PO/HS/SO 330 TRANSLATING RACE: A COMPARATIVE APPROACH  
IES Abroad Amsterdam

DESCRIPTION:
This course will examine the various ways law constructs race and racial identity in the Netherlands, the United States, and Europe. We will build on the term “law” in the title by drawing on sources from history, sociology, and anthropology as well as statutes and case law of various countries. We will examine the ways laws construct and define race and trace the privileges and burdens associated with those definitions over different times and places. We will assess the effectiveness to-date of using of domestic and international laws as well as courts to combat racism or racial inequality and will brainstorm strategies to pursue these goals in the future. As much as possible we will draw on the people and resources in the City of Amsterdam to contextualize our discussions and make them as concrete as possible.

CREDITS: 3 credits

CONTACT HOURS: 45 hours

LANGUAGE OF PRESENTATION: English

PREREQUISITES: none

METHOD OF PRESENTATION:
Lecture, discussion, course-related trips, and student presentations

REQUIRED WORK AND FORM OF ASSESSMENT:
• Reading and Reflection Journal – 20%
• Midterm Exam - 30%
• Student Presentation – 20%
• Final Paper – 30%

Reading and Reflection Journal - 20%
Students are expected to read and/or listen to all assigned material before class and come prepared with questions and answers. Students should keep an online journal, using a format set up through Moodle, in which they reflect on the readings of the week. Reflections should include new information they learned, critiques of content, and at least one question for discussion. Reflections should include content from course-related trips when applicable. Each journal entry should be at least 250 words with no upper limit. Professor will check journals weekly for completion.

Midterm Exam - 30%
This essay exam will be given the week 8 and will cover topics included in readings, course-related trip, and class discussions up to that point. The exam will be taken in class and last the entire class period. 50% of the grade will come from short answer questions and 50% from an essay.

Student Presentation: Race in Transit - 20%
IES students usually take at least one, if not several, trips outside of Amsterdam during their time abroad. During one of these trips, students should seek out evidence of the legacy of colonialism and/or the legal construction of race in their destination, and report back to the class on what they discover. Students not able to travel outside of Amsterdam, for whatever reason, should explore a neighborhood, landmark or museum in Amsterdam not discussed in class and may present on that experience. Presentations must include information from and reference to at least one peer-reviewed article relevant to the destination and subject matter in question. Photos and or other visual material will be an added bonus to the presentation. Presentations will begin in week 12 and continue through week 15. Full rubric will be posted to Moodle.
Final Paper – 30%
Students should choose a current political or social issue related to the course and actively discussed in both the U.S. and European contexts. They should then write an essay 2500 words assessing how law and legal constructions of race are explicitly and/or implicitly invoked in debates surrounding the issue, and how those constructions differ depending on the national or international context. A full paper rubric will be posted to Moodle. Students are encouraged to draw inspiration from the topics in their student presentations. However, the presentations should only serve as a starting point, with the final paper building on the work in the presentation into new ideas and scholarship.

LEARNING OUTCOMES:
By the end of the course students will be able to:
- Define the concept of ‘legal construction’ as it applies generally to concepts of race and citizenship;
- Compare and contrast how the legal construction of race and citizenship has developed in different countries and legal regimes;
- Identify other identities and/or concepts that are also subject to legal construction and how law interacts with the intersections of those identities (e.g. gender, sexual orientation, religion);
- Evaluate the role of law, race and citizenship in current controversies surrounding migration, hate speech and criminal justice in the Netherlands and the United States;
- Evaluate the efficacy of using courts to address historic and present-day disputes around race, racism and/or inequality. Identify and evaluate alternatives.
- Integrate interdisciplinary sources (legal, historical and theoretical) to suggest future research, action or litigation in the area of racial (in)equality.

ATTENDANCE POLICY:
Since IES Abroad Amsterdam courses are designed to take advantage of the unique contribution of the instructor, and the lecture/discussion format is regarded as the primary mode of instruction, regular class attendance is mandatory. In addition, students are expected to be on time for classes and course-related trips. Excused absence applies in cases of illness (including a doctor’s note and compelling circumstances beyond the student’s control; missing a flight on the day of class does not fit in this category). An unexcused absence will lead to a deduction of your final grade of 0.5 (out of 1-10 scale) points per missed class.

If a student shows a pattern in (excused and unexcused) absences, students may be subject to an Academic Review including but not limited to a letter sent to their school and a probationary period or exclusion from the program. When travelling in the weekends, students are strongly advised to return to Amsterdam on Sunday evening. Travel delays on Monday morning are not accepted as excuse for absence in class and will result in grade deductions as stipulated above.

CONTENT:

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<th>Week</th>
<th>Content</th>
<th>Assignments</th>
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<td>Week 1</td>
<td><strong>Session 1: Introduction to Course and Each Other</strong></td>
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<td>1. What’s in our backpacks? What experiences do we bring?</td>
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<td>1. Defining terms</td>
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<td>2. US jurisprudence and overview of levels of scrutiny</td>
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<td>Week 2</td>
<td>Session 2: Colonialism at home and abroad</td>
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<td>1.</td>
<td>Classical Colonialism, Racial Formation and the Creation of Europe</td>
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<td>2.</td>
<td>Dutch colonialism in the Atlantic and Asia</td>
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<td>3.</td>
<td>Settler Colonialism &amp; Whiteness as Property</td>
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<th>Week 3</th>
<th>Session 3: Chattel Slavery – creation and legacy in law</th>
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<td>1.</td>
<td>Legal construction of humans and property</td>
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<td>2.</td>
<td>Compelling enslavement: slave codes and ‘plakaatboeken’</td>
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<td>3.</td>
<td>Limits and fallacy of the ‘Free Soil Doctrine’</td>
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<th>Week 4</th>
<th>Session 4: Abolition, Aftermath &amp; Emancipation</th>
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<td>1.</td>
<td>Reconstruction &amp; segregation</td>
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<td>2.</td>
<td>Jim Crow v freedom of movement</td>
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<td>3.</td>
<td>Reparations</td>
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C. Harris, “Whiteness as Property” (1993), pp 1709-91 (31 pages excluding footnotes)


K. Nimako & G. Willemsen, “Chattel Slavery, Sugar & Salt”, in *The Dutch Atlantic*, pp 52-77 (15 pages)


| Week 5 | Session 5: Course-related trip—Black Heritage Tour | Students must submit two questions by email at least 24 hours before trip to ask or have answered on tour.  
Read K. Nimako & G. Willemsen, *The Dutch Atlantic*, 149-183 on commemoration and legacy (34 pages)  
Read J. Tosch, “Decoloniality and Black Heritage Tours” in *Smash the Pillars*, 31-38 (7 pages)  
Read A. Cain “Decoloniality of Memory and Anti-Black Racism”, 175-85 in *Smash the Pillars* (10 pages)  
Total pages: 51  
Journal entry due 12 hours before class begins. |
|---|---|---|
| Week 6 | Session 6: Imperialism and Class Conflict  
1. ‘The Racial Bribe’ in the US v Europe  
Plessy v Ferguson, 163 U.S. 537, 537-564 (1896) (27 pages)  
Hochschild, D “Congo’s Many Plunderers” (2001) (2 pages)  
Total Pages: 59  
Journal entry due 12 hours before class begins. |
| Week 7 | Session 7: World War I and Colonial Independence Movements  
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<tr>
<th>Week  8</th>
<th>Session 8: Midterm Exam</th>
<th>2. “Dignitarianism” in Africa and the legal responses to independence movements</th>
<th>Newsinger, J “Why Rhodes Must Fall” (2016) pp 70-78 (8 pages)</th>
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<td>Total pages: 51</td>
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<td>Journal entry due 12 hours before class begins.</td>
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| Week 9    | Session 9: World War II and its aftermath in the US and Europe | 1. Interest convergence and civil rights  
B. Hesse ,”Im/plausible deniability: Racisms Conceptual Double Bind” pp 9-20 (20 pages)  
D. Goldberg “Precipitating Evaporation (On Racial Europeanization) pp 151-194 (43 pages) |
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<td>Total pages: 71</td>
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<td>Journal entry due 12 hours before class begins.</td>
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| Week 10   | Session 10: Dutch East Indies and Dutch ‘immigration’ policy | 1. Background and racial construction  
2. Wars for independence  
HL Wesseling "Post-Imperial Holland” (1980) pp 125-42 (17 pages)  
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<td>Total pages: 51</td>
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<td>Journal entry due 12 hours before class begins.</td>
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<p>| Week 11   | Session 11: Course-related Trip - Tropen Museum and Black Archives | Students must submit two questions by email at least 24 hours before trip to ask or have answered on tour. |  |</p>
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<th>Week 12</th>
<th>Session 12: Zwarte Piet, resistance and free speech</th>
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<td>E.A. Martina “My thoughts on the Ruling” (2014) (2 pages)</td>
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<td>G. Wekker “‘For Even Though I am Black as Soot, My Intentions are Good’ The case of Zwarte Piet/Black Pete” in <em>White Innocence</em> (2016) pp 137-67 (30 pages)</td>
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<td>Total pages: 57 pages</td>
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<td>Journal entry due 12 hours before class begins</td>
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<tr>
<th>Week 13</th>
<th>Session 13: Religion, Race, Gender &amp; Intersectionality in law</th>
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3. Intersectionality and its implications for law
   
   

   Total pages: 77
   
   Journal entry due 12 hours before class begins
   In-Class Presentations Continue

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**Week 14**

**Session 14: Criminal Justice and Policing: mass incarceration v security**

1. Mass incarceration, its origins and implications
2. Racial profiling without race
3. Terrorism, security and racial framing


Total pages: 80
Journal entry due 12 hours before class begins
In-Class Presentations Continue

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**Week 15**

**Globalization, Migration, and Populism**

1. In a globalized world how much does citizenship still matter?
2. How do laws regarding citizenship and migration construct race?

G. Jones “What is New About Dutch Populism” (2016) pp 605-620 (15 pages)


E. Balibar “Droit de cite or Apartheid?” in *We the People of Europe?* (2004) pp 31-50 (19 pages)

Total pages: 42
Journal entry due 12 hours before class begins
In-Class Presentations Finish

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**Week 16**

**Final Essay Due**

Office Hours this week to discuss final essay

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**FIELD STUDIES:**

- Black Heritage Tour Amsterdam, [www.blackheritagetours.com](http://www.blackheritagetours.com)
Two hour walking tour of Amsterdam, tailored to our course and highlighting points of relevant interest

- Black Archives Amsterdam, http://www.theblackarchives.nl/home.html
- Tropen Museum Amsterdam, visit to the Afterlives of Slavery Exhibit, https://www.tropenmuseum.nl/en/afterlives-slavery

REQUIRED READINGS:

Books (to be acquired by students)

Articles and/or book sections available electronically

Cain, A, “Decoloniality of Memory and Anti-Black Racism”, 175-85 in Smash the Pillars; see Weiner and Carmona Baez below.
Crenshaw K (ed), Critical Race Theory: The Key Writings That Formed the Movement (New Press 1995)
Philomena Essed and Isabel Hoving (eds), Dutch Racism (Rodopi BV 2014).
Fusaro M and others (eds), Law, Labour, and Empire: Comparative Perspectives on Seafarers, c. 1500-1800 (Palgrave Macmillan 2015)
——, The Threat of Race: Reflections on Racial Neoliberalism (Wiley-Blackwell 2009)
Hine DC, Keaton TD and Small S (eds), Black Europe and the African Diaspora (University of Illinois Press 2009)

——, ‘Biology, Culture, “Postcolonial Citizenship” and the Dutch Nation, 1945–2007’ in Philomena Essed and Isabel Hoving (eds), Dutch Racism (above)


Newsinger, J, ‘Why Rhodes Must Fall’ (2016) 58 Race & Class


Nimako K and Willemsen GFW, The Dutch Atlantic: Slavery, Abolition and Emancipation (Pluto Press 2011)


Rosenfeld M and Sajó A (eds), The Oxford Handbook of Comparative Constitutional Law (Oxford Univ Press 2013)


Tayob A, ‘Muslim Responses to Integration: Demands in the Netherlands since 9/11’ 18

Tosh, J ‘Decoloniality and Black Heritage Tours’ in Smash the Pillars; see Weiner and Carmona Baez below.


Weiner MF and Carmona Báez A (eds), Smash the Pillars: Decoloniality and the Imaginary of Color in the Dutch Kingdom (Lexington Books 2018)

Wesseling HL, ‘Post-Imperial Holland’ (1980) 15 Journal of Contemporary History 125

RECOMMENDED READINGS:
Clark Hine, Tricia Danielle Keaton, Stephen Small, eds. Black Europe and the African Diaspora, University of Illinois Press, 2009