This class introduces students to critical legal studies through focused engagement with diverse areas of law. Through discussion of cases that captured pivotal debates in American legal history, we examine different understandings of the relationship between legal debates and social justice. Can law be tilted towards the powerful, while also being 'indeterminate?' Does it undermine the 'rule of law' if legal rules contained “gaps, contradictions and ambiguities?” How do unjust outcomes appear legally necessary? How do different understandings of gender impact antidiscrimination law? How does the legal architecture of property impact racial equality? What are the legitimate roles, rights and responsibilities of different actors in the system—from judges to corporations to welfare recipients? In addition to reading cases and legal scholarship, we will also analyze films focused on law and society in collectively exploring these issues.
All other readings can be accessed through the ‘Resources’ section of NYU classes.

REQUIREMENTS/GRADING

1. CLASS PARTICIPATION
Punctual attendance and active participation is key to your success in this course. Come to class prepared; this means you would have read and thought about the readings and will come to class ready to contribute to a collective exploration of the issues they raise.
As you undertake your readings, highlight a passage or argument from the readings that raised an interesting question or comment regarding the theme for the day and come to class prepared to discuss. If you cannot attend because of illness or an emergency of some kind, please email me in advance. Unexplained absences will affect your grade.

2. RESPONSE PAPERS
Requirement: 10 Response papers related to any ten sessions of class before the relevant class discussion takes place. 5 need to be submitted before spring break and 5 need to be submitted after spring break.

Substantive focus: One of the aims of this assignment is to give you an opportunity to critically reflect on the readings prior to class so that your contribution to class discussion will be thoughtful and informed. Each paper should offer a brief summary of the reading and highlight a quote for discussion.

Format and Deadline: Each paper should be 2-5 pages and emailed to me as word documents or pdf. documents. They should be submitted the night before the relevant class discussion takes place.

3. MIDTERM and FINAL PAPER
Substantive focus: Paper topics will be distributed end-February and end-April. You are free to use outside material but the paper should also be anchored in readings from the course that are most relevant to the topic you are writing on. The paper should advance arguments with analytical rigor and insight, and assess and situate those arguments in conversation with background debates on that topic.

Format and deadlines: The paper should be approximately 12-15 pages long, in times font, double-spaced with one-inch margins. The midterm will be due on Tuesday, March 24th and the final paper will be due on Friday, May 15th and should be submitted through ‘turnit-in’ on Blackboard. A copy should also be emailed to me.

COURSE OBJECTIVES/LEARNING GOALS
Students should develop familiarity with critical legal studies (CLS) and its approach to the politics of law. This includes developing the ability to read, interpret and analyze the varied ways in which law is invoked, negotiated, and contested, and the stakes these engagements may hold for different agendas for social change

ACADEMIC INTEGRITY POLICY (including plagiarism, illicit collaboration, doubling/recycling coursework & cheating): Consult www.gallatin.nyu.edu/academics/policies/policy/integrity.html
CLASS PLAN

Law, Legality and Justice
1. January 29th:
Martin Luther King, Jr., Letter From a Birmingham Jail (1963)
Henry David Thoreau, Civil Disobedience (1849)

Race and the Law

2. February 3rd:
Marbury vs. Madison (1803)
Elizabeth Mensch, The History of Mainstream Legal Thought in Kairys

3. February 5th:
Kimberly Crenshaw, Twenty Years of Critical Race Theory: Looking Back to Move Forward (2011)
Robert Gordon, Some Critical Theories of Law and Their Critics in Kairys

4. February 6th:
Class field trip: Selma
Robert Gordon, Some Critical Theories of Law and Their Critics in Kairys

5. February 10th:
Brown v. Board of Education (1954)
Cornell West, The Role of Law in Progressive Politics in Kairys

6. February 11th:
ABC’s American Crime Screening with Oscar Winning Alum, John Ridley
Feb 11, 2015 1:30 PM-8:30 PM

7. February 12th:
Loving v. Virginia (1967)
Janet Halley, Gay Rights and Identity Imitation in Kairys

8. February 17th:
McCleskey v. Kemp (1987)
David Cole, Two Systems of Criminal Justice in Kairys

8. February 19th
Victor Rios, Stealing a Bag of Potato Chips and Other Crimes of Resistance (2012)

9. February 24th
No Class.
10. February 26th

11. March 3rd:
*Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc.* (Note link to audio recording of oral argument)
Alan Freeman, *Antidiscrimination Law from 1954 to 1989* in Kairys

12. March 5th

13. March 6th
Class field trip: *The Liquid Plain*, Signature Theater, Pershing Square, 480 West 42nd Street

14. March 10th
Brennan Center Amicus Brief in *Fisher v. University of Texas* (2012)
*Regents of the University of California v. Bakke* (1978)

13. March 12th and 24th
No class

14. March 24th:
*Midterm Papers Due*

**Gender, Sex and Class**

15. March 26th
*DeGraffenreid v. General Moters Assembly Div. etc.* (1976)
Kimberly Crenshaw, *A Black Feminist Critique of Anti-discrimination Law and Politics* in Kairys

16. March 31st
*King v. Smith* (1968)
Lucy Williams, *Welfare and Legal Entitlements* in Kairys

17. April 2nd
Fran Olsen, *The Sex of Law* in Kairys

14. April 7th:
*Roe v. Wade* (1973)
114th Congress, *No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2015*
Taub and Schneider, *Women’s Subordination and the Role of the Law* in Kairys

18. April 9th
21. April 14th

**Property**

23. April 16th
*Home Building & Loan Association v. Blaisdell* (1934)
Joseph Singer, *Property in Kairys.*

23. April 21st
Richard Abel, *Torts in Kairys*

24. April 23rd
*Jennifer Waller et. al. v. City of New York* (2011)
Martha Minow, *Politics and Procedure in Kairys*

**Legal Personhood**

28. April 28th
Kairys, *Freedom of Speech in Kairys*

29. April 30th
*Kiobel v. Royal Dutch Petroleum* (2013)
Rhonda Copelon, *The Indivisible Framework of International Human Right: Bringing it Home in Kairys*

30. May 5th
*Gideon’s Trumpet*
Austin Sarat, *Going to Court in Kairys*

31. May 7th
Duncan Kennedy, *Legal Education as Training for Hierarchy in Kairys*