Sociology of Law and Hispanics

SYD2740
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HCB 2010

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The Liberal Studies for the 21st Century Program at Florida State University builds an educational foundation that will enable FSU graduates to thrive both intellectually and materially and to support themselves, their families, and their communities through a broad and critical engagement with the world in which they live and work. Liberal Studies thus offers a transformative experience. This course has been approved as meeting the requirements for Scholarship in Practice and thus is designed to help you become a flexible thinker; a productive member of society; and an independent learner.

In addition, this course has been approved for the Liberal Studies disciplinary requirements of Social Sciences and Multicultural Awareness and thus is designed to help you become a critical appraiser of theories and the facts that support them and a culturally conscious participant in a global community.

Course Description
This course examines the minority group status of Hispanics and Hispanic subgroups using a sociology of law lens. The course is a hands-on gathering of research-based studies, social-demographics, and media-created images about past and current: political representation, effects of legislative and judicial decisions, and legal training on the American experience of Hispanics. The course also traces the processes of minority creation for four categories of Hispanics: Mexicans, Puerto-Ricans, Cubans, and Central/South Americans, relations with dominant group, and comparison and contrasts of the American experience among Hispanics.

Course Objectives
By the end of this course students will be able to:
1. Critically examine, interpret, and explain how personal, political, cultural, economic, and social-historical events shaped the emergence of Hispanics as a minority group
2. Evaluate and employ appropriate methods and technology in the collection and analysis of data on the subordination of Hispanics
3. Select, critically evaluate, and apply relevant areas of scholarship to produce the time-line of the subordination of and resistance by, Hispanics displayed in mini posters at the Undergraduate Research Symposia
4. Articulate the process of producing the display of the time line experience of Latin-American immigrants in the United States, from time of entry to present legal disparities
5. Critique existing applications of labels, misconceptions, and methodological problems in Hispanic studies
6. Recognize and analyze assimilation differences among categories of Hispanics
7. Recognize and analyze differences between Hispanic and Non-Hispanic individuals and groups of people in terms of the potential benefits and/or conflicts arising from their respective American experiences
8. Investigate the diversity of Hispanic experiences within American culture, considering, for example, age, country of origin, time of entry, gender, language, race, religion, sexual orientation, and social class, and appreciate the contributions to the American culture of the different Hispanic sub-groups.

Course Materials
This course offers students numerous textbooks and studies on Race and Ethnic Relations, Immigration, and Hispanic-related materials that will be housed in the Sociology Department Library in 519 Bellamy for students to use in the library. No check-out is allowed. Some of these texts are:
Odem, Mary E. and Elaine Lacy, eds. 2009 “Latino Immigrants and the Transformation of the U.S.South” The University of Georgia Press

Additional materials and links to US Census and state and federal legislative, judiciary, and enforcement websites will be posted on the course Blackboard/Course Library as the course evolves.

Course Projects and Evaluation
The class of 30 students will be divided in five groups of six students each. Each group will work on a specific project aimed at constructing the time-line of minority status, from time of entry to current subordination, of four subgroups among Hispanics. The focus questions of each project are: Which minority creation process apply to the development of the minority status for each Hispanic subgroup? Which relationships of domination-subordination have been their experience in America? At given points in time, did the subgroup have equal opportunities but not equal outcomes or was marginalized at all? Where are the concentration areas of residence of Hispanics? What are the socio-demographics of Hispanics today?

Team (1) Mexicans — US-Mexico War to Chicano Movement 1960s
Team (2) Mexicans --- Civil Rights movement to present
Team (3) Puerto Ricans --- US-Spain War to present
Team (4) Cubans ---- Pre-Castro to 1970s; present to future US-Cuba relations
Team (5) Central and South Americans --- Latest entry since Immigration and Naturalization Act of 1965 and INA Reform of 1986.

Each project will be divided in five general stages of completion in order to assess progress: (1) time of entry, (2) early assimilation, (3) late assimilation (legislative representation, law enforcement and adjudication, and legal training). Each stage requires a corresponding numbered
(draft/report) signed by each group member summarizing the findings on the topic in question. Each report is graded on a scale of 0-100% according to the data-based content, organization, and arguments supporting and opposing the subordination-domination relationships (C1), data gathering, analysis, and critique on limits of streamline sources, search for alternative sources for information (C2/C3), and inclusion of contribution/suggestions by group members, classmates, and instructor as means to improve the group’s work (C2).

**Participation**
Students are expected to have read the materials on the topic of the class corresponding to the stages of the project. The materials are a combination of instructor’s suggestions and other sources searched by students on: meaning of ethnicity, time or event signaling entry for each group, socio-legal patterns of relationships between dominant and subordinate groups from early settlement years to present assimilation, and organized resistance in terms of legislative representation, law enforcement and adjudication, and legal training among Hispanics.

Their class participation is embedded in their reporting as a group using Pp slides on the progress made in gathering data, data analysis, and summary of findings on the topic under discussion for their Hispanic subgroup. There are 3 important presentations in class/meetings before assembling the material from all groups to build the time line of Hispanics as a minority group. After the oral presentation, the other students will ask questions or suggest areas that need to be included, clarified, and expanded to improve the research findings on the topic. These contributions will have a cumulative effect as later reports will incorporate editions in terms of the suggestions made by their classmates and instructor to improve their work (see project evaluation above).

In-class presentation will earn 90-100 if all areas on the topic are presented; 70-89 points will be determined depending on the extent of classmates’ appraisal on what is needed to add/amend to the group’s report; 60-69 for incomplete report; and failure to report earns a 0 grade for all group members. The average grade for all presentations is worth 25% of the final grade.

**Discussion Board**
There are FIVE Discussion Board forums in the semester. The questions for the discussion board will deal with current legal controversies of concern to Hispanics, e.g. President Obama Executive Order on immigration. Students are to post an original contribution of 150 words that builds on the assigned sociology of law literature and applies to the Hispanic subgroup of their project. They also have to reply with substantive arguments to one of their classmates’ entry; the classmate does not need to be one from their group. Both postings are in essay format; supported with research-based arguments and citations from legitimate sources (personal opinions are accepted in addition to, rather than instead of well supported arguments); and submitted as scheduled. Each discussion board is worth 5% and the total contribution of the four discussion boards to the final grade is 20%.

The original posting will receive 90 points if content is above satisfactory, length, grammar, and time of posting of original contribution meet requirements; 80 if content is satisfactory and length and grammar have minor problems; 70 if content is marginal; 0 if content is unacceptable, late or not posted. The reply will receive 10 if content of reply entails a substantive argument; 0 if content is unacceptable.
Grading Requirements
Project 40%
Participation 40%
Discussion Board 20%

The scale for transforming numeric to letter grade is described below:
A 95-100; A- 90-94; 87-89 B+; 84-86 B; 80-83 B-; 77-79 C+; 74-76 C; 70-73 C-; 67-69 D+; 64-66 D; 60-63 D-; F 59 and below

Although grades above include Ds, any student who scores less than 70% on any of the components of the course work within the first six weeks of the semester will be seriously questioned to make a commitment to stay in the class or withdraw from it.

Course Outline

   The sociological concepts of ethnicity and race. Ethnicity and race as social constructs. Trace the government labels given to Hispanics over the years to today’s “racialization” of Latin American immigrants. Discussion of the emphasis on race over national origins and the consequences for “double jeopardy.”

2. Time of entry.

   This module will cover the laws resulting from the annexation of the Southwest and the Treaty of Hidalgo; the War against Spain and the annexation of Puerto Rico; and the expansion of the American Empire to Central America and the Panama Canal; political asylum of Cubans and; 1965 INA and 1986 INA reforms policies until present. The legal content will include: citizenship? Private-property rights? Education opportunities and freedom of expression, clash in spoken language and newspapers, freedom for geographical mobility v spatial segregation, miscegenation, and employment.

3. Early Assimilation patterns and resistance.

   The patterns of domination-subordination relationships involve practices that become with time institutionalized in the law and legal agencies. A critical analysis at this point is the comparison between Americans living in areas of high concentration of Hispanics and Hispanics immigrants in terms of socio-demographic characteristics on education, age, job skills, and all above areas. The analysis of assimilation focus on the extent to which Hispanics share equal opportunities for education, employment, voting, and civil rights relative to Anglo-Americans the actual

4. Resistance and Late Assimilation: Political representation: federal, state, and county-level.

   The study of the resistance (covert and overt) to domination covers from LULAC to The Civil Right Movement among Hispanics: The early years of the Chicano Movement, organized representation, e.g. La Raza and the migrant worker movement under Cesar Chavez, first representations at federal and state level and early private organizations representing business, professions, and social Hispanic associations(circa 1970-1990).

This section analyzes current disparities between Whites and Hispanics in general and specifically among Hispanics. What is their legislative representation in different areas of the country? Otherwise, who is represented and who is not? Consequences for civil rights, voting, health care, abortion, and schools.

Law enforcement and law adjudication. Differences in civil and criminal controls. Are there disparities in the judiciary, federal, state and county-level courts? What is their representation in different areas of the country? Consequences on, voting, health care, abortion, and education.

The practices of “stop and frisk” in the city of New York and of “racial profiling” in Florida and Arizona open the gates to further disparities in civil matters, such as revocation of driving permits. These practices violate civil rights, for many a times they involve search of one’s person and one’s belongings without due process. Such early detention may lead to even more serious criminal law inequalities, such as conviction, longer sentences, and perhaps execution.

Examination is given to the workings of the courts and the likely limited use of legal representation in both civil and criminal disputes by Hispanics. Since their lack of resources lead Hispanics to use legal clinics, the assistance received at the last minute may explain why they are overrepresented in evictions, repossessions, and failure to appear in court. In turn, the representation Hispanics receive in criminal disputes via public defendants give them, at best, “their day in court” but generally their cases are handled via routine procedures without legal representation.

5. Legal training. The status of Hispanics in law schools and in the legal profession. The second generation.

Who among Hispanics go to law school? Which schools do they attend? Socio-demographics of Hispanic students in the areas of higher population concentration.

What is the proportion of Hispanics in the legal profession? Which specialties do they practice? Which labor market has the larger representation of Hispanic lawyers? Socio-demographics of Hispanic lawyers in the areas of higher population concentration.

Are all Hispanics equal? What is the future of Hispanics as a minority group in the USA?

UNIVERSITY POLICIES

UNIVERSITY ATTENDANCE POLICY

Excused absences include documented illness, deaths in the family and other documented crises, call to active military duty or jury duty, religious holy days, and official University activities. These absences will be accommodated in a way that does not arbitrarily penalize students who have a valid excuse. Consideration will also be given to students whose dependent children experience serious illness.

ACADEMIC HONOR POLICY

The Florida State University Academic Honor Policy outlines the University’s expectations for the integrity of students’ academic work, the procedures for resolving alleged violations of those expectations, and the rights and responsibilities of students and faculty members throughout the process. Students are responsible for reading the Academic Honor Policy and for living up to their pledge to “…be honest and
truthful and... [To] strive for personal and institutional integrity at Florida State University.” (Florida State University Academic Honor Policy, found at http://fda.fsu.edu/Academics/Academic-Honor-Policy.)

**AMERICANS WITH DISABILITIES ACT**
Students with disabilities needing academic accommodation should: (1) register with and provide documentation to the Student Disability Resource Center; and (2) bring a letter to the instructor indicating the need for accommodation and what type. This should be done during the first week of class. This syllabus and other class materials are available in alternative format upon request. For more information about services available to FSU students with disabilities, contact the: Student Disability Resource Center 874 Traditions Way 108 Student Services Building Florida State University Tallahassee, FL 32306-4167 (850) 644-9566 (voice) (850) 644-8504 (TDD) sdrc@admin.fsu.edu http://www.disabilitycenter.fsu.edu/

**SYLLABUS CHANGE POLICY**
Except for changes that substantially affect implementation of the evaluation (grading) statement, this syllabus is a guide for the course and is subject to change with advance notice

**FREE TUTORING FROM FSU**
On-campus tutoring and writing assistance is available for many courses at Florida State University. For more information, visit the Academic Center for Excellence (ACE) Tutoring Services’ comprehensive list of on-campus tutoring options at http://ace.fsu.edu/tutoring or tutor@fsu.edu. High-quality tutoring is available by appointment and on a walk-in basis. These services are offered by tutors trained to encourage the highest level of individual academic success while upholding personal academic integrity.