MINORITIES IN AMERICA: STATUS, RIGHTS, AND PUBLIC POLICY

UPADM-GP 216-001 (7072)
Fall 2012

Professor David M. Elcott
Puck, Third Floor
Office hours by appointment
Office 212-992-9894
Mobile 914-391-7503
David.elcott@nyu.edu

Location: 25 West 4th, Room C13

It must be odd
to be a minority
He was saying.
I looked around
and didn’t see any.
So I said
Yeah
it must be
Mitsuye Yamada Camp Notes

The position of minorities in the United States, an immigrant nation since its inception whose indigenous population was perceived as non-American, remains a volatile topic of debate that touches the core of American identity. In this course, we will focus on the status of a number of minority groups within America’s cultural and political framework, examining how the debate over minority rights informs policy decisions and shapes identity and minority institutions. We will seek to define what “minority” status entails by studying how ethnicity, race, gender and religious identities, and their cultural expressions, play out in the public sphere. Attention will also be paid to minority community building - how public policies and leaders nurture or undermine minority identity and minority communities.

COURSE OBJECTIVES:

- Begin to grapple with the definitions of minorities in the United States: when did the concept of minority emerge in the United States, how are minorities identified and given meaning, what are the internal and external aspects of minority identity?
- Examine the essential concepts of power (and the marked and unmarked positions) – what it is, how it is used and how groups and communities expand and strengthen their political power and the ways that addressing minority status affects power in America.
- We will explore in what ways identity is personal, communal, self-determined and/or imposed and the intersections of identity in America today.
• We will study how the status of minorities has changed over the history of America.
• Sessions will address the impact of education, housing, workplace, voting and religious policies on the lives and status of minorities.
• We will ask what roles should and does government play in determining minority status?
• We also will consider whether the state has an interest in strengthening minority communities and what is necessary to nurture minority communities today.

COURSE REQUIREMENTS INCLUDE:

1. Careful preparation for and serious involvement in all seminar sessions. This means reading the materials and thinking about the topic before the session. Try your best to cover all the readings so that in class, you will be citing from the works that I assigned. In your reading, you are asked to:
   • Question the significance of the topic and the analyses you read – is the methodology solid; does the analysis comport with the results?
   • Search for what biases (and there are always biases) affect the choice of subject, data and analysis.
   • Check yourself out: In what ways do the evidence and analyses conform to your own experience and assessments, and in what ways do they challenge them?
   • Consider what institutional and organizational implications can be drawn from the readings, and what types of leadership responses would be most productive.
   • Think about what you learn as a leader and manager, policy analyst and advocate for policy change.

2. Class participation is crucial and the quality and thoughtfulness of your involvement will be reflected in your final grade. If speaking in public is difficult for you, please come to see me early on.

3. Assume leadership in class activities (alone or as part of a team) – there will be many opportunities for you to lead portions of class sessions.

4. Students will choose a reading, a quote or something said by one of the speakers from four sessions of the course that seems powerful, meaningful and/or problematic and then write a one page analysis after each of those days. Whatever your focus, you are expected to reference at least some of the readings as well as any discussions we have had, the outside world you observe and/or your own personal experiences. This analysis, while reflecting your rigorous and careful reading, allows you to explore what excites you intellectually and how you imagine applying what you read to professional areas that interest you. Make sure you provide some direct citations from the readings or the lectures. These four one-pagers must be submitted as follows:
   • Anytime up to the week after the 3rd session (September 19)
   • Anytime up to a week after the 4th, 5th or 6th sessions (October 3rd or 10th)
   • Anytime up to a week after the 7th, 8th or 9th sessions (October 17th, 24th or 31st)
   • Anytime up to a week after the 10th, 11th or 12th sessions (Nov. 7th, 14th or 28th)

5. There will be a midterm after the sixth session. It will consist of five questions about the work we have done so far. You will be able to choose two of the questions and write your exam at home. It will be due before the seventh session. The exam should be no more than ten pages double-spaced. You will be expected to use the materials we have
covered up to that point in the course, your own experience and any additional
references you choose to bring in to your responses.

6. You will have a final project that you will prepare in concert with up to two other
students. You will choose one of the issues that we have studied in the course and
prepare a class presentation on the most effective ways to address this issue on a
national, state, local and/or institutional level. You will present a one paragraph
description of what you plan to investigate by the tenth session and are welcome to meet
with me before that time to figure out what you want to do. The final presentation can
be up to fifteen minutes and creativity in the form and content of presentation will be
valued.

7. A written form of your presentation at whatever length you feel is necessary to
convincingly make your points will be due one week after your presentation, giving you
time to reflect on the responses to your presentation by me and by the class. The written
presentation can be in the form of a power point, a final reflective essay that examines
your issue or a formal paper no more than 10 double-spaced pages plus appendices and
footnotes.

8. Your grade will reflect all these elements:
- your four one page analyses of readings reflections 20%
- your overall class participation and leadership 15%
- your midterm exam 20%
- your final class team presentation 20%
- your final paper 25%

At any time, you are welcome to discuss your progress with me for both guidance and
confidence in how you are doing.

Readings and Blackboard:
1. Much of the reading, many announcements, class related documents and other useful
class information will be posted to the class Blackboard site at
http://classes.nyu.edu/ so make sure to check that our regularly.
2. Also, check your NYU email regularly for any other announcements.
3. You will need Adobe Acrobat Reader in order to view some of the materials. Make
sure that you have it installed.
4. Downloads of articles have been provide in most cases. Please make sure, however,
that you know how to find an article by using NYU’s excellent library resources in
case a link fails to open.

Academic Integrity
As a professional, you will need to use many resources that have been developed,
authored and/or organized by others. Making great use of the work of others is a
valuable professional tool – originality is not axiomatically a virtue. Honoring the
hard work of those who prepared what you borrow and use is an issue of integrity.
That lesson begins in your academic work. To refresh yourself on the rules of
academic integrity, see https://wagner.nyu.edu/current/policies/

Seminar sessions:
1. **Framing the Questions**  
**September 5, 2012**

The word minority is, in a sense, a new and fluid concept. There of course have always been different ethnic, religious and national groups that vied with each other for position and status and power in the places that they interacted and we have early evidence of cultures declaring their superiority over the other (even the Bible states that when entering the Land of Israel, “you shall not let a soul remain alive. No, you must excise them… lest they lead you into doing abhorrent things…”). Much the same has been said about Africans and Jews, Chinese and Japanese, Italians and Irish at one time or another. Yet the classification of a group as a “minority” is a more modern phenomenon and one with which we still are grappling. Italian immigrants to the U.S. were disdained by many in the early twentieth century -- they were people of color. But by the 1960’s, Italians are very white. There were covenants preventing Jews from buying homes in large swaths of the country in the 1950’s while today, when a Jew marries a Kennedy or a Clinton, there is great celebration (except by those who want to sustain unique ethnic or religious identities). Are women, who make up over half the U.S. population, a minority in need of legal protections? The first session will allow us to work on framing the questions for the course by examining our own conceptions, those of key political leaders as well as social analysts.

**Questions to Consider:**

1. What markers seem to be salient in considering minority or majority status and how do we imagine the ways that such a status is determined?
2. How real are these categories for you and your families?
3. How are these categories used in America and by whom?
4. What can we learn about framing issues and ideas that will help us better understand the issues of minority status?

**Materials:**

- Ronald Takaki *A Different Mirror*, N.Y: Little, Brown and Co., 2008, chapter 1
- George Lakoff, lecture found on authors@georgelakoff (especially from 14:00 – watch it and then we will also show this in class)

2. **Becoming a Real American, Two competitive visions: The melting pot vs. a nation of immigrants**  
**September 12, 2012**

America has long held two competing visions of itself. The first is America as a haven for refugees who, seeking freedom and opportunity, come to these shores to become real citizens, adopting the language, culture and values of the historic,
founding dominant majority. The second view is of America as a rich mélange of cultures and languages, a nation that celebrates diversity with the realization that what binds its citizens is its pluralism. This session will examine the analyses and the data used over the past century to define and then redefine who and what is American with the background awareness that the battle over what constitutes a true American still rages fiercely.

Questions to consider:

1. What about nation building and citizenship is at the core of each of these two visions?
2. What are the costs of choosing one vision over the other?
3. What are some examples of public policies have been instituted as a result of each of these visions?

Materials:

- Beyond the Melting Pot Reconsidered, a collection of essays, International Migration Review, vol. 34, No. 1 (Spring 2000)
  [http://ezproxy.library.nyu.edu:2082/pqdlink?index=4&did=52771471&SrcchMode=3&sid=1&Fmt=3&VInst=PROD&VType=PQD&VName=PQD&TS=1281033488&clientIId=9269&aid=1](http://ezproxy.library.nyu.edu:2082/pqdlink?index=4&did=52771471&SrcchMode=3&sid=1&Fmt=3&VInst=PROD&VType=PQD&VName=PQD&TS=1281033488&clientIId=9269&aid=1)
- Barak Obama’s convention speech 2004 [http://www.youtube.com/watch?v=eWynt87PaJ0](http://www.youtube.com/watch?v=eWynt87PaJ0) (in class)
- Sarah Palin’s speech at the Tea Party Convention at [www.frumforum.com/youtube-blogging-palins-speech](http://www.frumforum.com/youtube-blogging-palins-speech) (in class)
- Emma Lazarus, *The New Colossus*

3. Determining Community and Minority Rights: Should They Be Collective, Individual or Non-existent?
   September 19, 2012

While no one argues that there are minorities in America, there is heated debate over what obligations, if any, the nation has to these minorities. For those who see America as a pluralist experiment, society must provide equality and justice to the individual for whom ethnicity, religious, or national origin identity is a significant background condition. The reason: A pluralist America that fosters distinct ethnic, religious and national origin communities will be a healthier democracy. Then there are those who see America as a nation of minority communities with collective communal rights that flow to the individual. Collective rights means that one’s position in society is linked to one’s minority identity and that society offers rights and recognition based not only to the individual, but to those within the group as well. And then there are the cosmopolitan critics who argue that collective rights
means privileging a particular definition of a minority community over others and forcing individuals to choose a singular identity in a world saturated with multiple identities.

Questions to Consider:
1. What difference does it make if one is given rights as an individual or given rights as part of a collective group?
2. What so disturbs those who believe in justice and equality about minority rights in America?

Materials:
- John Stewart Show, January 7, 2009 Medicine Cabinet (shown in class)

Case Study: Lani Guinier and the Case of Representation and Elections

**NO CLASS ON SEPTEMBER 26TH – DOUBLE CLASS OCTOBER 3RD**

4. Black, brown, white, yellow, red: Effects of Public Policy: Categorizing Individuals and Determining Status in the United States

**October 3, 2012 (DOUBLE SESSION) 9:30 – 10:40**

We will explore how race, ethnicity and national origin have been categorized in the United States and how such determinations affect status and identity. Our interest is both in the “facts” that underlie identities and also the processes that produced these categorizations. What is the relationship between racial/ethnic (Afro-American, Hispanic, Asian, Native American, Pacific Islander and non-Hispanic White), gender (male/female/others), and religious (note: the average American changes religious affiliation multiple times during a lifetime) designations and the individual’s identity and choice of community affiliation. What are the gains and losses of such designations?

We will use this year’s census as a case study of how public policy affects one’s identity.

Questions to Consider:
1. What’s the narrative? How were the various minority identities determined and toward what end?
2. What is gained by minority status? What are the costs? Winners/losers?
3. Would there be other ways of imagining categories and designations or would we be better following the thinking of Jeremy Waldron?

Materials:
- Carmen R. Lugo, "So You Are a Mestiza: exploring the consequences of ethnic and racial clumping in the U.S. Academy"
  http://ezproxy.library.nyu.edu:9451/ehost/pdfviewer/pdfviewer?vid=2&hid=13&sid=69986ab9-9f4-4ab9-a75b-de74c1c77dca%40sessionmgr11
- Nathan Glazer, "Do We Need the Census Race Question," Public Interest, Washington: Fall 2002, pg. 21
  http://ezproxy.library.nyu.edu:9451/ehost/detail?vid=4&hid=13&sid=037986c7-b1f8-4cf9-94de-91c7249eb42c%40sessionmgr11&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#db=buh&AN=8688413
  http://ezproxy.library.nyu.edu:9451/ehost/pdfviewer/pdfviewer?vid=4&hid=13&sid=850c16a7-b07b-4a2c-be0c-de177d1ed262%40sessionmgr4
  http://online.wsj.com/article/NA_WSJ_PUB:SB121322793544566177.html
- Sam Roberts, "Who Are We Now," ch. 8
- Junot Diaz, "Drown," pp. 121-140 (Edison, N.J.)

Text Analysis: Parsing the 2010 U.S. Census

5. In America, Color Has Meaning
October 3, 2012  PART 2  10:45-12:00 pm (DOUBLE SESSION)
Seeing the first family would be startling to prior generations of American (and still maybe too many today). In front of us stood a rainbow of races, Indonesian, Kenyan, European national origins, Muslims, Christians and Jews, descendants of slaves and of Confederate President Jefferson Davis. It would be easy to claim that the dream of integration has been fulfilled. Critical race theory takes issue with the notion that equality is the result of legislation, court mandates or even an Afro-American president. After hundreds of years, the meaning of race and racism in the United States remains unresolved. While we will not resolve the issues, we will try to understand how the focus on minority issues developed over the past century and ascertain what impact the history has on public policy in the last few decades.

Materials:
6. Gender, Power, Politics and Color: A Feminist Read  
October 10, 2012  
Guest seminar leader:

The unmarked position in America remains white, heterosexual, male and Christian. No one would expect a judge of that background to rescue himself on issues of gay marriage, women's rights or affirmative action. Yet Supreme Court Justice Sotomayor was attacked in hearings for noting that being a poor minority may give a different perspective on judicial decisions. It is disingenuous to deny the role one's background, heritage, and experience play in one's perspective and decision-making. Racial and ethnic minorities and women, those individuals who have traditionally been shut off from power or not had access to resources, are the only groups asked to check their identity at the door. To deepen our understanding of minority status in America, we need to investigate the intersections of race, class, gender, ethnicity, and other markers of difference and their impact on rights and public policy outcomes at the local, state, and national levels.

Questions to Consider:
1. What do we mean by intersectionality and how does this concept apply to our study of minorities?
2. How does the marked position of female affect other identities?
3. In what ways should one’s identity affect public policy issues, voting and other forms of civic engagement?

Materials:
- Excerpt from The Color Purple (on Blackboard)
- *Leading At the Intersections*, Nicole Mason (on Blackboard)
7. Residential Patterns, Housing and Urban Planning Policies and Minority Identity  
   October 17, 2012

Segregated residential patterns have been a way of life in America, sometimes by choice but, more often, enforced by societal constraints and legally sustained covenants. The chasm in the quality of schools and public services reflected segregated housing. Yet immigrant groups often self-segregated as a means of sustaining their own cultures and communities. Politically, minority enclaves offered greater power or leverage with those in power. Yet, while integrated housing became the tool to break down racial and ethnic disparities, its successes are mixed. We will explore the story of segregated and integrated housing and their effect on personal and communal minority identity.

- National Commission on Fair Housing and Equal Opportunity - Final Commission Report (Executive Summary)

Case Study: The Nehemiah Project in East Brooklyn

8. A Nativist America: Immigration and the Fight for a Dominant Culture  
   October 24, 2012

   THIS SESSION WILL TAKE PLACE AT ELLIS ISLAND

As noted in the first session, the battle over what constitutes authentic American culture goes back to colonial times. Benjamin Franklin, who hailed from the City of Brotherly Love, complained, “Why should Pennsylvania, founded by the English, become a Colony of Aliens, who will shortly be so numerous as to Germanize us instead of our Anglifying them?” We will seek to understand the cultural and political
analyses of both those who are anti-immigrant and their relationship to nativist beliefs and those who see immigrants as valuable to America. We will pose questions about the types of rights claimed by immigrants to sustain their unique cultures, languages, communal institutions and identities.

Questions to Consider:
1. What does the word American mean to you – to different populations in the United States – to those living in other countries?
2. Are the children of undocumented immigrants born in the U.S. real Americans?
3. Framing the question: What do we mean when we say immigrants and immigration?

Materials:
- Check out the websites for FAIR at http://www.fairus.org/site/PageServer and for the Center for New Community at http://www.newcomm.org/
- Sam Roberts, *Who We Are Now*, chapter 7

9. Faith-based politics and policy: Religion and minority status

October 31, 2012
Religion in America is so unlike that in other nations. Americans are believers (88% have certain or fairly certain belief in God) but not to their religious identity (44 percent of Americans have switched religious affiliations). Over forty percent of Americans taking on leadership positions do so in religious settings yet a majority of Americans want religion out of politics. For our study, we also note that no religious denomination in the U.S. is a majority so that, in some profound ways, everyone of faith takes on a minority status. Some still claim that their religious values should be the values of the nation while others strive with avid passion to protect their minority rights. We will explore the rights to be religious with a case study focus on the public policy issue of faith-based initiatives.

A case study on faith-Based Initiatives

Questions to Consider:
1. How did the Founding Fathers imagine religion in America? What does the “freedom of religion” clause in the Bill of Rights mean?

2. Can religious groups be a minority in America and who would be the majority?

3. Can we reconcile Church-State separation and faith-based initiatives?

Materials:
- Supreme Court Ruling Salazar vs. Buono
- The Blaine Game: Over the Blaine Amendments and Public Funding of Religion http://pewforum.org/events/?EventID=194
- Survey on Religions in America http://religions.pewforum.org/comparisons#
- Barack Obama, Call to Renewal, speech delivered at a conference sponsored by Sojourners, June 28, 2006 http://www.sojo.net/index.cfm?action=news.display_article&mode=C&NewsID=5454

10. Minority the Schools and Workplace: Balancing Reparative Affirmative Action and Merit in Determining Public Policies
November 7, 2012

In 1952, Brown vs. the Board of Education of Topeka overturned the principle of separate but equal while the Civil Rights Act of 1964 (Title VII) prohibited employment discrimination based on race, color, religion, sex, or national origin. These landmark decisions have been challenged in their implementation ever since with convincing evidence that discrimination in education and employment still affect minorities. In fact, efforts to use merit as the sole basis of admissions, employment or salary increases have proven faulty, with the effects of bias evident in lingering disparities.

Guest seminar leader: Talia Milgrom-Elcott

Questions to Consider:
1. How did the Court rulings and the civil rights legislation attempt to correct the lingering injustices of slavery and racial and ethnic discrimination? What was the society they were imagining as their goal?

2. What was the debate over affirmative action and what were its ideological and pragmatic pros and cons?

3. What evidence do we bring to bear in discussing the socio-economic disparities that exist today? What are the different framings of the issues?

Materials:
- Derrick A. Bell, Brown vs. the Board of Education and the Interest Convergence Dilemma, Critical Race Theory, pgs 20-29
- National Academy of Education *Race-Conscious Policies for Assigning Students to Schools: Social Science Research and the Supreme Court cases*
- More Evidence on Social-Psychological Processes that Perpetuate Minority Segregation: The ... ERIC: Education Resources Information Center, eric.ed.gov/ERICWebPortal/recordDetail?accno=ED233098 by JH Braddock
- Christopher Jencks, Secrets of the SAT, interview on PBS Frontline, http://www.pbs.org/wgbh/pages/frontline/shows/sats/interviews/jencks.html (you can check out the other interviews as well)

November 14, 2012
Often the greatest advocates for minority rights have been the courts that overturned laws or referenda that minorities claimed oppressed them. In other cases, courts have ruled unconstitutional legislation passed in support of minority rights. In studying the major court cases, we will grapple with all the issues we have studied so far and how complex and subtle decision making concerning minorities and rights are in America today.

Questions to Consider:
1. How have the courts crafted principles that address minority status and where have the conflicts been?
2. What are the key court rulings that determine minority status and its implications in America today?
3. How do minority issues play themselves out within the judicial and penal process – think about incarceration rates, probation, juries and crimes and their punishments?

Materials:
- A Fluid Boundary: The Free Exercise Clause and the Legislative and Executive Branches

**NO CLASS NOVEMBER 21ST – DOUBLE CLASS NOVEMBER 28TH**

12. **Organic and voluntary identity: GLBT status, a case study**

   **November 28, 2012  9:30 – 10:40**

   Is one’s identity given at birth, as in color or national origin, or is it voluntary, as in religion and language? Nowhere is this debate more public today than over the nature of sexual identity and whether there are rights and/or protections that should be provided. Is the discussion about GLBT identities one of civil rights, communal norms and values, choice and/or destiny – and what role should the values of the majority play in limiting the rights of a minority, whether an identity of choice or not, in American democracy?

   Guest seminar leader: Sean Cahill, chief operating officer, GMHC; adjunct professor, Wagner NYU

   Questions to Consider:
   1. In terms of rights, does it matter whether sexual identity is based on biology, nurturing and culture, or personal choice?
   2. Are white, high-end socio-economic class gays and lesbians a minority with rights to be protected?
   3. How did gay marriage become the lightening rod for gay rights in America today?
November 28, 2012  10:30-12

Contemporary culture allows us to claim multiple identities and allegiances to multiple communities episodically as well as simultaneously, such that no one identity or community orders our lives or provides a singular construct with which to understand the world. Modernity undermines the authority and relevance of communal norms, values and behaviors as well as the community leaders themselves. Those who try to build minority communities are acutely aware that the traditional agents for such socialization – the family, religious institutions, local media, schools, government itself – no longer are afforded the allegiance or authority that once made them so effective. It is hard to sustain and nurture minority identity and allegiance. In particular, we will look at projects that encouraged leadership and institution building from the inside, from within the community itself. And we will explore the impact of governmental intervention and public policy decisions in relation to sustaining minority institutions.

Questions to Consider:

1. What have we learned about the impact public policy decisions have on minority communities – what has been effective and how can we determine that?
2. How do we deal with issues of minority identity, the imposition of cultural norms on minority members and the role that exit plays in American society?
3. What steps can minority communities take to foster identity and allegiance and long-term fidelity that comport with American values of personal choice? Should these communities conform to the value of personal choice?

Materials:
- RCLA, From Constituents to Stakeholders: Community-Based Approaches to building Organizational Ownership and Providing Opportunities to Lead
- RCLA Transforming Lives, Changing Communities: How Social Justice Organizations Build and Use Power

14. Class Student Presentations: Case Studies of Status, Rights and Public Policies and Minorities
   December 5, 2012