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**Northeastern Illinois University**  
**Department of Political Science**  
**Latinos and the Law**

PSCI 307N, Fall 2009, Mondays – 7:05pm – 9:45pm

Instructor: Juan Carlos Linares, J.D., LL.M.

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Office Hours: after class and by appointment

**COURSE DESCRIPTION AND OBJECTIVES**

Latinos constitute the largest and fastest growing minority group in the United States. According to Census estimates, the U.S. Latino population will reach 103 million by the year 2050. To a great extent, this increase in numbers is meaningful because it entails rapidly changing social relations, the fueling of cultural change and the transformation of the economic and political landscapes in many U.S. communities.

This course will critically examine legal principles in improving the position of Latinas/os in American society. We will explore contemporary legal issues and the possibilities offered by the law in the on-going struggle for Latina/o self-determination. We will read and discuss landmark court decisions, law review articles, and chapters from interdisciplinary texts to analyze legal doctrines, litigation strategies and the socio-political context in which they occur. After an initial introductory unit that is heavily historical, we will place a strong emphasis on significant social, political and legal events from the 1940s to the present.

We will not focus primarily on the experiences of the three largest Latino groups: Mexicans, Puerto Ricans, and Cubans, but rather, will engage in discussion about the experiences of all Latino ethnic groups whose presence in the United States has expanded significantly in recent years.

Because you all possess different learning styles, and in order to make this course as dynamic and interesting as possible, I will vary course format through lectures (by me and by guest speakers), discussion in groups of various sizes, videos, films, writing, and group exercises.

## REQUIRED TEXTS:

*Mexican Americans and the Law: El Pueblo Unido Jamas Sera Vencido*, edited by Reynaldo Anaya Valencia, Sonia R. Garcia, Henry Flores, and Jose Roberto Juarez, Jr. (the University of Arizona Press, 2004).

## COURSE REQUIREMENTS

**Attendance:** You are expected to attend every class and to be on time. Your understanding of course materials depends largely on class discussion and in-class lectures, videos, and exercises. Also, we will cover material in class which may not be in the readings. You will be allowed ONE absence throughout the semester, no questions asked. After that absence, your score in the course will drop 5 percent points per absence. Exceptions to this are approved absences.

Keep in mind that you are responsible for all material covered while you are absent, as well as for announcements, assignments, and schedule changes made. I will not repeat information for students who have missed class, so you will need to request notes and other materials from your classmates.

**Timely completion of readings, and participation in class exercises and group discussions:** I expect you to contribute to class discussions and to participate actively in individual and group exercises (note that sitting in on a discussion looking bored does NOT count as active participation). Keep in mind that you cannot engage in intelligent discussion of the course material nor pose thoughtful questions about it unless you complete the assigned readings before each class. **Come prepared.**

## GRADING

**Journals and Participation (25%):** You will need to keep a journal to record your critical responses to course materials, including readings, lectures, class discussions and videos. I will distribute a question/comment to focus on for your journal, however, you may also choose to comment on local, regional, national or international news pertaining to the **Latinos and the Law** (be sure to always attach to your journal the news articles on which you are commenting). Your journal entries should NOT simply be summaries of such material (your score will be lowered if all you do is summarize).

Rather, you should use your journal entries as a space for critical reflection and analysis. That is, you will need to make an argument, state a position, or raise an interesting point, and support such argument/position/point by referring to lectures, with class materials, or with other relevant materials as appropriate. Journal entries

should be 1-2 pages long, typewritten, and double-spaced with 12-inch font.  
**Journals will be when due at the beginning of class.**

The grading scale for the journals will be as follows:

- 4** - This is the equivalent of an “A.” Journal was well thought out, argument clearly made or interesting points made, and supported by critical analysis.
- 3** - Good use of argument and/or opinions, but more critical analysis needed. Also, paper too brief or too long for the topic written.
- 2** - Too much opinion or personal experience and not enough argument and/or critical opinion. Also, grammar, spelling and general use of English is flawed.
- 1** - The assignment was handed in, but no arguments made, no analysis given, or assignment was rushed for completion and, thus, incoherent.
- 0** - Failing grade. Journal assignment not turned in.

These grades will be aggregated at the end of the semester to arrive at a total point score for the Journal portion of your Final course grade.

**Midterm Exam (25%):** You will be given a midterm exam pertaining to the issues examined and discussed in class regarding Latinos and the Law. The exam will be a combination of multiple choice questions, short answer and essay writing questions. In case of illness or emergency, you must notify me by 12 noon of the day of the exam.

**Group Presentation (25%):** You will have the opportunity to collaborate with a group of your peers in putting together a short presentation on a book, film or current issue dealing with Latinos from a legal perspective. Each group will select a topic and method of presentation. Past group presentations have included Powerpoint presentations and “news”-like video montages. Be creative! I will provide further guidelines in class for the presentations.

**Final Paper (25%):** You will need to write a short analytical paper (8-10 pages, not counting bibliography) on an issue I provide to you at the end of the semester. Specific guidelines for this assignment will also be provided in class. This paper will be due at a later assigned date.

Journals and Participation	25%
Midterm Exam	25%
Group Presentation	25%
Final Paper	25%

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Final Grade	100%
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## FINAL GRADING SCALE:

100% - 90% = A

89% - 80% = B

79% - 70% = C

69% - 60% = D

59% and below = F

## COURSE POLICIES

**Classroom Etiquette:** Both students and instructors have the right to a classroom atmosphere that is comfortable, respectful, and conducive to the exchange of ideas. In order to secure such an atmosphere, here are some basic guidelines:

- Class begins promptly at 6:10pm and ends at 8:50pm, unless I state otherwise. Do not arrive late or leave early. If you know you will need to do either, please let me know in advance. Students who arrive late or leave early without having discussed it with me will be counted as absent. If a schedule conflict consistently prevents you from arriving on time or staying for the entire class, I suggest you replace this course with one that can better accommodate you.
- There should be no unrelated talking, reading, or writing of materials (e.g., newspapers, magazines, notes or books from other classes).
- Sleeping is not allowed.
- Debate is encouraged in this class. Thus, undoubtedly, at some point during the semester, someone in the class (that someone might just be me) will express an idea, opinion, or fact that you will find to be about the stupidest or most terrible thing you have ever heard. Furthermore, discussion is bound to get intense at times, since we will be examining controversial issues about which many have strong opinions and feelings. Nevertheless, **in this class you should always be respectful of your instructor, peers, and of guest speakers, without exception.** Anyone who impedes discussion or impinges on other students' ability to participate in and benefit from the class will be asked to leave the classroom and will be counted as absent.

**Late Papers:** All assignments are due **in class** on the dates specified in this syllabus. Late papers will be penalized 10 points per class day late. If you miss a due date, you **MUST** contact me immediately by phone (at the number listed above) to make arrangements.

**Cheating and Plagiarism:** Anyone caught cheating on a written assignment will definitely fail the course and will be reported to the appropriate university authorities. Cheating includes (but is not limited to) copying from someone else's work or allowing someone else to copy from your work. You might discuss ideas with your classmates, **but you must always do your own work**. Also, you **must** make sure that you *carefully document your sources* in all your written work. Not doing so constitutes **plagiarism**. For further explanation and advice on how to avoid plagiarism, please see me, or visit the following internet sites:

<http://webster.commnet.edu/mla/plagiarism.shtml>

<http://www.indiana.edu/wts/pamphlets/plagiarism.shtml>

[http://owl.english.purdue.edu/handouts/print/research/PDFs/r\\_plagiar.pdf](http://owl.english.purdue.edu/handouts/print/research/PDFs/r_plagiar.pdf)

**Appropriate Use of References:** I expect and encourage you to consult journals, newspapers, and other sources of academic data for papers and even in-class exercises. A list of references or a bibliography should always accompany written assignments. Please consult a style manual for advice on the appropriate format for your bibliographies.

**Use of the Internet for Assignments and In-class Exercises:** Although surfing the web is often convenient and entertaining, there are some serious drawbacks to relying upon it when doing scholarly work. Specifically, in this course you are expected to rely mostly on information whose validity, reliability, and accuracy can be checked. Much information posted on the web is difficult to assess in these terms. Hence, even though you may consult internet sites for your papers and some in-class exercises, limit your use of internet references. Lastly, I will not accept [www.wikipedia.com](http://www.wikipedia.com) as a reference for your work.

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**COURSE OUTLINE AND READING ASSIGNMENTS**

This outline is only **tentative**. It constitutes my best guess of what we will be covering this semester. I reserve the right to make changes as necessary in the interest of your learning.

**Week One: Introduction - Overview of Legal, Political and Sociological Concepts**

**August 31, 2009**

No Readings due

**Monday September 7<sup>th</sup> – NO CLASS FOR LABOR DAY**

**Week Two: Latinos as a Social and Legal Group: Who are we?**

**September 14, 2009**

**JOURNAL 1 DUE**

Readings due:

*Mexican Americans and the Law*, p. xvi-xx and Ch. 1.

*Magical Urbanism*, Chapter 1.

*NY Times* Article

**Week Three: U.S. Immigration Policy**

**September 21, 2009**

Film: *Wetback: The Undocumented Documentary*

Readings due:

*The Latino Condition*, Chapters 8, 11, 13, 18 and 19.

**Week Four: U.S. Immigration Policy (cont.)**

**September 28, 2009**

**JOURNAL 2 DUE**

*Mexican Americans and the Law*, Ch. 5.

*New York Times* Article: Carpentersville

**Week Five: Latinos and Educational Equality**

**October 5, 2009**

*Mexican Americans and the Law*, Ch. 2.

Excerpt from Jonathon Kozol, *Savage Inequalities*

**Week Six: Latinas and the Law**

**October 12, 2009**

*Mexican Americans and the Law*, Ch. 3.

*The Latino Condition*, Chapters 70, 71, 73 and 74.

Film: “*Bread and Roses*”

**JOURNAL 3 DUE**

**Week Seven: Law, Language and the Workplace**

**October 19, 2009**

*Mexican Americans and the Law*, Ch. 4.

*The Latino Condition*, Chapters 81 and 82.

**JOURNAL 4 DUE**

**Week Eight: MIDTERM EXAM**

**October 26, 2009**

**Monday, November 2<sup>nd</sup> – NO CLASS (PROF OUT OF TOWN ON BUSINESS)**

**Week Nine: Latinos and Voting Rights**

**November 9, 2009**

*Mexican Americans and the Law*, Ch. 6.

*The Latino Condition*, Chapters to be assigned.

**Week Ten: Latinos and Gangs**

**November 16, 2009**

Film: *National Geographic on the Mara Salvatrucha*

*Chicago v. Morales*, 527 US 41 (1999)

Article from the *Economist*: “Criminal Gangs in the Americas”

**JOURNAL 5 DUE**

**Week Eleven: The Criminal Justice System**  
**November 23, 2009**

*Mexican Americans and the Law*, Ch. 8.

**JOURNAL 6 DUE**

**Week Twelve: Latinos and Drug Policy**  
**November 30, 2009**

Film: *Plan Columbia*

DEA article

Law Review articles to be handed out in-class

**Week Thirteen: Latinos and Affirmative Action**  
**December 7, 2009**

*Grutter v. Bollinger*, 539 U.S. 306 (2003).

*Gratz v. Bollinger*, 539 U.S. 244 (2003).

**Week Fifteen: PRESENTATIONS**  
**December 14, 2009**

**December 18, 2009– FINAL PAPERS DUE BY 5:00 P.M. VIA EMAIL TO**  
**[linares76@hotmail.com](mailto:linares76@hotmail.com)**