Critical Race Theory: Critical Race (Eco)Womanisms, Queer Critical Race Theory, and Indigenous Legal Studies

This course is a reading and writing-intensive course with a focus on race and ethnicity in the Américas, in particular the U.S. and its colonies. This course examines the relationships between identity, power, and language. Engaging with Critical Race Theory, a body of work by legal scholars of color, and the work of other queer, womanist, and Indigenous artists, academics, and activists of color, we will use texts and technology, assignments and discussion, and site-specific activities to reconceptualize the inner workings of discourse, discrimination, and decolonization; race, rhetoric, and resistance; spirituality, sexuality, and sovereignty; gender, globalization, and genocide; capitalism, composition, and colonization; and Nativity, narrativity, and Nationhood.

Critical Race Theory is a movement of scholars of color within/beyond legal and policy systems created to address issues of race, class, gender, sexuality, and other forms of identity, difference, and power as they relate to issues of equality, jurisprudence, and human and civil rights. In our course, we will be looking at the history, argumentation, creative work, and activism of Pacific Islander, Arab/Middle Eastern, Native, Asian, Latina/o, and African descent communities, with a particular focus on Indigenous peoples, women of color, and queer people of color, and how our lives, cultures, perspectives, traditions, and experiences create important, new, and particular understandings of the past, present, and future, and environmental, economic, spiritual, cultural, corporeal, and political justice.

We will use Critical Race Theory as a series of lenses and intersecting bodies of knowledge by which to become more adept producers and analysts of verbal, written, digital, and performative texts; skilled, informed discourse participants; and active, effective, ethical members of our communities. Throughout the course we will grapple with key questions: How are our lives interwoven with laws, policies, and il/legal histories and herstories inside and outside the U.S.? How have notions of property been tethered to different cultural, physical, and terrestrial bodies? How are arguments (verbal, written, digital, corporeal, terrestrial) made, transmitted, received, and reconfigured? What is being communicated, how, to whom, and to what effect? What exists between de jure and de facto, theory and praxis, colonization and decolonization? Where does the U.S. begin and end? How are laws constituted across international, national/state (tribal, U.S. federal, commonwealth, compact, colonial, territorial), and local levels? And how can justice be achieved judicially, extrajudicially, and in alignment with movements for decolonization, sovereignty, and global environmental survival?
Since Critical Race Theory is an intervention on the level of perspective (who is producing the scholarship and asking the questions, the differential ways questions are generated and theories invented, who is making policy recommendations, for which audiences, and how they are being delivered), content (what is being studied, deemed worthy of study, and how it is being studied, how it is being theorized), and aesthetics (narrative structure, sequencing, and arrangement; use of memory and storytelling; presentation of testimony and evidences; shaping of voices and other aspects of style), we will be engaging each of these three areas, and their intersections, as means by which to improve, revitalize, and render more effective our own interventions.

The course’s pedagogy is informed by traditions in grassroots community organizing; decolonial writing, arts, and performance; and Indigenous, Womanist, and Queer Ethnic Studies. As part of this work, we will be engaged with the prioritization of oppressed voices, interruption of oppression, application of our work to the larger world for the purposes of justice, integration of our own personal and collective/histor-herstorical narratives, and utilization of movement and performance as means of both producing and critiquing texts. In addition to reading books, we will also be listening to music, engaging with relevant cinema, viewing visual art, and entering the space of museums. In addition, we will be using theatre and movement to find new ways of writing in, about, and through our bodies, identities, and experiences.

We will spend a great deal of time, both inside and outside of class, developing projects over the course of the semester. Each of the three projects will move from print to digital, from being composed primarily in a written format, accompanied by visuals, to being recreated using different computer software into a more multimedia electronic format. For example, in the first project, we will begin by doing mixed-genre autobiographical work using creative writing and photos and move from that into interactive web design. The second project will take the standard steps of a research paper—proposal, annotated bibliography, actual research paper—and move into an advanced PowerPoint audiovisual presentation. The last project will take the elements of moviemaking and move from film criticism and working with storyboards and screenplays into actual movie composing with iMovie and iDVD.

Students will walk away with a range of new discursive and technological skills; an improved ability to critique, create, and manage print, multimedia, digital, and performative projects in innovative, complex, professional, and rhetorically sophisticated ways; and the capacity to effectively triangulate textual, societal, and experiential bodies of knowledge. They will also be able to clearly articulate issues of power, identity, and difference as they relate to structures of governance, modes of communication, their own lives, and larger movements for social justice.

**Class Schedule**

Class meets Mondays and Wednesdays from 3-4:50pm in Farrall 106. We will not meet on Monday, January 19, 2009 as it is a campus holiday, Martin Luther King, Jr. Day, nor will we have class on Monday, March 9, 2009 and Wednesday, March 11, 2009 due to spring break. The last regularly scheduled class will be on Wednesday, April 29, 2009. The final session of the course will be on Thursday, May 7, 2009 from 3-5pm in Bessey 222.
Office Hours

I am available to meet on Mondays from 4:50-6:50pm. I can meet outside these hours by appointment. Students can also email or leave messages in my mailbox in Bessey 229.

Technology

This section of WRA 125 is technology-saturated and composing-intensive. Computers will be integrated throughout course instruction to enhance and further our discussions and explorations of text genesis and critique, production and revision. We will use computers as part of our efforts to conduct effective research using MSU Libraries [http://www.lib.msu.edu] and external materials, including relevant indexes and other resources, as well as to aid us accurately and ethically citing our sources, utilize Modern Language Association (MLA) [http://www.mla.org] formatting, aid us in the formation of bibliographies and works cited sections, and to examine the invention, arrangement, revision, and delivery of texts we create as we produce art, written and visual essays, websites, movies, and audiovisual presentations. Students are required to save their work from each session, whether to USB flash drives, emails, CDs/DVDs, disks, their AFS space [http://afs.msu.edu], or, where relevant, the computer with which they are composing during class. Students are able to, and in some cases required, to print their work; MSU e-tokens [https://netprint.msu.edu/?page=home] may be purchased in order to do so. Some texts for the course are online; for these texts, students can type the URL listed or go to ANGEL [http://www.angel.msu.edu], an online course site, and click the appropriate hyperlink to take them there. Also on ANGEL are the course syllabus, instructions and drop boxes for assignments, required PDF files for students to read/view, discussion fora, and an ANGEL email system.

The Libraries, Computing and Technology (LCT) Helpline is available to assist you with any ANGEL or Library issues; they can be reached twenty-four hours a day, seven days a week, at (517) 355-2345 and (800) 500-1554. Additional campus resources that will aid students in developing their digital literacies include the Academic Technology Services (ATS) Help Desk, which can be contacted through their website [http://help.msu.edu], over the phone at (517) 432-6200, or by visiting in person their location in Computer Center 120. Additionally, students will find the resources of the MSU Writing Center [http://writing.msu.edu] invaluable, including appointments with Digital Writing Consultants (DWCs) and other Writing Consultants where relevant. The Writing Center is located in Bessey 300 and their phone number is (517) 432-3610.

Class Participation

Participating in the verbal, written, digital, and performative activates of class is vital to the success of the course and development of students’ own knowledge, skills, and expertise. Students can earn class participation credit by consistently contributing in meaningful, insightful, and informed ways to discussion during class time, assisting their peers and working effectively
in teams, making full use of site-specific activities, completing all aspects of required assignments fully, on time, and to the best of their ability, posting in online discussion fora in ANGEL, engaging with the instructor during office hours, and engaging in individual email conversations with the instructor. Students are expected to attend all class sessions and be on time. Excessive tardiness or leaving early will lower your grade; each instance constitutes a partial absence. Two partial absences equal one full absence. Students who miss more than four class sessions will fail the course. Students are expected to do the reading for each session, complete all assignments, and be ready for class discussion. As cell phones and pagers disrupt class discussion, they must be turned off for the duration of class. Students are expected to complete all drafts and be prepared for peer review. Discussion fora exist on ANGEL for each of the main assignments, as well as for the course’s texts and classroom discussion. While posting on these fora is not usually required, it is one way to improve one’s class participation grade for the course, and at times will be verbally required by the instructor. Pop quizzes may be given at different intervals to test students’ familiarity with the content and procedures of the course, and if assigned will be factored into the class participation grade. Class participation—in class, online, and during office hours—is a significant portion of the final grade.

Accessibility

MSU complies with all federal and state laws and regulations regarding discrimination, including the Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973. Students with disabilities who need accommodations should inform the instructor during office hours and register with the Resource Center for Persons with Disabilities (RCPD) in Bessey 120 to receive assistance. Their website is http://www.rcpd.msu.edu and phone number is (517) 353-9642.

Grades

Class participation constitutes 25% of a student’s final grade. There are three main assignments for the course; each constitutes 25% of the final grade. In order to receive full credit, all drafts must be of high quality and be submitted on time, and all peer review sessions must be attended. Assignments will be marked down 1.0 for each class session they are late. Failure to complete a draft or being absent/unprepared for peer review will result in the assignment being marked down 1.0. Plagiarism is not allowed. First instances will result in failure for the assignment. Second instances will result in failure for the course. All grades for the course are on a 4.0 scale.

Assignments

Assignments are due the beginning of class. Unless otherwise noted, three hard copies should be brought for peer review. For the instructor, drafts of assignments should be uploaded to the appropriate ANGEL drop boxes. There are three main assignments: 1) Autocartography (mixed-genre written/visual composition, website, reflection), 2) Research Project (proposal, annotated bibliography, research paper, PowerPoint presentation, reflection), 3) Movie (film criticism,
storyboard, screenplay, video, reflection). More detailed guidelines for each assignment will be given out over the course of the semester. Each constitutes 25% of the final grade.

### Texts


### Authors

**Winona LaDuke** was born in 1959 in Los Angeles, raised there and in Oregon, and lives on the White Earth Reservation in Minnesota. A Native womanist environmental activist and organizer, writer, educator, mother and grandmother, and enrolled member of the Mississippi Band of Anishinaabeg, she was born to an Indigenous father and Ashkenazi Jewish mother. She is author of three activist nonfiction prose works, *All Our Relations: Native Struggles for Land and Life*, *The Winona LaDuke Reader*, and *Recovering the Sacred: The Power of Naming and Claiming*, and a novel, *Last Standing Woman*. She has worked with Women of All Red Nations, founded the Indigenous Women’s Network and the White Earth Recovery Project, and is the Program Director of Honor the Earth. Her writing has also appeared in *A Gathering of Spirit: A Collection by North American Indian Women*, *Reinventing the Enemy’s Language: Contemporary Native Women’s Writing of North America*, *Cultural Representation in Native America*, *Debating the Earth: The Environmental Politics Reader*, *Sister Nations: Native American Women Writers on Community*, *New Perspectives on Environmental Justice: Gender, Sexuality, and Activism*, and *Talking About a Revolution: Interviews with Michael Albert, Noam Chomsky, Barbara Ehrenreich, bell hooks, Peter Kwong, Winona LaDuke, Manning Marable, Urvashi Vaid, and Howard Zinn*. She has twice been a candidate with the Green Party for Vice-President of the United States.
Mari Matsuda was born in 1956 and grew up in both Los Angeles and Honolulu. The child of Civil Rights activists, she is a Sansei Japanese/Okinawan womanist legal scholar, critical race theorist, activist, mother, and Professor of Law at the University of Hawai‘i at Mānoa. She has also taught at Georgetown University Law Center, the University of California, Los Angeles, Stanford Law School, and Hiroshima University. The author of Where Is Your Body? And Other Essays on Race, Gender, and the Law and co-author of both Words That Wound: Critical Race Theory, Assaultive Speech, and the First Amendment and We Won’t Go Back: Making the Case for Affirmative Action, she is the editor of Called from Within: Early Women Lawyers of Hawai‘i. Her work has also appeared in Critical Race Theory: The Key Writings That Formed the Movement, Feminist Legal Theory: An Anti-Essentialist Reader, Asian Americans on War & Peace, and Crossroads, Directions, and a New Critical Race Theory. She has served on the advisory boards and councils of the Asian American Justice Center, the American Civil Liberties Union, and Ms. magazine, as well as being a member of D.C. Asians for Peace and Justice.

Haunani-Kay Trask was born in 1949. She was raised on the island of O‘ahu, Hawai‘i, with genealogical ties to both Māui and Kaua‘i. A Kanaka Maoli womanist activist, professor, aunt, and writer, she is author of a book of theory, Eros and Power: The Promise of Feminist Theory, a collection of essays and speeches, From a Native Daughter: Colonialism and Sovereignty in Hawai‘i, two poetry collections, Light in the Crevice Never Seen and Night Is a Sharkskin Drum, a CD-ROM, We are not happy Natives: education and decolonization in Hawai‘i, and co-author of the photography book, Kū‘ē: Thirty Years of Land Struggles in Hawai‘i. She also co-wrote and co-produced the award-winning documentary, Act of War: The Overthrow of the Hawaiian Nation. Her work has appeared in Color of Violence: The INCITE! Anthology, The Colour of Resistance: A Contemporary Collection of Writing by Aboriginal Women, Global Visions: Beyond the New World Order, Resiliency in Native American and Immigrant Families, Inside Out: Literature, Cultural Politics, and Identity in the New Pacific, Reinventing the Enemy’s Language: Contemporary Native Women’s Writings of North America, Intimate Nature: The Bond between Women and Animals, Should America Pay? Slavery and the Raging Debate on Reparations, Peace and Development: An Interdisciplinary Perspective, Class and Culture in the South Pacific, Dialogue of Civilizations: A New Peace Agenda for A New Millennium, and Whetu Moana: Contemporary Polynesian Poetry in English. Professor of Hawaiian Studies and former Director of the Kamakahōkūalani Center for Hawaiian Studies at the University of Hawai‘i at Mānoa, Trask has been a vital member of Ka Lāhui Hawai‘i, the largest sovereignty movement in Hawai‘i.

Kenji Yoshino was born in 1969 in Los Angeles, and raised in Boston and Japan. A gay Nisei Japanese legal scholar, poet, and writer, he is Chief Justice Earl Warren Professor of Constitutional Law at New York University School of Law, and formerly was Guido Calabresi Professor of Law at Yale Law School. He is the author of Covering: The Hidden Assault on Our Civil Rights.

Patricia J. Williams was born in 1951 in Boston, where she was raised. An African American and Cherokee womanist legal scholar, writer, and mother, she is James L. Dohr Professor of Law at Columbia Law School, and has also taught at Dartmouth College and the University of Wisconsin. She is the author of The Alchemy of Race and Rights: A Diary of a Law Professor, The Rooster’s Egg: On the Persistence of Prejudice, Seeing a Color-Blind Future: The Paradox

Required Supplemental Texts


Recommended Additional Texts


Schedule

Week One
M 1/12 In Class: Haunani-Kay Trask We are not happy Natives: education and decolonization in Hawai‘i
W 1/14 In Class: Haunani-Kay Trask We are not happy Natives: education and decolonization in Hawai‘i
Read: ANGEL Alice Walker “Womanist” and “In Search of Our Mothers’ Gardens” and Aurora Levins Morales “The Historian as Curandera”; Haunani-Kay Trask From a Native Daughter: Colonialism and Sovereignty in Hawai‘i pp. 1-64; Winona LaDuke All Our Relations: Native Struggles for Land and Life pp. 1-48

Week Two
M 1/19 No Class – Martin Luther King, Jr. Day

Week Three
M 1/26 Autocartography: 1st Draft (Print) for Peer Review
Read: Kenji Yoshino Covering: The Hidden Assault on Our Civil Rights pp. 50-110
W 1/28 Autocartography: 2nd Draft (Print) for Instructor
In Class: Writing Center Orientation/Peer Review Workshop, 300 Bessey
Read: ANGEL Devon W. Carbado “Straight Out of the Closet” and Angela Onwuachi-Willig “Undercover Other”

Week Four
M 2/2  Research Project: Proposal Due for Instructor
Read: Haunani-Kay Trask *From a Native Daughter: Colonialism and Sovereignty in Hawai‘i* pp. 65-112

W 2/4  Autocartography: 3rd Draft (Web) for Peer Review
Read: ANGEL Human Rights Watch *This Alien Legacy: The Origins of “Sodomy” Laws in British Colonialism*

**Week Five**

M 2/9  Autocartography: 4th Draft (Web) for Instructor
Research Project: Library Orientation and Research Workshop, Red Cedar Lobby
Read: Winona LaDuke *All Our Relations: Native Struggles for Land and Life* pp. 49-114

W 2/11  Read: Patricia J. Williams *The Alchemy of Race and Rights: Diary of a Law Professor* pp. 1-54; Winona LaDuke *All Our Relations: Native Struggles for Land and Life* pp. 115-138

**Week Six**

M 2/16  Research Project: 1st Draft (Print) for Peer Review
Read: Winona LaDuke *All Our Relations: Native Struggles for Land and Life* pp. 139-186

W 2/18  Autocartography: Final Version (Web) for Instructor
Autocartography: Reflection for Instructor
Read: Haunani-Kay Trask *From a Native Daughter: Colonialism and Sovereignty in Hawai‘i* pp. 113-150; ANGEL Beatrice Medicine “Oral History as Truth: Validity in Recent Court Cases Involving Native Americans” and Vandana Shiva – Introduction: Piracy Through Patents: The Second Coming of Columbus; Jonathan Kay Kamakawiwo'ole Osorio “Protecting Our Thoughts”; Winona LaDuke *All Our Relations: Native Struggles for Land and Life* pp. 187-203

**Week Seven**

M 2/23  Research Project: 2nd Draft (Print) for Instructor
Read: Patricia J. Williams *The Alchemy of Race and Rights: Diary of a Law Professor* pp. 55-97; ANGEL Lourdes Portillo “Screenplay for *Columbus on Trial*” and “Storyboard for *Columbus on Trial*”

W 2/25  Research Project: 3rd Draft (PowerPoint) for Peer Review
In Class: Lourdes Portillo *Columbus on Trial*
Read: Patricia J. Williams *The Alchemy of Race and Rights: Diary of a Law Professor* pp. 98-132

**Week Eight**

M 3/2  Research Project: Final Version (PowerPoint) for Instructor
Research Project: Reflection for Instructor
Research Project: PowerPoint Presentations
Read: Kenji Yoshino *Covering: The Hidden Assault on Our Civil Rights* pp. 111-167
W 3/4  Research Project: PowerPoint Presentations  
Read: Winona LaDuke Recovering the Sacred: The Power of Naming and Claiming pp. 11-66

Spring Break  
M 3/9  No Class  
W 3/11  No Class

Week Nine  
M 3/16  Movie: Film Criticism for Peer Review  
Read: Winona LaDuke Recovering the Sacred: The Power of Naming and Claiming pp. 67-112

W 3/18  Movie: Film Criticism for Instructor  
In Class: Michigan State University Museum  
In Class: Edward Lee Invisible Son  
Read: Haunani-Kay Trask From a Native Daughter: Colonialism and Sovereignty in Hawai‘i pp. 151-196 and Patricia J. Williams The Alchemy of Race and Rights: Diary of a Law Professor pp. 133-165

Week Ten  
M 3/23  Movie: Screenplay and Storyboard for Peer Review  

W 3/25  Movie: Screenplay and Storyboard for Instructor  
Read: Winona LaDuke Recovering the Sacred: The Power of Naming and Claiming pp. 113-152; ANGEL Haunani-Kay Trask “The Color of Violence”

Week Eleven  
M 3/30  Movie: Introduction to Movie Composing: The Integration of Visual, Sound, and Written Elements, Writing Center  
Read: ANGEL Sarah Deer “Toward an Indigenous Jurisprudence of Rape” and “Sovereignty of the Soul: Exploring the Intersection of Rape Law Reform and Federal Indian Law”

W 4/1  Read: ANGEL Adele M. Morrison “Queering Domestic Violence to ‘Straighten Out’ Criminal Law: What Might Happen When Queer Theory and Practice Meet Criminal Law’s Conventional Responses to Domestic Violence” and “Foreword: Homophobia as Terrorism”

Week Twelve  
M 4/6  Movie: Workshop, Writing Center  
Read: Mari J. Matsuda “Love, Change” and Adele M. Morrison “Same-Sex Loving: Subverting White Supremacy through Same-Sex Marriage”

Week Thirteen
M 4/13  Movie: Workshop, Writing Center
Read: Patricia J. Williams The Alchemy of Race and Rights: Diary of a Law Professor pp. 166-201

Week Fourteen
M 4/20  Movie: Workshop, Writing Center
Read: Mari J. Matsuda Where Is Your Body? And Other Essays on Race, Gender, and the Law pp. 149-198
W 4/22  Movie: Workshop, Writing Center

Week Fifteen
M 4/27  Movie: Reflection Due for Instructor
Movie: Film Screenings, Writing Center
Read: ANGEL Mari J. Matsuda “Are We Dead Yet? The Lies We Tell to Keep Moving Forward Without Feeling”
W 4/29  Movie: Film Screenings, Writing Center
Last Day of Class

Finals Week
R 5/7   Final Session