

RACE AND THE AMERICAN LEGAL SYSTEM

Fromm Institute - Spring 2020

Overview of Course

Race has been a part of United States law since its inception as a nation. Our forefathers began this nation by writing laws that allowed for the seizure of Native American land and transformed a system of indentured labor into race-based slavery. Our nation's entwined relationship between race and American law has continued throughout its entire history. Today, the Supreme Court continues that history by limiting the use of race-conscious remedies in what it describes as color-blind edicts, thereby embedding racial hierarchies in our society. Race and the American Legal System has the following goals: (1) to promote an understanding of race-based legislation, policies and case law; (2) to understand the contexts in which these laws were passed and case opinions handed down; and (3) to examine the meaning of white privilege and how it impacts American law.

Week of January 6th

The definition of race;

The arrival of Africans and early treatment of African Americans by the colonies and by the founding fathers;

Week of January 13th

The African American experience under the law from the early 19th century until the modern civil rights era;

Week of January 20th

Early relationship with Native nations and ratification of U.S. – Indian treaties;
Indian removal and treaty enforcement in the United States courts;

Week of January 27th

U.S. vacillating policies toward Native Americans;

The outbreak of the Mexican American War and the development of land policies for the newly seized Mexican lands;

Week of February 3rd

Discrimination laws against Latin/x community and the development of bracero programs and immigration policies;

Week of February 10th

Arrival of Chinese and Japanese immigrants and the development of policies limiting Chinese and Japanese access to work, land ownership and citizenship;

Week of February 17th

20th century treatment of Asian Americans; Arrival of Eastern Europeans and their assimilation into the white race;

Week of February 24th

Contemporary racial issues, including development of a new “racial” minority consisting of Middle Eastern, Arabs, South Asian and Muslim people;