice System and Policing [KB] The Policing and Mass Incarceration of Black Americans and the Thirteenth Amendment (continued)	Abolishing Racist Policing with the Thirteenth Amendment (PDF excerpt), Brandon Hasbrouck <i>State Policing Reforms Since George Floyd's Murder</i> , The Brennan Center for Justice: https://www.brennancenter.org/our-work/research-reports/state-policing-reforms-george-floyds-murder Don't Shoot: Race-Based Trauma and Police Brutality, Leah Metzger (PDF)
Student Class Presentations [KB] Student Presentations on Racial Justice and the Law (PowerPoint presentations and interactive discussions)	
Intersectionality [LS] Examination and Discussion of Identity and Power	Glenda Gilmore, <i>Gender and Jim Crow: Women and Politics of White Supremacy in North Carolina, 1896 – 1920</i> (2019) (excerpt) Kimberlé Crenshaw, <i>ON INTERSECTIONALITY</i> (2017) (excerpt) Kimberlé Crenshaw, <i>Why Intersectionality Can't Wait</i> , <i>Opinion</i> , WASH. POST (Sept. 24, 2015), https://www.washingtonpost.com/news/in-theory/wp/2015/09/24/why-intersectionality-cant-wait/

Unconscious Racism and Implicit Bias [LS] Examination and Discussion of the Existence and Effects of Unconscious Racism and Implicit Bias	Charles Lawrence, The Id, The Ego and Equal Protection: Reckoning with Unconscious Bias, 39 STAN. L. REV. 317 (1987) Justin P. Levinson and Robert J. Smith, eds., IMPLICIT RACIAL BIAS ACROSS THE LAW (2012) (excerpt) Derald Wing Sue, Microaggressions in Everyday Life: Race, Gender and Sexual Orientation (2010) (excerpt)
Professional Excursion - Visit to the United Nations Food and Agriculture Organization	
Equal Education [LS] Examination and Discussion of Policy and Legal Precedent Relating to Equality in Education	Brown v. Board of Education 347 U.S. 483 (1954) Regents of Univ. of Cal. v. Bakke, 430 U.S. 265 (1978) Grutter v. Bollinger, 539 U.S. 306 (2003) Fisher v. Univ. of Tex., 570 U.S. 297 (2013) Students for Fair Admission, Inc. v. Harvard Coll., 600 U.S. 181 (2023) U.S. Dep't of Educ., 2022 Agency Equity Plan, https://www2.ed.gov/documents/equity/2022-equity-plan.pdf Selected readings on charter schools and vouchers
Liberal Versus Critical Ideas of Race and Law [LS] Examination and Discussion of Liberal and Critical Perspectives on Race and Law	Derrick Bell, Brown v Board of Education and the Interest Convergence Dilemma, in <i>Key Writings</i> (17 pages) Malcolm Gladwell, narrator, <i>Ms. Buchanan's Period of Adjustment</i> : http://revisionisthistory.com/episodes/13-miss-buchanans-period-of-adjustment (33.30 minutes) Robin L. West, <i>Tragic Rights: The Rights Critique in the Age of Obama</i> , 53 Wm. & Mary L. Rev. 713 (2011) (34 pages) President Obama's Race Speech (Philadelphia 2008)
Gender Apartheid [PA]	Karime Bennoune, The International Obligation to Counter Gender Apartheid in Afghanistan
Student Class Presentations [LS] Student Presentations on Racial Justice and the Law (PowerPoint presentations and interactive discussions)	
Professional Excursion - Walking tour of the Jewish Ghetto and visit to the Museum Fosse Ardeatine (Victims of massacre)	

ATTENDANCE POLICY

In keeping with AUR's mission to prepare students to live and work across cultures, the University places a high value on classroom experience. As a result attendance is expected in all classes and attendance records are maintained. The University's attendance policy is as follows:

1.0. Minimum Attendance Requirement: Students must attend a minimum of 70% of a course in order to be eligible to be considered for a passing grade.

1.1. Automatically Accepted Absences

Students will not be penalized for one absence from classes meeting once a week;
Students will not be penalized for three absences from classes meeting twice a week;
Students will not be penalized for four absences from classes meeting more than twice a week, as in the case of some intensive courses.

1.2. If further absences are recorded, grade penalties will be applied according to the Instructor's specific attendance policy, as stated in the syllabus, and following the institutional parameters given in the Note* below.

1.2.1. If the Instructor does not specify an attendance policy, there will be no grade penalty other than that attached to the minimum attendance requirement, and any penalized absences recorded above the basic 70% attendance requirement for the course will be invalidated.

1.3. During Summer sessions where courses are taught more intensively over a shorter period the following applies:

- Students will not be penalized for two absences from class.

2.0. Tolerated Absences

Certain categories of absence will not be penalized but they will be counted as an absence (for a 3-credit course meeting twice a week). These absences are:

- The Model United Nations (MUN);
- Permit to Stay,
- SG's "Ambassador Program" (Student Government initiative)
- Religious Holidays

The American University of Rome makes all reasonable efforts to accommodate students who must be absent from classes to observe religious holidays. (Please refer to the Provost's Office list of accepted absences for religious holidays)

Not attending a class due to the observance of a religious holiday will normally not be counted as an absence.

Students who will need to miss class in order to observe religious holidays must notify their Instructors by the end of the Add/Drop period (first week of classes), and must make prior arrangements with their Instructors to make up any work missed.

2.1. The list does NOT include academic field trips because these (including arrangements for travel) must not overlap with other classes.

3.0. Cases of prolonged absences caused by an emergency or a medical condition may require students to withdraw from some or all of their courses. Under such circumstances students should first consult their academic advisors.

*Note: No Instructor may penalize a student more than half a letter grade for each absence beyond the tolerated limit (e.g. from A- to B+).

Grade Point Average

A student's grade point average (GPA) is computed by multiplying the quality points achieved by the number of credits for each course. The result is then divided by the total number of credit hours taken. The Cumulative or Career Total Grade Point Average (CGPA) is the grade point average for all credit hours taken at the University and at approved study abroad programs. The GPA and CGPA are calculated by truncating after the second digit after the decimal point. Transfer credits have no effect on the CGPA at The American University of Rome.

Grades

Grades are posted on a secure area of the University's official website and are mailed to AUR degree students only upon written request. Grades are mailed to the various study abroad programs. Grades computed in the (GPA) reflect the following grade equivalents:

GRADE		GPA	
A	Excellent	4.00	94 – 100 points
A-		3.70	90 – 93.99 pts
B+	Very Good	3.30	87 – 89.99
B	Good	3.00	83 – 86.99
B-		2.70	80 – 82.99
C+		2.30	77 – 79.99
C	Satisfactory	2.00	73 – 76.99
C-	Less than Satisfactory	1.70	70 – 72.99
D	Poor	1.00	60 – 69.99
F	Failing	0.00	59.99 – 0
WU	Unofficial withdrawal counts as an F	0.00	
P	Applicable to development courses	0.00	
<i>Grades not computed into the grade point average are:</i>			
W	Withdrawal		
AUDIT (AU)	Only possible when the student registers for a course at the beginning of the semester as an audit student		
I	Incomplete work must be completed within the ensuing semester. Failure to do so results in automatically converting the I grade to the default grade, which is then computed into the grade point average		
P	Pass grade is applicable to courses as indicated in the catalog.		
WIP	Work in progress		