

Syllabus

SOC6106, Winter 2019 Sociology of Crime & Law II: Law, Race, and Racism

Course and Instructor Information

Instructor: Prof. Ellen Berrey

Location: Room 240, 725 Spadina Ave.

Time: Fridays, 10a-noon

Office hours and location: Fridays by appointment. Room 352, 725 Spadina Ave.

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Course Description

This graduate-level seminar explores the topics of the law, race, and racism. We will engage through close readings, discussion, and writing on sociological and cross-disciplinary socio-legal scholarship. The course starts from the premise that law creates race for the purposes of legitimating and perpetuating racism but can, under some conditions, generate social change that reduces racial inequality. The course centers primarily on civil, not criminal, law, while recognizing that distinction is often artificial and reflects an Americanist, not Canadian, perspective. Many readings incorporate a historical perspective. This is because the contemporary legal and social dynamics of racism usually cannot be adequately analyzed apart from their history.

The first half of the course will focus on the evolution and empirical application of critical race theory in socio-legal research in the United States and Canada. The second half of the semester begins with an in-depth look at constitutive theory and its empirical application, particularly in organizational research on the United States. The empirical content on Canada focuses primarily on White settler colonialism and Indigenous populations, especially racial classification systems and the importance of law for the racist expropriation of land. The content on the U.S. focuses mostly on White-Black dynamics and anti-discrimination law (and, more implicitly, the role of law in exploiting African American labor). There is flexibility in the topics we cover in the final four weeks.

Readings

Readings are available electronically on Dropbox or as ebooks in the University of Toronto Library. If you are interested in purchasing one of my books (not required or expected!), let me know at the beginning of the semester and I can order you a copy at a 40% discount. Numerous readings are from the Crime and Law comprehensive examination reading list (marked with *). Some readings are on the Immigration, Race, and Ethnicity comprehensive exam list, as well (marked with **).

File Sharing

We will use Dropbox to share files. I will keep an updated version of the syllabus and PDFs of most readings in a shared Dropbox folder. You will submit all assignments via Dropbox (your final paper also should be submitted in hard copy). Submission instructions for each assignment are below. If you ever run into a problem with Dropbox, email your assignment to me by the due date and time.

If you do not have a Dropbox account, you should sign up for one at dropbox.com. It is free up to 2 GB. If a PDF of a reading is too large, I will put it onto Quercus. Please let me know if this set-up creates problems for you, e.g., it puts your free Dropbox account over the 2 GB limit because you have other files on Dropbox already.

Grading Components

	% of Final Grade	Due	Submission Format
Weekly memos (10 memos)	2% each, 20% total	8p on the Thursday before each class meeting, starting Week 2	Both shared Dropbox folder <i>and</i> your private Dropbox folder
In class participation	10%	<i>ongoing</i>	n/a
Paper proposal	10%	Mon. Feb. 11, 10a	Private Dropbox folder
Paper presentation and slide(s)	10%	Either Fri., Mar. 29 or Fri. Apr. 5, in class	Put slide(s) in private Dropbox folder by 9a on the day you present
Final paper	50%	Mon. Apr. 15, 10a	Private Dropbox folder <i>and</i> hard copy in my department mailbox

Class Structure and Reading

This is a discussion-based course. I will deliver some mini-lectures to provide context and background, but my primary role is to facilitate the conversation. You should arrive at each class meeting having read all the class readings and prepared to discuss them. The recommended readings are optional and will not be the focus of class discussions. Most readings will be posted on Dropbox. A few are library ebooks. You may need to purchase a few books; details to be announced.

Scholarly Attitude (aka Participation)

You should adopt a “scholarly attitude” in this course. As Dr. Magbouleh has written, “Students with a scholarly attitude take the role of graduate student seriously and demonstrate their commitment to academic pursuits by actively engaging in the material, reflecting deeply on the readings, raising thoughtful questions and comments in class, and generally going above and beyond the requirements of the course. Enrollees who lack a scholarly attitude passively complete the readings and responses and are primarily concerned with doing the minimum required in the course, obtaining a particular grade in the course, and cutting corners in an effort to appear more prepared than they really are. Graduate students who adopt a scholarly attitude are practicing their identity as they look forward to their future careers. Graduate students who do not adopt a scholarly attitude are still looking backward to the past and need to leave undergraduate expectations behind.” (SOC6109 Syllabus, Summer 2018)

Weekly memos

Each week starting in Week 2, you should submit a condensed response to the readings (one single-spaced typed page, 1 inch margins, 12 point font). The purpose is threefold: to develop your critical thinking and writing skills; to foster the habit of writing alongside critical reading; and to increase the likelihood we will have a productive class discussion grounded in the content of the reading. Your memos should cover these five points:

- (1) Identify a central issue or theme in this set of readings
- (2) Identify a least one point of agreement on this issue, if any
- (3) Identify at least one core disagreement or tension across the readings
- (4) State and explain one point you would like to make on this on the issue (e.g. your scholarly interpretation of it, a critique, a counterargument, an extension)
- (5) List two questions that you would like to discuss in class about the readings.

Do not use the memos to summarize the week’s readings. That said, you should write up summaries in your notes for yourself.

Because there are 10 memos due but 11 weeks of reading, you can opt out of doing a memo one week. I will only mark the first 10 memos you submit to me.

Final Paper

You are expected to write a final paper of approximately 5,000-10,000 words on a topic related to this course (20-40 pages double spaced, 1 inch margins, Times or similar size font). The topic of your paper is somewhat flexible but requires my approval. Options include:

1. A research paper based on empirical evidence that examines a socio-legal question related to race and racism.
2. A review paper similar to a comprehensive exam essay, which poses a question and answers it using course readings and additional readings. Your question could be theoretical, conceptual, and/or methodological. Your answer should develop an argument by integrating, comparing, and critically assessing (not just summarizing) the relevant literature.
3. A research proposal for an empirical research project that you want to conduct in the near future related to the course. Your proposal should contain your research question, the theoretical justification for your project—meaning, the analytic framework you will draw upon, the scholarly conversations you are engaging, and your proposed contribution—the methods, a discussion of the practical feasibility of the project, and a time line.
4. If you have been working on a paper for another class or for your thesis or dissertation and you want to revise it for this class in order to send it for publication, this may be an option. You will need to provide me with the original paper in the beginning of the semester, and you must demonstrate significant improvement of the paper during the course of the semester.

Paper Proposal

You should write a 2-3 page proposal for your final paper that includes:

- The main theoretical questions and/or empirical topics that you plan to engage
- How you will go about doing that (e.g., methods, literatures)
- A brief outline of your paper
- Also attach (not in the page length) an annotated bibliography of at least five academic books or articles you expect to use. Annotate by writing a 2-5 sentence summary on each one.

If you submit a strong, serious proposal, I will be better able to guide you toward writing a strong final paper. Expect to receive detailed comments on your proposal. If your final paper fails to address any of the major comments I made on your proposal, and if you do not provide a persuasive explanation for why you did not address my comments, this indicates to me that you are not taking my feedback seriously. The mark on your final paper will reflect that, and you will not receive detailed feedback on your final paper.

Paper Presentation

During one of the last two class meetings, you will be required to do a short (appx. 6-8 minute) presentation of one core idea in your final paper. You should present as you would do in a conference, talking about this main idea in a clear and concise way. Your presentation should include at least one Powerpoint slide. We will discuss details in class.

Credit: The descriptions of many of these components are adapted from Dr. Schwartzman's 2018 SOC6009 syllabus.

Some Reflections on Teaching and Studying Law, Race, and Racism

The primary focus of this class is the substantive academic content. That said, we likely will have some conversations about our personal experiences and positionalities in relation to what we are studying. This course tackles topics that will likely make all of us, myself included, uncomfortable and “unsettled” at times. It should. Studying law can be intimidating. Law is a highly technical field. What’s more, law’s legitimacy rests, in large measure, on an extensive ideological apparatus that designates law as authoritative and beyond the reach of those who do not have specialized legal training. Studying race and racism also can be intense. It often requires emotional labor. White students/descendants of settler colonists and other students unfamiliar with these topics frequently become defensive, antagonistic, or overcome with feelings of guilt when confronted with evidence and analysis of how power, privilege, and exploitation operate. Students of colour often dread being put in situations where they are expected to manage their White peers’ anxieties and ignorance, among other matters. Even if you have studied and/or lived these topics for years, such tensions may never fully dissipate. We should be attentive to these dynamics as needed, toward our common goal of serious, respectful scholarly engagement.

A bit about me: Critical and marginalized scholars have stressed the importance of reflexively situating our scholarly selves in our social and historical context. My sociological training, research, and teaching have specialized in the topics of race, racism, and civil law (as well as culture, organizations, and politics) in the United States, especially Black-White dynamics. As a White woman from an affluent background, raised in the United States and educated in elite American universities (but without a law degree), I have found that I do my best work when I approach sociology with rigor, curiosity, humility, and self-awareness. I have developed a personal philosophy that, to study race as a socio-legal scholar, I need to have a normative commitment to anti-racism and a resolve not to be defensive in the moments when I simply should be listening. Because I immigrated to Canada less than three years ago, both the Canadian legal system and race and racism in Canada are still new to me. I recognize that very real problems can arise when non-Indigenous scholars who are not rooted in Indigenous communities (like myself) try to educate about Indigenous topics. I am proactively trying to learn from the wisdom of those with more experience, by taking measures such as using sources produced by Indigenous peoples. Regardless, I will surely bumble, make mistakes, and need to correct myself. Again, while the substantive content of course readings will be the focus of our class conversations, please feel free to raise points and questions about your positionality and/or the experience of studying race, racism, and the law throughout the semester. I also invite your constructive feedback and criticisms about how the class is going and my teaching style, shared either in the classroom or privately.

Reading Schedule

*Subject to change at the discretion of the instructor.
Please read texts in the order presented here.*

*This looks like more reading than it actually is.
That's because I pinpoint the exact pages you should focus on.*

Week 1: Introductions

Fri. Jan. 11

Please download the Borrows chapters we'll be reading in Week 9. The library's ebook allows only one reader at a time, but you can download up to 175 pages. So please check out the ebook from the library, download the pages you need, then "return" it asap so other students can do the same. I'm assigning the book in my 60-person undergraduate course, too, in Week 10, so there will be demand for it!

Week 2: Equality Law and The Colour of Law in Canada and the U.S.

Fri. Jan. 18

European Commission. 2012. *Comparative Study of Anti-Discrimination and Equality Laws of the U.S., Canada, South Africa, and India*. Office for Official Publications of the European Communities.

Throughout, read for main points on the U.S. and Canada:

- Executive Summary, pp. 1-10
- Part I: Legal & Social Context: U.S. and Canada, pp. 13-18
- Part II: Sources of Equality Law: pp. 23-28
- Part III: Grounds or Protected Characteristics: pp. 31-33, 36-37, 37-39
- Part V: Who Is Bound? pp. 45-47
- Part VI: Definitions of Equality, pp. 49-53, 55-57

Backhouse, Constance. 1999. *Colour-Coded: A Legal History of Racism in Canada, 1900-1950*. University of Toronto Press. *PDFs or library ebook (one reader at a time)*

- Introduction, pp. 3-17
- Skim/read for main points:
 - Chap. 4, "'They Are a People Unacquainted with Subordination': First Nations Sovereignty Claims": *Sero v Gault*, Ontario, 1921," pp. 103-131
 - Chap. 5, "'Mesalliances' and the 'Menace to White Women's Virtue': Yee Clun's Opposition to the White Women's Labor Law, Saskatchewan, 1924," pp. 132-172.
 - Chap. 6, "'It Will Be Quite an Object Lesson: *R. v Phillips* and the Ku Klux Klan in Oakville, Ontario, 1930," pp. 173-225.

Rothstein, Richard. 2017. *The Color of Law: A Forgotten History of How Our Government Segregated America*. New York: Liveright Publishing Corp.

- Table of Contents, p. v
- Preface, pp. vii-xvii
- Skim/read for main points:
 - Chap. 1, "If in San Francisco, Then Everywhere?" pp. 3-14.
 - Chap. 3, "Racial Zoning," pp. 39-57
 - Chap. 4, "'Own Your Own Home,'" pp. 58-75
 - Chap. 11, "Looking Forward, Looking Back," pp. 177-193

Week 3: The Trajectory of Law & Society Research and a Critique

Fri. Jan. 25

The interdisciplinary field of law and society research has been dominated by Americans and, within this field, sociologists are some of the most influential scholars. The Law & Society Association (LSA) has been very U.S. centric, although that is changing as scholarship takes on more global topics and the proportion of non-U.S. members grows. The readings this week, other than Brockman, focus on the U.S. Abel, Savelsberg et al, and Ewick & Sarat reflect on the past and future trajectory of law and society scholarship. Sterett outlines conceptual assumptions. Gomez critiques the field's treatment of race.

Abel, Rick L. 2010. "Law and Society: Project and Practice." *Annual Review of Law and Social Science* 6(1):1-23. *LSR is published by LSA.*

Savelsberg, Joachim J., Halliday, Terry, Liu, Sida, Morrill, Calvin, Seron, Carol, and Silbey Susan. 2016). "Discussion: *Law & Society Review* at Fifty: A Debate on the Future of Publishing by the Law & Society Association." *Law & Society Review* 50(4):1017-1036.* *Read only 1017-1024*

Brockman, Joan. 2003. "The Impact of Institutional Structures and Power on Law and Society: Is It Time for Reawakening?" *Law & Society Review* 37:283-93. *This article discusses the Canadian Law & Society Association in relation to LSA and contrasts the study of law and society in the U.S. and Canada. Focus on her points about Canadian research, including footnote 10.*

Ewick, Patricia and Austin Sarat. 2015. "On the Emerging Maturity of Law and Society: An Introduction," pp. xiii-xxi in *The Handbook of Law and Society*, eds. Austin Sarat and Patricia Ewick. Malden, MA: Wiley Blackwell. *Library ebook or PDF*

Sterett, Susan. 2015. "What is Law & Society: Definitional Disputes," pp. 3-17 in *The Handbook of Law and Society*, eds. Austin Sarat and Patricia Ewick. Malden, MA: Wiley Blackwell. *Library ebook or PDF containing the entire book*

Gomez, Laura E. 2012. "Looking for Race in All the Wrong Places." *Law & Society Review*, 46(2):221-245. (* very similar to her comp list article)

Week 4: The Roots of Critical Race Theory in Legal Scholarship

Fri. Feb. 1

U.S. Constitution, Fourteenth Amendment, Section 1

U.S. Civil Rights Act of 1964 (not amended) *Selectively read to understand how colourblind law is written. Read the first paragraph of the Act, then read the first few sentences after each Title (Title I - Title VII).*

Bridges, Khiara M. 2019. *Critical Race Theory: A Primer*. St. Paul, MN: Foundation Press. *Selected chapter(s) TBA.*

Obasogie, Osagie. 2015. "The Constitution of Identity: Law and Race," pp. 339-350 in *The Handbook of Law and Society*, eds. Austin Sarat and Patricia Ewick. Malden, MA: Wiley Blackwell. *Library ebook or PDF containing the entire book.*

Haney-López, Ian. 1994. "The Social Construction of Race: Some Observations on Illusion, Fabrication, and Choice," *Harvard Civil Rights-Civil Liberties Law Review*, pp. 1-20, 61-62. *Focus on main body of this law review article, skim substantive footnotes.*

Crenshaw, Kimberle. 1989. "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics," *University of Chicago Legal Forum* 1(8):139-167.

Harris, Cheryl. 1993. "Whiteness as Property," *Harvard Law Review*, Vol. 106, No. 8 (Jun), pp. 1707-1791.** *Read 1707-1745, skim 1745-57, Read 1757-69, skim 1769-91, read 1791. Basically, focus on the main points and read the analyses of specific legal cases for very basic background, but don't get lost in the weeds.*

Week 5: Empirical Critical Race Theory (eCRT) and Law's Colourblindness

Fri. Feb. 8

Review Obasogie from Week 3 on eCRT, pp. 345-8.

Obasogie, Osagie K. 2013. *Blinded by Sight: Seeing Race through the Eyes of the Blind*.*

Palo Alto: Stanford University Press.

- Preface, pp. xiii-xvi
- Introduction, pp. 1-7
- Chap. 1, "Critiquing the Critique: Beyond Social Constructionism," pp. 11-38
- Chap. 2, "Theory, Methods, and Initial Findings," pp. 39-71
- Chap. 3, "Visualizing Race, Racializing Vision," pp. 72-105

Nicole Gonzalez van Cleve. 2016. *Crook County: Racism and Injustice in America's Largest Criminal Court*. Stanford, CA: Stanford University Press.*

- Dedication and Preface, pp. vii and vii-xiv
- Introduction: Opening the Courthouse Doors, pp. 1-14
- Chap. 1: Separate and Unequal Justice, pp. 15-49
- Appendix D: Court Watching Form, pp. 213-216

Recommended

Bell, Jeanette. 2013. *Hate thy Neighbor: Move-in Violence and the Persistence of Racial Segregation in American Housing*. New York: NYU Press.

Rothmayr, Daria. 2014. *Reproducing Racism: How Everyday Choices Lock in White Advantage*. NYU Press.

Tukufu Zuberi & Eduardo Bonilla-Silva (eds). 2008. *White Logic, White Methods: Racism and Methodology*.

- Chap. 1, Bonilla-Silva & Zuberi. "Toward a Definition of White Logic and White Methods."
- Chap. 5, Paul W. Holland. "Causation and Race."
- Chap. 10, Charles A. Gallagher. "The End of Racism" as the New Doxa"

Week 6: Critical Race Theory in the Canadian Context

Fri. Feb. 15

The Indian Act (R.S.C., 1985, c. 1-5). The original text. *This is a long statute. Read all the sections through the Definition and Registration of Indians, then quickly skim the rest.*
<http://laws-lois.justice.gc.ca/eng/acts/I-5/>

Background on the Indian Act: Indigenous Foundations, University of British Columbia. nd.
"The Indian Act." (appx 7 pages)

http://indigenousfoundations.arts.ubc.ca/the_indian_act/

Lawrence, Bonita. 2003. "Gender, Race, and the Regulation of Native Identity in Canada and the United States: An Overview," *Hypatia* 18(2): 3-31.**

Razack, Sherene H. 2002. "Introduction: When Place Becomes Race." Pp. 1-6 in Sherene Razack, ed. *Race, Space, and the Law: Unmapping a White Settler Society*. Toronto: Between the Lines.

Mawani, Renisa. 2000. "In Between and Out of Place: Racial Hybridity, Liquor, and the Law in late 19th and Early 20th Century British Columbia," *Canadian Journal of Law & Society* 15(2): 9-38.

Lawrence, Bonita. 2002. "Rewriting Histories of the Land: Colonization and Indigenous Resistance in Eastern Canada." Pp. 21-46 in Sherene Razack, ed. *Race, Space, and the Law: Unmapping a White Settler Society*. Toronto: Between the Lines.

Recommended

Cannon, Martin J., and Lina Sunseri, eds. 2018. *Racism, Colonialism, and Indigeneity in Canada*, 2nd edition. Don Mills, ON: Oxford University Press.

- FALL BREAK, NO CLASSES: Feb. 18-22 -

Week 7: Discrimination and Anti-Discrimination Law in the American Workplace

Fri. Mar. 1

Edelman, Lauren B., Aaron C. Smyth, and Asad Rahim. 2016. "Legal Discrimination: Empirical Sociological and Critical Race Perspectives on Antidiscrimination Law," *Annual Review of Law and Social Science* 12: 395-415. *This is, in many ways, a review of Edelman's seminal contributions to the sociology of law, many of which are on the Crim & Law comp exam reading list.*

Berrey, Ellen, Robert L. Nelson, and Laura Beth Nielsen. 2017. *Rights on Trial: How Workplace Discrimination Law Perpetuates Inequality*. Chicago: University of Chicago Press.* *Also listen to some of the online audio recordings that correspond to the text: www.rightsontrial.com. And if you feel like it, watch the trailer!*

- Chap. 1, "Introduction: Putting Rights on Trial," pp. 3-28
- Chap. 3: "A Quantitative Analysis of Employment Civil Rights Litigation," pp. 54-73
- Chap. 7, "Right Right, Wrong Plaintiff: Adversarial Conflict and the Disavowal of Discrimination," pp. 169-201
- Chap. 9, "Stereotyping and the Reinscription of Race, Sex, Disability, and Age Hierarchies," pp. 225-258

Week 8: A Constitutive, Organizational Analysis of Race, Racism, and the Law in the U.S.

Fri. Mar. 8

European Commission. 2012. *Comparative Study of Anti-Discrimination and Equality Laws of the U.S., Canada, South Africa, and India*. Office for Official Publications of the European Communities. (PDF is labeled WEEK 2)

- Part VII: Affirmative Action, read pp. 63-66 on U.S. and Canada, skim pp. 66-68 on South African and India for points of comparison

Berrey, Ellen. 2015. *The Enigma of Diversity: The Language of Race and the Limits of Racial Justice*. Chicago: University of Chicago Press.*

- Introduction, pp. 1-24
- Chap. 2, "The Symbolic Politics of Racial Progress," pp. 25-55
- Two additional chapters *TBD in class, based on student interest*:
 - Admissions and affirmative action litigation at the University of Michigan:
 - Chap. 4, "Academically Excellent and Diverse," pp. 55-78
 - Chap. 5, "*Graz, Grutter*, and the Public Relations of Defending Affirmative Action," pp. 79-123
 - Housing politics and gentrification in the Rogers Park neighborhood:
 - Chap. 5, "The Most Diverse Neighborhood in Chicago," pp. 127-152
 - Chap. 6, "Gentrification, Displacement, and the Color-Blind Opposition to Subsidized Housing," pp. 153-191
 - Corporate diversity management:
 - Chap. 7, "Diversity Is a Strength of Starr Corporation," pp. 195-218
 - Chap. 8, "Diversity Management, Shareholder Capitalism, and the Biases of Meritocracy," pp. 219-256

Week 9: Legal Pluralism and Settler Colonial and Indigenous Legal Systems *In Theory*

Fri. Mar. 15

- Merry, Sally Engle. 1988. "Legal Pluralism," *Law & Society Review* 22(5): 869-896.* *Just read pp. 869-879, 889-892*
- Merry, Sally Engle. 2012. "Legal Pluralism and Legal Culture: Mapping the Terrain," in Brian Z. Tamanaha, Caroline Mary Sage, and Michael J. V. Woolcock, eds., *Legal Pluralism and Development: Scholars and Practitioners in Dialogue*. Cambridge: Cambridge University Press. *Just read pp. 66-71*
- Borrows, John. *Canada's Indigenous Constitution*. Toronto: University of Toronto Press. *Library ebook allows only one reader allowed at a time, but you can download up to 175 pages. So please check out the ebook from the library, download the pages you need, then "return" it so the next student can, too. This award-winning book by a prominent legal scholar is long but very readable/skimable. Borrow develops a normative, pragmatic framework for legal pluralism of Canada's legal system and Indigenous legal systems.*
- Acknowledgements, pp. ix-x
 - Retroduction, pp. 3-5
 - Chap. 1, Living Legal Traditions, pp. 6-22
 - Chap. 2, Sources of Indigenous Legal Traditions, pp. 23-24, skim pp. 24-58 for key points
 - Chap. 3, Indigenous Law Examples, pp. 59-61 and sections on Haudenosaunee, Anishnabek, and Métis legal traditions or any three examples that interest you
 - Chap. 4, Learning from Bijuridicalism, 107-109, skim 109-124
 - Chap. 5, Recognizing a Multi-Juridical Legal Culture, pp. 125-129, skim 129-136
 - Reproduction, pp. 284-285

Week 10: Legal Pluralism and Indigenous Nationhood *in Practice*

Fri. Mar. 22

- Simpson, Audra. 2014. *Mohawk Interruptus: Political Life Across the Borders of Settler States*, Durham, NC: Duke University Press.**
- Chap. 1 "Indigenous Interruptions," pp. 1-35
- Pasternak, Shiri. 2014. "How Capitalism Will Save Colonialism: The Privatization of Reserve Lands in Canada," *Antipode* 47(1): 179-96.
- Todd, Zoe. 2018. "From a Fishy Place: Examining Canadian State Law Applied in the Daniels Decision from the Perspective of Métis Legal Orders," *Topia* 36: 43-57.

Recommended

- Valverde, Mariana. 2014. "The Crown in a Multicultural Age: The Changing Epistemology of (Post)colonial Sovereignty," *Social & Legal Studies* 21(1): 3-21.

Week 11:
Fri. Mar. 29

Week 12:
Fri. Apr. 5

TBD: The Last Two Weeks of Readings

Students will have input into the content covered during the last four weeks of the course. We may need one or both of these days for catch up. Also, students will be presenting their papers these days, too, so the reading load will not be too heavy. Assuming we have time to explore some additional topics, some of the many possibilities are listed below (a few have been suggested by students). Note that for some of these topics, scholars have analyzed but not emphasized race and racism, so we would need to do the extra analytic work to read race into them.

- Legal culture
- Property law, property theft, and dignity takings (Bernadette Atuahene's work on South Africa and several scholars' extensions of it)
- Diffusion of neoliberal economics and rights-based law from the Global North to the Global South, e.g. corporate power, global governance, human rights regimes, international law, export/import of rule of law and judicial reform (e.g. Mutua on "The Ideology of Human Rights")
- Counter-hegemonic movements against neoliberal globalization, e.g. "bottom-up" social movement contestation of dominant economic and legal models and their challenges to legal theory and practice (e.g., see Table of Contents and introductory chapter for *Law and Globalization from Below: Towards a Cosmopolitan Legality*, eds. Boaventura de Sousa Santos and César A. Rodríguez-Garavito. Also see Merry & Levitt chapter based on their multi-country study of the vernacularization of women's human rights, i.e. the conversion of universalistic understandings of rights to local interpretations of social justice)
- Other studies of legal mobilization (i.e. social movement mobilization that relies on law as a resource, either instrumentally and/or constitutively)
- Racial-legal dynamics in Canada involving groups other than Indigenous peoples, e.g. White descendants of settler colonists, Black Canadians, Asian immigrants, Muslim Canadians, etc.
- Legal consciousness and its application to study racial dynamics and racial differences (e.g. Ewick & Silbey on legal consciousness, Nielsen on First Amendment and legal consciousness, Silbey's critical essay "After Legal Consciousness")
- Transitional justice- the process of transitioning from a repressive regime to a more democratic one (e.g. work by César Rodríguez-Garavito, Jamie Rowen)
- The power dynamics of the rule of law– the rule of law as a political ideal, ideology, and practice to observe ethnographically
- Methodological issues or a particularly method for studying law, race, and racism.
- The racial dynamics of specific substantive socio-legal topics, such as gun rights or sexual harassment
- Other topics