Law and Social Movements
Seattle University School of Law
Spring 2012
Prof. Dean Spade

Course Description
This course will critically examine the relationship between law and social movements, specifically engaging texts and materials that interrogate law’s role in both criminalizing and coopting social movements. Often in the legal profession and in legal academia, as well as in popular culture, we hear of the relationship between law and social movements primarily in terms of the use of legal strategies such as litigation and policy reform to secure rights and freedoms for oppressed and excluded groups. Many people come to law school with the aim of utilizing legal skills to support and bolster the equality claims of marginalized populations. The materials used in this course will problematize the assumption that the primary role of law with regard to social movements is to support emancipatory progress. We will instead take the opportunity to look broadly at the meanings of key concepts such as discrimination, freedom, liberation, power, governance and violence as they relate to the stories that lawyers, movement activists, governments, and the media tell about the role of law in movements for social change. Our examination will engage “law” beyond strictly jurisprudence and look at the construction of legality and illegality with regard to dissent. Our inquiry will aim to cultivate deeper understandings of the current parameters and possibilities within social movements given the incentives and disincentives provided by various technologies of legal intervention over the past half century.

Course Requirements

The readings for this semester will be available on TWEN and in the required books. Students are expected to read all the assigned material for the week in advance of Monday class session, attend every class, and participate actively in discussion. 40% of your grade will be based upon class participation which includes the grade for your participation in class discussion and participation on TWEN. You will be evaluated on your mastery of the materials, your use of critical thinking skills, and your active participation. You should think of participating in the conversations on TWEN as part of the writing requirement of this class. You will sign up to post significant responses (400 words or more) for two specific weeks of the semester, although you are expected to participate with shorter responses weekly. Attendance is mandatory in this class. More than two unexcused absences may result in a grade reduction. The other 60% of your grade will come from one 10-page paper in which you will utilize the course readings to analyze a set of additional materials, demonstrate critical analytical tools gained from the course readings, and tie together themes in the course in relation to the new material. You will choose your own topic for this paper, and I have provided a list of example topics on the course website to help guide you. You must you’re your paper topic approved by me, which means visiting my office hours to discuss your topic. You should have your topic approved by me before March 8. These papers may not exceed
10 pages, double spaced, normal margins, 12 point font. Please number your pages. Papers over the page limit will not be accepted. Late papers will not be accepted. Papers are due on May 3. Your papers should use formal bluebook citation with footnotes for any texts referenced.

Film recommendations:

Documentaries:
The Weather Underground
Legacy of Torture
Forest for the Trees
Guerrilla, the taking of Patty Hearst
¡Palante, Siempre Palante!
Camden 28
Screaming Queens
Finally Got the News

Narrative:
Born in Flames
Battle of Algiers
Malcolm X
Running on Empty
9 to 5

Schedule (subject to change)

Week 1
(January 9, 11)
Ward Churchill and Jim Vander Wall, COINTELPRO Papers (section on Black Liberation Movement)
In Class: “¡Palante, Siempre Palante!” Documentary by Iris Morales, “COINTELPRO 101” Documentary by The Freedom Archives

Week 2
(January 16, 18)
Elbaum, Max, 1968: US Radicalism Explodes and Transforms,
http://www.revolutionintheair.com/histstrategy/USA1968.html

OPTIONAL: Assatt Shakur, Assata, Ch. 1, 5

Week 3
(January 23, 25)

OPTIONAL:
SF8 Case materials (review the website, http://www.freethesf8.org)

Week 4

Week 5
(February 6, 8)

Peter Gelderloos, *How Nonviolence Protects the State* Chapters 1, 2, 3, 5 and 7.

Week 6
(February 13, 15)
Anders Corr, *No Trespassing*, p. 10-70, 77-144

Week 7
(February 20, 22)

Week 8
(February 27, 29)
Vijay Prashad and Teo Ballvé, *Dispatches from Latin America: On the Frontlines Against Neoliberalism*
Harry E. Vanden, “Brazil’s Landless Hold Their Ground,” 283-296
Nicholas Watson, “Homeless Movement Builds Momentum,” 300-304
Hilary Wainwright, “Making a People’s Budget it Porto Alegre,” 305-315

OPTIONAL:
“South of the Border,” Film by Oliver Stone

Week 9
(March 5, 7)
Peter Gelderloos, What is Democracy?
http://theanarchistlibrary.org/HTML/Peter_Gelderloos__What_is_Democracy_.html

Letter of Solidarity to OWS from Tahrir,

Consensus (Direct Democracy @ Occupy Wall Street) Video:
http://www.youtube.com/watch?v=6dtD8RnGaRQ

Manissa McCleave Maharawal, So Real It Hurts: Notes on Occupy Wall Street,
http://www.racialicious.com/2011/10/03/so-real-it-hurts-notes-on-occupy-wall-street/

Kenyon Farrow, “Occupy Wall Street’s Race Problem,”
http://prospect.org/article/occupy-wall-streets-race-problem

Robert Desjarlait, “Decolonization and Occupy Wall Street,”

Decolonize Occupy Seattle,
https://blackorchidcollective.wordpress.com/2011/10/22/decolonize-occupy/

Max Rameau, “Occupy to Liberate,”

CHV & VOCAL, “Bridging Community Organizing and Occupy,”

Against the Grain Radio Program, “Anarchism in Thought, and on the Streets,”

OPTIONAL:

Mohammed Abdohalli & Gopal Dayaneni, “A Moment for Action” recorded interview,
http://soundcloud.com/hjg75/mohammed-abdohalli-gopal

Week 10
(March 19, 21)

Angela Harris, “From Stonewall to the suburbs?: Toward a political economy of sexuality,” 14 William and Mary Bill of Rights Journal, 1539 (2006).


Kenyon Farrow, “Is Gay Marriage Anti-Black?” at
http://www.nathanielturner.com/isgaymarriageantiblack.htm


OPTIONAL:
Jasbir Puar, Terrorist Assemblages, Chapter 3, Intimate Control, Infinite Detention: Rereading the Lawrence case (pp. 114-165)
“The Impact of the War on Terror on LGBTST Communities” at http://srlp.org/node/98 (link on TWEN)
Review the website of FIERCE, http://fiercenyc.org/ (link on TWEN)
Sylvia Rivera Law Project: http://srlp.org/about and http://srlp.org/about/collective

Week 11
(March 26, 28)
From Uses of a Whirlwind:

The Starbucks Workers Union, “The Precarious Economy and Its Discontents: Struggling Against the Corporate Chains through Workplace Organizing,” 57-63
Student/Farmworker Alliance, “Harvesting Solidarity: Farmworkers, Allies, and the Fight for Fair Food,” 65-78
City Life/Vida Urbana, Picture the Homeless, Take Back the Land, United Workers, “A Conversation on Organizing Models for Social Justice Struggles in the City,” 79-84
Harmony Goldberg, “Building Power in the City: Reflections on the Emergence of the Right to the City Alliance and the National Domestic Workers Alliance,” 97-108


Week 12
(April 2, 4)
The Revolution Will Not Be Funded Excerpts including:
Chapter 1: The Political Logic of the Non-Profit Industrial Complex, by Dylan Rodriguez
Chapter 2: In The Shadow of the Shadow State, by Ruth Wilson Gilmore
Chapter 4: Democratizing American Philanthropy, by Christine E. Ahn
Chapter 10: Social Service or Social Change?, by Paul Kivel
Chapter 15: Non-Profits and the Autonomous Grassroots, by Eric Tang

Week 13
(April 9, 11)

Week 14
(April 16, 18)
Eric Mann, Playbook for Progressives

Week 15
(April 23, 25)
Dean Spade and Rickke Mananzala, “Trans Resistance and the Non-Profit Industrial Complex.”