



NYU

**ROBERT F. WAGNER GRADUATE
SCHOOL OF PUBLIC SERVICE**

PADM-GP 2447
Identity, Policy and Politics
Spring 2019

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

Instructor Information

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Course Information

- Class Meeting Times: Wednesdays, 9:30am-11:10am
- Class Location: 25 West 4th, Room: C-4

Course Description

The 2016 election brought to the fore a battle over rights and public policies that affect social identities – race, ethnicity, religion, gender, sexual identity, place of origin – as perhaps never before. In fact, they were debated with raging rhetorical violence. In choosing, voters seemed to

clarify their views of what (for them) American really is, who we are (or should be) as a nation, culture and society. By 2018, it seemed that the core a conflict was quite focused over who really is an American, who belongs and how the answer would make this country great. From every political vantage point, Americans are feeling somehow disenfranchised, as if their place in America is in jeopardy. At this point, we have no idea where this will lead, but battle lines have been drawn and the anger is festering, as if waiting to explode.

In this course, we will focus on the ways we have been socialized into American society, seeking to understand the privileges that accrues from one’s status and the policies that have resulted based on identity over the past centuries. And we will look at a range of identities that challenge the “all-American” standard. We will explore issues of social identity of a number of groups that have been identified as “minority” (leaving the term minority itself in question) within America’s cultural and political framework, examining how the debate over rights informs policy decisions and shapes identity and institutions. We will apply a range of theoretical constructs, seeking to define what “minority” status entails by studying how ethnicity, race, gender, sexual identity, national origin and religious identities, and their cultural expressions, play out in the public sphere. And we will, of course, be forced to explore the advocacy efforts that seek to address what America should be.

Course and Learning Objectives

1. Be able to explain the meaning and application of intersectionality
2. Be able to describe the issues America faces concerning Racism
3. Be able to describe the issues America faces concerning Housing
4. Be able to describe the issues America faces concerning Gender and Sexual identity
5. Be able to describe the issues America faces concerning Religion
6. Be able to describe the issues America faces concerning Education
7. Be able to describe the issues America faces concerning Employment
8. Be able to describe alternative electoral processes
9. Be able to develop a strategy to address one of the issues above
10. Be able to explain Critical Race Theory and its relationship to the Civil Rights

Learning Assessment Table

Graded Assignment	Course Objective Covered
Reflection #1	1, 2, 3, 8, 10
Midterm	5, 6, 7
Final Team Project	9
Policy Reflection	3, 4

Course Requirements

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 choices 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. This course is about policy and so we will reflect on our learning by writing short policy memos. Students will choose an issue based on the readings, class discussions and presentations that seems powerful, meaningful and/or problematic, and then write up to a two-page single space reflection and memo. One page will be the memo, written to a policy decision maker who is in a position to affect the policy (we will clarify this more fully in class). The second page asks you to explain why you chose this issue – why is it important to you – and the target of the memo. Whatever your focus, you are expected to reference the readings as well as any discussions we have had, the outside world you observe and/or your own personal experiences. This memo and personal reflection, 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 direct citations from the readings or the lectures. Length is not what matters most – a thoughtful, integrated and coherent analysis or critique is what we want to see. These three two-pagers must be submitted on NYU Classes under assignments as follows:
 - 1st Memo and Reflection due February 19th, 2019
 - 2nd Memo and Reflection due March 27th, 2019
 - 3rd Memo and Reflection due April 28th, 2019.
5. There will be a midterm after the sixth session. It will consist of six 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 on March 13th, 2019. The exam should be no more than eight 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. Please do not skimp on footnoting the readings we have used.
6. You will have a final project that you will prepare in concert with other students. You will choose one of the issues that we study in the course and prepare a class presentation on the most effective ways you have determined to address this issue on a national, state, local

and/or institutional level. **Your team will present a one-paragraph description of what you plan to investigate by the fourth session and schedule to meet with me before that time to figure out what you want to do.** The final presentation in the last session can be up to fifteen minutes and creativity in the form and content of presentation will be valued. A written form of your team presentation at whatever length your team feels 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 a combination of one or more: A power point or other graphic presentation; Annotated notes from your research with running commentary; A formal analysis of no more than **10 double-spaced pages**; a detailed policy paper with supportive materials. Whatever form(s) you choose, it must have robust appendices and footnotes. This is a team effort.

7. A final personal reflection that includes the issues the course raised for you, the questions, discomforts and challenges that remain and how you imagine the issues of identity could/should be better addressed in American policy and culture. While you certainly should add any resource materials we have used throughout the course, this is meant to be a personal response – from you even as you may (perhaps should) quote or cite others. No length is stipulated, but I would encourage you (for your own sakes) to not write more than **three double-spaced pages**. This will be in conjunction with your final presentation as an addendum to your portfolio.
8. Your grade will reflect all these elements:
 - your three one page analyses of readings reflections, 30% (10 points each)
 - your midterm exam, 25%
 - your final class team presentation and team paper, 30%
 - a final personal reflection, 15%

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

Readings and NYU Classes

1. Much of the reading, many announcements, class-related documents, and other useful class information will be posted on NYU Classes and on the “Forum” so make sure to check that out 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.
5. Please read Michelle Alexander’s *The New Jim Crow* before the semester begins, if possible. Even with weaknesses, it is a crucial read for understanding many of the issues we will consider.

Academic Integrity

Academic integrity is a vital component of Wagner and NYU. All students enrolled in this class are required to read and abide by [Wagner's Academic Code](#). All Wagner students have already read and signed the [Wagner Academic Oath](#). Plagiarism of any form will not be tolerated and students in this class are expected to report violations to me. If any student in this class is unsure about what is expected of you and how to abide by the academic code, you should consult with me.

THERE IS MUCH WE WILL NOT KNOW ABOUT THIS SEMESTER OR CANNOT ANTICIPATE AS SO MUCH IN THE UNITED STATES – AND AROUND THE WORLD – SEEMS FRAGILE AND UNCLEAR. THERE MAY BE CHANGES IN SESSIONS IF EVENTS CALL FOR THAT. AS UNIVERSITY STUDENTS WHO ARE ENGAGED IN THE REAL WORLD, FLEXIBILITY IS A CRUCIAL ASPECT OF THE LEARNING. PLEASE NURTURE THAT CAPACITY FOR THE UNEXPECTED

Seminar Sessions

1. Framing the Questions: What Type of Nation Are We? January 30, 2019

The word minority is, in a sense, a new and fluid concept. It also is very controversial. 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, and Italians and Irish at one time or another. There has been the “other” who is dangerous and sinister, sub-human and/or just different.

America has long held two competing visions of itself. The first is America as a haven for wretched 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. past

Either way, classifying a group as a “minority” is a more modern phenomenon and one with which we still are grappling. Italian, Irish and Jewish immigrants to the U.S. were disdained by many in the early twentieth century -- they were not considered white. But by the 1960's, all these identities were very “white”. There were covenants preventing

Jews from buying homes in large swaths of the country in the 1950's while today, the President's daughter and family are Jewish, and he was voted in by conservative Christian evangelicals who once believed Jews are condemned to burn in Hell. Are women, who make up over half the U.S. population, a "minority" in need of legal protections? Is the LGBTQ community "privileged" as Justice Roberts has claimed in the past few years? Should White lower socio-economic class men and their families be seen as a threatened minority? 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 and theorists.

Questions to Consider:

1. What markers seem to be salient in considering group identity and individual 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?
5. What about nation building and citizenship is at the core of each of these two visions?
6. What are the costs of choosing one vision over the other?
7. What are some examples of public policies have been instituted as a result of each of these visions?

Materials:

- Ronald Takaki **A Different Mirror**, N.Y: Little, Brown and Co., 2008, chapter 1
- John D. Skrentny, **The Minority Rights Revolution**, Cambridge, MA: Harvard University Press, 2002. Chapter 1
- [Beyond the Melting Pot Reconsidered](#), a collection of essays, International Migration Review, vol. 34, No. 1 (Spring 2000), p. 243-279.
- Sherman Alexie, **The Absolutely True Diary of a Part-Time Indian**, N.Y:Little, Brown and Co, pages 44-65
- [Barack Obama's convention speech 2004](#) (in class)
- [Donald Trump's Inauguration Speech, January, 2017](#)

2. Determining Community and Personal Identity Rights: Should They Be Collective, Individual or Non-existent?

February 6, 2019

While no one argues that there are communities with shared unique and distinct identities in America, there is heated debate over what obligations, if any, the nation has to these communities. 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 and identity of a self-declared minority community over others, 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 providing minority rights in America?

Materials:

- Will Kymlicka, **Multicultural Citizenship**, Clarendon Press, Oxford, 1995, ch. 6.
- Jeremy Waldron, The Cosmopolitan Alternative in Kymlicka **The Rights of Minority Culture**, Oxford, 1997, ch. 4.
- Michael Walzer, Pluralism, A Political Perspective, in Will Kymlicka **The Rights of Minority Culture**, Oxford, 1997, ch. XXXXX
- The Daily Show with Jon Stewart, January 7, 2009 Medicine Cabinet (shown in class)

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

3. Black, Brown, White, Yellow, Red: Effects of Public Policy: Categorizing Individuals and Determining Status in the United States February 13, 2019

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 communal affiliation? What are the gains and losses of such designations?

We will research the range of official censuses used over the past 200 years and then focus on the most recent 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](#)

- Nathan Glazer, "[Do We Need the Census Race Question](#)," Public Interest, Washington: Fall 2002, pg. 21
- Charles Hirschman, Richard Alba and Reynolds Farley, [The Meaning and Measurement of Race in the U.S. Census, Demography](#), Vol. 37. No. 3 (August 2000) pp. 381-393–June Kronholz, Racial Identity's Gray Area, June 12, 2008, Wall Street Journal, pg A10.
- egration, January
- Junot Diaz, **Drown**, pp. 121-140 (Edison, N.J.)
- [Key Statistical US Findings on Minority Status and Gender: Draft 2](#)

Text Analysis: Parsing the 2010 U.S. Census

POST YOUR ONE PARAGRAPH DESCRIPTION OF WHAT YOU HAVE DECIDED TO INVESTIGATE ON NYUCLASSES INCLUDING THE NAMES OF THOSE WITH WHOM YOU ARE WORKING. ONLY ONE POSTING PER TEAM IS NECESSARY

4. In America, Color Has Meaning: Criminal Justice or the New Jim Crow February 20, 2019

The irony is real. Moving from the former first family of Barak Obama that was a rainbow of races, Indonesian, Kenyan, European national origins, Muslims, Christians and Jews, descendants of slaves and of Confederate President Jefferson Davis to Donald Trump (a family of foreign born immigrant, blended families, Christians and Jews) yet celebrated by the Ku Klux Klan has to be both confirming and yet jarring. It would have been easy in 2008 to claim that the dream of integration was fulfilled. Clearly, that is not the case. 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 and impact of race and racism in the United States, from slavery to Jim Crow segregation to the New Jim Crow, remains unresolved. While we will not resolve the issues, we will focus on a case study on how policies, supported by legislation, law enforcement, courts, prisons and governments have (and continue) to structure a criminal justice system in the United States that plays out in destructive ways.

In fact, no area of contention today is more ripe for reform than the criminal justice system. The United States incarcerates more people than any other democracy and a larger percentage of its population than any country in the world. This reality disproportionately affects men of color, from being stopped to arrest, to conviction, incarceration, and parole – and even the box on applications that asks if you ever were arrested or convicted of a crime. The policy implications are huge, from housing to education to employment, as we have seen. The system seems so imbalanced that Michelle Alexander calls the American criminal justice system as the new Jim Crow, a 21st century form of segregation.

Questions to Consider:

1. What policies have brought the U.S. to this point and what policies could help remedy what is now seen as a failure to address the public and private costs of our criminal justice system?
2. How did the War on Drugs and “Stop and Frisk” policies transform American prisons?

Materials:

- *Crenshaw, et al., **Critical Race Theory**, NY: New Press, 1995, Introduction
- *Alexander, Michelle - The New Jim Crow, Intro and Ch4
- *Forman Jr, James - Racial Critiques of Mass Incarceration, Beyond the New Jim Crow
- *Sentencing Project: To Build a Better Criminal Justice System
- [Koch Brothers and Liberal Groups Unite on Criminal Justice Reforms](#)
- *Rose, Heather and Martin, Glenn - [Locking Down Civil Rights](#)
- Ronald Takaki, **A Different Mirror**, pp. 214-216, 259-261, ch. 15 Part 4 (for overview)
- John D. Skrentny, **The Minority Rights Revolution**, chapter 2
- John Manzon-Santos, The Balgopal Lecture on Human Rights and Asian Americans, February 27, 2008, University of Illinois at Urbana-Champaign

Case Study: Criminal Justice Reform Before Congress: What brings the Koch brothers and the Center for American Progress together?

Guest Speaker: Prof. Julie Ehrlich

Julie Ehrlich is the Assistant Dean and Chief of Staff, NYU School of Law. She has been an associate at LKLS and Cuti Hecker Wang LLP, civil rights litigation boutique law firms in New York City. Julie began her legal career as a staff attorney and fellow at the ACLU Women’s Rights Project, where she litigated cases concerning the conditions of confinement for women and girls in prison. She graduated from Yale University and NYU’s Law School.

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](#)
- [The U.S. Equal Employment Opportunity Commission Federal Laws Prohibiting Job Discrimination](#)
- [Julie B. Ehrlich, Breaking the Law by Giving Birth: NYU Review of Law & Social Change, 32 N.Y.U. Rev. L. & Soc. Change 381 \(2008\)](#)
- Brown vs. Board of Education (1954) in Nivola and Bloom, Classic Readings in American Politics, St. martin’s Press, NY, 1986, ch. 40
- [Hernandez v Robles \(NY Court of Appeals Ruling on Gay Marriage\)](#)

- Editorial, Extraordinary means, [Commonweal](#). 132.7 (Apr. 8, 2005): p5.

Case Study: In the second decade of the 21st century, are the legal remedies adequate to address the issues of identity America faces?

**5. Organic and voluntary identity and culture: LGBTQ status, a case study
April 17, 2019**

Is one's identity given at birth, as in color or national origin, or is it voluntary, as in religion? 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 LGBTQ 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? Marriage equality is achieved even as the 2016 Republican Platform condemned it. The rights of Trans individuals are debated with anger and pain. Is perfect assimilation the ultimate goal, two dads, two kids, and a dog sitting on the front porch of their suburban home? What happens to Queer culture, to those who reject binary sexual identities, to individuals moving from one identity to another? Can a society cope with so many demands?

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. Are there "others" not included in the new order such as transgender, bisexuals and those who avoid a culture that only offers binaries?
4. Should the goal of LGBTQ power be to make sexual identity no more significant than eye or hair color?

Materials:

- Brian J. MacCann, *Queering Expertise: Counterpublics Social Change, and the Corporeal Dilemmas of LGBTQ Equality* (28 Jul 2011.)
- Manuel Muñoz **Zigzaggers**, Evanston, IL, Northwestern Univ Press, 20034. *Waiting to be Dangerous*, pp. 116-117;
- Manuel Muñoz **The Faith Healer of Olive Street**, Chapel Hill, NC: Algonquin, 2007, *Bring, Brang, Brung*, pp. 24-46
- Engler and Engler, **This Is An Uprising**, ch 4=
- ACLU, 2017, [LEGISLATION AFFECTING LGBT RIGHTS ACROSS THE COUNTRY](#)
- What's Next on the 'Gay' Agenda after Transgenderism?

Case Study: What is it about bathrooms and identity that drive such conflict?

**6. White Trash: The On-Going Story of Clay Eaters
April 24, 2019**

At this juncture, we want to add the issue of “White” as an identity, an issue that clearly drove the 2016 election – in particular, blue-collar Appalachian and Midwest White males. This is not a sudden eruption. A white underclass preceded the establishment of the United States and plays significantly in folklore and literature – uncouth and untutored, racist and worthless. But can a white male really be considered an underserved “minority” suffering from ongoing discrimination? More important, should our focus be class (certainly Marx – and Bernie Sanders -- would agree) rather than race or ethnicity in thinking about underserved populations?

- Hochschild, Arlie, **Strangers in Their Own Land (excerpt)**
- J.D. Vance, **Hillbilly Elegy (excerpt)**
- Nancy Isenberg, **White Trash: The 400-Year Untold History of Class in America (excerpt)**
- Harper Lee, **To Kill A Mockingbird (excerpt)**

7. So Where Are We and Where Do We Want to Go? May 1, 2019

This course is about identity, politics and public policy. We seek to understand the theory, practice and experience of identity that play out in the public arena, in law and social interaction.

These issues are also personal. Who am I in this equation and what do I want from my identities? And how does all this play out in the lives of all of us who live at this moment in the United States? We look at ourselves, our families and circle of acquaintances, and the communities we inhabit, as both policy makers and participants in American society. No doubt, all these issues exploded before us this past year and remain painfully unresolved. How do we imagine moving forward?

Materials:

- [Dave Chapelle, About His White Friend Chris](#), (in class)
- [Chris Rock- How Not To Get Your Ass Kicked By the Police](#)
- Gergen, K, The Saturated Self Dilemmas of Identity in Contemporary Life
- 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

Class Exercise: Mapping the issues

8. Class Student Presentations: Case Studies of Status, Rights and Public Policies and Minorities May 8, 2019

For class: A clip from Deliverance

Henry and Lucy Moses Center for Students with Disabilities at NYU

Academic accommodations are available for students with disabilities. Please visit the [Moses Center for Students with Disabilities \(CSD\) website](#) and click on the Reasonable Accommodations and How to Register tab or call or email CSD at (212-998-4980 or mosescsd@nyu.edu) for information. Students who are requesting academic accommodations are strongly advised to reach out to the Moses Center as early as possible in the semester for assistance.

NYU's Calendar Policy on Religious Holidays

[NYU's Calendar Policy on Religious Holidays](#) states that members of any religious group may, without penalty, absent themselves from classes when required in compliance with their religious obligations. Please notify me in advance of religious holidays that might coincide with exams to schedule mutually acceptable alternatives.

Class Policies

[Feel free to make this section your own. Add any additional instructions or information that you believe students need to know. Some examples of categories for this section: attendance [for those of you teaching intensive courses, please be explicit since missing even one day or a portion of a day may be too much and students may need to choose a different course], reporting illnesses or emergencies, participation, re-grading, late submission policy, technology use in the classroom, your response time, [incomplete policy](#), [course withdrawal policy](#), etc.]