January 30, 2012

Dear Cultural Diversity Subcommittee,

Thank you for your time in reviewing my course JUS370 Cultural Diversity and Justice for consideration of the Cultural Diversity designation. I am submitting this letter along with several additional course documents in response to your request to Revise & Resubmit, especially the noted concern that the first half of this course seems to have a more global view rather than focusing on US minority experiences. I hope to clarify through this letter and the additional materials that, while the beginning part of the syllabus might render that impression, the predominant course content, my instructions in class, as well as the required assignments are all US-based.

My objective in designing the course content is to use an innovative approach to provide students with a well-rounded exposure and experience to the multiple facets of cultural diversity in the immediate surroundings of their everyday life in the US and their implications on social change and justice. To achieve this goal, the course begins by providing students with a historical view and philosophical grounding on cultural diversity by looking into the debate between the Enlightenment and the Romanticism movements – which descend into the opposing visions of liberal universalism and cultural relativism – before having the students critically apply and connect these concepts/ideas to contemporary law and policy issues pertaining to cultural minorities in the US, and eventually to the four social institutions in everyday life (bilingual education, hip hop, Miss America pageant, and ethnic food). The objective of introducing these philosophical/theoretical concepts first is to enable the students to see how these competing ideologies are descended and circulated from the past to the present, and how they inform the consciousness of contemporary American lawmakers’ and citizens’ minds (including the students’ own) in the way they draft, formulate, and justify certain policies dealing with issues of cultural diversity.

In the first half of the course, the only class dates that have a more global/international focus are 8/28, 9/4, and 9/6 (please see sample syllabus), when I use the debate on international human rights to illustrate the contrasting approaches between liberal universalism and cultural relativism. I cover international human rights only because it provides an interesting and concrete example for students to learn about the difference between these contrasting philosophical/theoretical approaches (so they can see how the two competing ideologies are actually playing out in real-world contexts), not because it is the essential focus of this class by any means. In fact, I address this topic also to allow students to see how their certain assumptions about “human rights” come from a Western lens/angle that is taken to be the acceptable universal norm, which translate into certain problematic attitudes and reactions towards non-Western cultural beliefs and practices held deeply by incoming immigrants, ethnic/cultural/religious minorities, and indigenous populations in the US.
From there, starting on 9/11, the course moves progressively onto domestic issues dealing with cultural recognition, cultural rights, and cultural defense in the US. While I do intersperse some cases outside the US from time to time, they are brought in only when they are relevant to class discussion where students can draw upon these examples to make connections to minority experiences in the US context. Partly, I do this also to broaden students’ horizons in showing them how similar contestations are happening in other parts of the world as well – this, still, does not take the focus away from the essential lessons on minority experiences in the US. For example, when I address the issue of female circumcision under the broader topic of “Cultural vs. Gender” on 9/25 and 9/27, I discuss the international context of this cultural practice in non-Western parts of the world, but only to connect it back to the experiences of Muslim immigrant women/girls living in the US who undergo such practice. When I cover the topic on “actually existing cosmopolitanism” on 10/9 and 10/11, I use the experiences of undocumented immigrants who cross the US-Mexico border under the duress of West-engineered neoliberal policies (NAFTA, Structural Adjustment Programs) as a case study that decenters the privileged, Western experiences of travel and cosmopolitanism.

As further evidence of this, I am attaching several additional course documents for your review:

1. **Mark “A”** – A sample of the powerpoint lecture slides on 9/11 and 9/13 would show how I connect several multicultural theorists’ ideas to policies in the US dealing with cultural diversity. By the end of the lecture, students are asked to interpret how these various theorists (giving their opposing ideas) would stand on issues such as:
   a) A congressional bill that promotes multilingual versions of the US national anthem
   b) Promoting ethnic food on kids’ public school lunch menu (in US K-12 schools)
   c) Same-sex marriage in the US
   d) Removing the word “God” from US monetary currency and the Pledge of Allegiance

2. **Mark “B”** – The two class handouts on 9/18 (cultural rights) and 9/20 (cultural defense in the courtroom) designed for group activity/debate would show how the cases/examples meant for students’ critical discussion, thinking and analysis focus predominantly on US minority experiences.

3. **Mark “C”** – The three position paper assignments (the major assignments of the course as there were no exams) would show that the bulk of evaluation/grading of students’ performance in the class is based on their integrated and fluent use of course materials in conducting a series of critical analyses of US minority experiences.

I hope this letter and the attached documents provide a clearer view on the pedagogical scope of the first half of the course focusing on minority experiences in the US. As indicated in your comments, the second half of the course (covering issues from bilingual
education, hip hop, Miss America pageant, to ethnic food) does clearly focus on US minority experiences, so I did not elaborate more on that section of the syllabus herein. Lastly, although this is not part of the official documents, I just would like to mention a couple of student comments on my teaching evaluation of this course in Fall 2012 that indicate how they learn about the relevance of cultural diversity in their everyday life in the US:

Student 1: “I learned a lot of key concepts that will help me down the road of my education. I also learned a lot about cultural diversity and its relevance.”

Student 2: “The most valuable thing about this course was the way the instructor presented the material in a way that made it relevant to our everyday lives. It helped me become more critical of my surroundings in a way.”

Please let me know if there is any further information on the course that I may provide. Thank you again for your review and consideration.

Sincerely,

Charles T. Lee  
Assistant Professor  
Justice and Social Inquiry  
School of Social Transformation  
Arizona State University
ARIZONE STATE UNIVERSITY
GENERAL STUDIES COURSE PROPOSAL COVER FORM

Course information:
Copy and paste current course information from Class Search/Course Catalog.

<table>
<thead>
<tr>
<th>Academic Unit</th>
<th>Justice and Social Inquiry</th>
<th>Department</th>
<th>School of Social Transformation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject</td>
<td>JUS</td>
<td>Number</td>
<td>370</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Title</td>
<td>Cultural Diversity and Justice</td>
</tr>
<tr>
<td>Is this a cross-listed course?</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If yes, please identify course(s)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is this a shared course?</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If so, list all academic units offering this course</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Course description:

Requested designation: Cultural Diversity in the United States–C
Note - a separate proposal is required for each designation requested

Eligibility:
Permanent numbered courses must have completed the university's review and approval process.
For the rules governing approval of omnibus courses, contact the General Studies Program Office at (480) 965-0739.

Area(s) proposed course will serve:
A single course may be proposed for more than one core or awareness area. A course may satisfy a core area requirement and more than one awareness area requirements concurrently, but may not satisfy requirements in two core areas simultaneously, even if approved for those areas. With departmental consent, an approved General Studies course may be counted toward both the General Studies requirement and the major program of study.

Checklists for general studies designations:
Complete and attach the appropriate checklist
- Literacy and Critical Inquiry core courses (L)
- Mathematics core courses (MA)
- Computer/statistics/quantitative applications core courses (CS)
- Humanities, Fine Arts and Design core courses (HU)
- Social and Behavioral Sciences core courses (SB)
- Natural Sciences core courses (SO/SG)
- Global Awareness courses (G)
- Historical Awareness courses (H)
  - Cultural Diversity in the United States courses (C)

A complete proposal should include:
☑️ Signed General Studies Program Course Proposal Cover Form
☑️ Criteria Checklist for the area
☑️ Course Syllabus
☐ Table of Contents from the textbook, and/or lists of course materials

Contact information:
Name: Charles Lee
Phone 480-965-5131
Mail code: 4902
E-mail: ctl@asu.edu

Department Chair/Director approval: (Required)
Chair/Director name (Typed): 
Date: 
Chair/Director (Signature): 

Rev. 1/94, 4/95, 7/98, 4/00, 1/02, 10/08, 11/11/12/11, 7/12
Proposer: Please complete the following section and attach appropriate documentation.

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>Identify Documentation Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1. A Cultural Diversity course must meet the following general criteria:</td>
</tr>
<tr>
<td>☑</td>
<td>☐</td>
<td>The course must contribute to an understanding of cultural diversity in contemporary U.S. Society.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Please see attached letter of response and supplemental documents to the committee's earlier review and comments.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>On the syllabus, please refer to &quot;Course Description&quot; and &quot;Course Objective&quot; on p.1-2, as well as topics and readings on p.6-10 for course topics and readings.</td>
</tr>
</tbody>
</table>

2. A Cultural Diversity course must then meet at least one of the following specific criteria:

a. The course is an in-depth study of culture-specific elements, cultural experiences, or cultural contributions (in areas such as education, history, language, literature, art, music, science, politics, work, religion, and philosophy) of gender*, racial, ethnic and/or linguistic minority groups** within the United States.

b. The course is primarily a comparative study of the diverse cultural contributions, experiences, or world views of two or more gender*, racial, ethnic and/or linguistic minority groups** within the United States.
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
</table>
| **c.** The course is primarily a study of the social, economic, political, or psychological dimensions of relations between and among gender*, racial, ethnic and/or linguistic minority groups** within the United States.  
  
  *Gender groups would encompass categories such as the following: women, men, lesbians, gays, bisexuals, transgender individuals, etc.  
  
  **Cultural, racial, ethnic, and/or linguistic minority groups in the U.S. would include categories such as the following: Hispanics, African Americans, Native Americans/First Peoples, Asian Americans, Jewish Americans, Muslim Americans, members of the deaf community, etc.  
  
  Please see attached letter of response and supplemental documents to the committee's earlier review and comments.  
  
  On the syllabus, please refer to "Course Description" on p.1 and "Course Schedule" on p.6-10 for further descriptions of each topic and module. |
Explain in detail which student activities correspond to the specific designation criteria. Please use the following organizer to explain how the criteria are being met.

<table>
<thead>
<tr>
<th>Criteria (from checksheet)</th>
<th>How course meets spirit (contextualize specific examples in next column)</th>
<th>Please provide detailed evidence of how course meets criteria (i.e., where in syllabus)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example-See 2b. Compares 2 U.S. cultures</td>
<td>Example-Compares Latino &amp; African American Music</td>
<td>Example-See Syllabus Pg. 5</td>
</tr>
<tr>
<td>1. The course must contribute to an understanding of cultural diversity in contemporary US society.</td>
<td>The course investigates how cultural diversity challenges and broadens conventional understanding of justice in contemporary U.S. society. It examines how cultural beliefs and practices come into conflicts with U.S. public law and policy. It also assesses the U.S.'s performance on incorporating cultural diversity in its social institutions including bilingual education, hip-hop music, Miss America pageant, and ethnic food.</td>
<td>Please see attached letter of response and supplemental documents to the committee's earlier review and comments. On the syllabus, please refer to &quot;Course Description&quot; and &quot;Course Objective&quot; on p.1-2, as well &quot;Course Schedule&quot; on p.6-10 for course topics and readings.</td>
</tr>
<tr>
<td>2c. The course is primarily a study of the social, economic, political, or psychological dimensions of relations between and among gender*, racial, ethnic and/or linguistic minority groups** within the United States.</td>
<td>Please see above. Furthermore, on p.1 the syllabus states, “We will explore some of the current philosophical and public policy issues on how to negotiate and incorporate cultural minority groups’ concerns in liberal democracy, including the politics of recognition, toleration vs. respect, cultural policy, cultural defense in the courtroom, and the conflict between cultural rights and gender rights.” On p.6-10 of the syllabus, the course topics and readings all contribute to this goal.</td>
<td>Please see attached letter of response and supplemental documents to the committee's earlier review and comments. On the syllabus, please refer to &quot;Course Description&quot; on p.1 and &quot;Course Schedule&quot; on p.6-10 for further descriptions of each topic and module.</td>
</tr>
</tbody>
</table>
JUS 394 Cultural Diversity and Justice

Fall 2012
Farmer Education ED328
TuTh 3:00-4:15pm

Professor: Charles Lee
Office: Wilson 260
Office Hours: TuTh 1:30-2:30pm or by appointment
Email: ctl@asu.edu
Office Phone: (480) 965-5131

COURSE DESCRIPTION

The question on whether and how to incorporate cultural diversity into public life has been considered one of the foremost challenges facing liberal democracy in a global age with intensified human travel, migration, and movement. In particular, how should we respond to the demand of public acknowledgement of minority groups’ needs and concerns based on claims of cultural difference? In this course we will take an in-depth look at how cultural diversity challenges conventional understanding of justice, and examine competing analyses on how contemporary multicultural issues and conflicts should be resolved and negotiated in a way that would achieve the goal of “justice” in a culturally informed and sensitive manner.

The course is divided into four parts. In Part I, “The Diversity of Justice? : Liberal Universalism vs. Cultural Relativism”, we begin our inquiry by looking at two contrasting historical visions of liberal society: Enlightenment vs. Romanticism. As an extension of this discussion, we will further examine contemporary debate on human rights between the camp of “liberal universalism” and the approach of “cultural relativism”.

In Part II, “Negotiating Liberal Justice and Cultural Recognition”, we will explore some of the current philosophical and public policy issues on how to negotiate and incorporate cultural minority groups’ concerns in liberal democracy, including the politics of recognition, toleration vs. respect, cultural policy, cultural defense in the courtroom, and the conflict between cultural rights and gender rights.

As some scholars have proposed the vision of cosmopolitanism as an alternative to the usual understanding of cultural diversity, we will turn to this debate in Part III, “Cosmopolitanism beyond Multiculturalism?”, investigating the pros and cons of cosmopolitanism. Finally, in Part IV, “Cultural Diversity in Everyday Life: the State of Multicultural America”, we will assess the U.S.’s performance on incorporating cultural diversity into everyday social arena and institutions, paying particular attention to bilingual education, hip hop music, the Miss America pageant, and ethnic food.
COURSE OBJECTIVE

This course is designed for students to:
1. Develop an in-depth understanding on how cultural diversity changes and broadens conventional understanding of justice.
2. Firmly grasp major concepts and theories, and critically evaluate the strengths and weaknesses of competing analyses and policy propositions in reconciling cultural diversity and democratic justice.
3. Clearly articulate their own views on the major issues addressed in class through presenting evidence and arguments, and convincing justify their own conclusions.
4. Cultivate and improve upon critical-thinking, writing, and presentation skills in general.

REQUIRED TEXTS

The following required books are available for purchase at the ASU bookstore:

All other required course readings are posted on Blackboard under “Course Documents”.

CLASS FORMAT AND REQUIREMENT

This course places a strong emphasis on collective discussion and interactive inquiry, as well as on the cultivation of your writing, analytical, and critical-thinking skills on the designated social topics. The course requirement consists of the following assignments that are designed to enhance and integrate those noted skills: 1) class participation; 2) critical reflections; 3) position papers; and 4) group presentation.

1) Class Participation (15%)

Collective discussion and interactive inquiry are a crucial component of the class. While lecture will be an essential part of the course, your enthusiastic participation in class discussions and group activities will be critical for your continued learning and intellectual growth and innovation. You are expected to keep up on the reading assignments in order to participate meaningfully in class discussions. The readings are to be COMPLETED by the dates listed below under “Course Schedule”. As you complete the readings, be ready to ask questions and share your invaluable thoughts/opinions with the class.

A word on conducting class discussion: precisely because there will be ample opportunities for the class to engage in inquiry and debate, each of us should cultivate respect for one another’s perspectives and opinions. Respect does not mean that we cannot disagree; rather, it is to develop a capacity to communicate our ideas to others through constructive engagement and critical dialogue rather than through mockery or jeers. I would like us to create and foster a class environment where everyone can comfortably issue a thought/perspective from all angles and positions.
Re attendance: if you are absent, you cannot participate. Attendance will be monitored throughout the semester, and you are allowed a maximum of two unexcused absences without interference with grade. For each additional absence, it will drop your participation by one-third of a grade. For example, if your performance on participation is an “A-”, missing 3 classes will result in a “B+”, and missing 4 will result in a “B”, so on and so forth. As a rule of thumb, be discretionary in using your allowance of unexcused absences.

Absences will be excused only if you can provide official documentations (e.g. doctor’s note or funeral director’s note). Also, attendance means being present in class from the beginning to the end. If on a rare occasion you must enter the class late or leave the class early, you must inform me in advance with a valid reason, otherwise it will be considered as “absence” even if you have signed in. Attendance record will be updated on blackboard on a weekly basis — please check it periodically and if you think there is any discrepancy in your record, notify me immediately (rather than waiting until the end of semester) when my memory of your attendance in class is still fresh and can make the needed corrections.

Class participation also means observing common class etiquette by refraining from engaging in activities that are distracting of everyone’s learning experience (including but not limited to: chatting, text-messaging, surfing on the net, reading newspaper, etc.). These non-class-related activities negatively affect your learning and participation, and also distract others and create an environment of disrespect. Please make a special note that engaging in non-class-related distractions will lower your participation grade without warning.

Lastly, while laptop use is allowed in the classroom, it is considered a privilege not a right. If you use your laptop for purposes other than note-taking or related class activities, you will be revoked that privilege.

2) Six Critical Reflections (10%) — 1-2 pgs. each, double-spaced

This writing exercise will help prepare you to share your invaluable comments during class discussions and guide you to think critically as you prepare for the longer-length position papers. There are a total of six critical reflections assigned, and you are required to complete all of them (1-2 pgs each, double-spaced).

For each critical reflection, choose two of the assigned readings that you have the most to comment on. If the assigned reading is a book, pick two chapters. Each reflection should consist of two components: 1) a concise summary of the readings that gets to the crux of the authors’ arguments; and 2) a critical evaluation of the strengths and weaknesses of the authors’ arguments by providing your own comments, questions, and/or critiques. Note that for the component of critical evaluation, what I am looking for is your assessment of the specific perspectives and examples offered by the authors, not their writing style; questioning the authors’ analyses by providing counterexamples or finding their “blind spots” (i.e. perspectives or factors that are overlooked) will be highly valued. When evaluating your reflections, I will look to see whether your writing has satisfied these two components. A tip to do well on these critical reflections is to be concrete and specific and avoid generality in your thinking and writing.
Each critical reflection is evaluated on the scale of “0”, “0.5”, or “1” point (0 meaning no credit: you did not turn it in or your discussion only scratches the surface; 0.5 meaning half credit: work is incomplete or insufficient; 1 meaning full credit: good work). If you receive a “0” or “0.5”, you will be given a chance to make it up for full credit within one week (only for work that was turned in; if you did not turn it in, there is no make-up). You will get an “A” on this component of grade as long as you get “1” point for all six reflections. “1+” score will be awarded to exceptional work which will be recorded as bonus credits that count towards assigning “A+” grade on the reflections.

All the critical reflections must be submitted in hardcopies on the following dates – no late reflection will be accepted.

#1 9/4 (Tues)  #4 9/25 (Tues)
#2 9/11 (Tues)  #5 10/2 (Tues)
#3 9/18 (Tues)  #6 10/9 (Tues)

3) Three Position Papers (20% each – 60% total) – 6-7 pgs. each, double-spaced, due on 9/27, 10/25, and 12/11

The position papers constitute the major assessment of your understanding of the course materials in this class. They will ask you to take a position on an issue, and you will be evaluated on how substantively and fluently you make use of course readings and lecture materials to support your arguments and analyses in critical-reasoning form. Although these assignments are formally “papers”, you should consider them technically as open-book essay exams as they involve an evaluation of your understanding of the key concepts/arguments introduced in class and the depth-level of your engagement with the course materials.

You will be given two weeks of time to complete each paper. All the position papers must be submitted in hardcopies at the beginning of the class on the following dates:

1st paper: given 9/13, due 9/27 (Thurs)
2nd paper: given 10/11, due 10/25 (Thurs)
3rd paper: given 11/27, due 12/11 (Tues)

Late position paper will be marked down by one full letter grade for each day it is late (i.e., A→B, B→C), and it will not be accepted after the third day from the due date.

4) Group Presentation: “Cultural Diversity in Everyday Life” (15%)

Presentation Dates: 10/30, 11/13, 11/27, 12/6

You are required to do a group presentation on one of the four topics in Part IV of the course, “Cultural Diversity in Everyday Life” : bilingual education (10/30), hip hop (11/13), the Miss America pageant (11/27), and ethnic food (12/6). In the presentation, you will be teaching the subject at hand. However, instead of using lecture format, I would like you to use games, shows, skits, posters, video clips, or alternative activities to involve the audience in your presentation
and pose some engaging questions for class discussion. Feel free to bring in relevant cultural artifacts to class. Substance, creativity, and teamwork will be the key ingredients for this project. The length of the presentation is 50 minutes. Further instructions will be announced and distributed in the class. No-show for group presentation will receive no credit.

**GRADING POLICY**

Your class participation, critical reflections, position papers, and group presentation will be evaluated on the letter-grade scale (using the GPA system):

- **A+**: 4.33
- **A**: 4.00
- **A-**: 3.67
- **B+**: 3.33
- **B**: 3.00
- **B-**: 2.67
- **C+**: 2.33
- **C**: 2.00
- **C-**: 1.67
- **D**: 1.00
- **E**: 0.00

All critical reflections and position papers must be submitted in hardcopies at the beginning of class on the listed due dates. No late reflection will be accepted. Late position paper will be marked down by one full letter grade for each day it is late (i.e., A→B, B→C), and it will not be accepted after the third day from the due date. Extension given only in the case of documented medical or family emergency. Be sure to save your paper files in more than one electronic/digital location and make sure your printer is up and running prior to the paper due dates – as lost files or printer failures are not valid excuses for late submissions. No-show for group presentation will receive no credit.

**Caveats on Plagiarism:**
It goes without saying that acts of plagiarism are grounds for assigning you a “failure” on a particular assignment or for the entire course according to ASU’s Student Code of Conduct. Please also note that while I value a cooperative learning environment and encourage you to help each other out and form study groups in preparation for the papers, the product on these assignments must be your own individual work. Thus, essays that are extremely identical in content will receive no credit. Moreover, submitting the same paper to different courses without express permission of all instructors also constitutes an academic violation. For further information on ASU’s Academic Integrity Policy and Student Code of Conduct, please refer to: http://provost.asu.edu/academicintegrity.
**The syllabus may be modified based on the needs of the class**

COURSE SCHEDULE

(BB) = Reading posted on Blackboard

Part I – The Diversity of Justice? : Liberal Universalism vs. Cultural Relativism

8/23 Course Introduction

8/28 History in Tension: Enlightenment vs. Romanticism

We will look at how the historical tension between the Enlightenment ideal and the Romanticism vision foreshadows contemporary debate on how to approach cultural diversity in public life.

8/30 Class Cancelled

9/4, 9/6 Looking through the Lens of “Human Rights”: Liberal Universalism vs. Cultural Relativism

Critical reflection #1 (choose 2 of the following readings) due on 9/4

Some people have criticized “human rights” as an inherently Western concept. Is there any way that we may reconcile a universal conception of human rights on the one hand and cultural relativism on the other? How does the debate on human rights tell us about both the demand of and the resistance to multiculturalism within the U.S.?

Readings:
- Jack Donnelly, “Human Rights and Human Dignity: An Analytical Critique of Non-Western Conceptions of Human Rights” (BB)
- Alison D. Renteln, “The Unanswered Challenge of Relativism and the Consequences for Human Rights” (BB)

Part II – Negotiating Liberal Justice and Cultural Recognition

9/11, 9/13 Tensions between Liberal Justice and Cultural Recognition

Critical reflection #2 (choose 2 of the following readings) due on 9/11.
First position paper topic given on 9/13, due on 9/27.

This week’s readings feature four major thinkers/theorists on liberal justice. What viewpoint does each one hold regarding the presence of cultural diversity in liberal society? To what extent does each theorist express confidence in the ideal of liberal justice in incorporating the needs of ethnic and cultural minorities? Whose perspectives do you agree with the most and why? We
will examine how each theorist’s argument informs particular positions on different multicultural conflicts and policies.

Readings:
- John Rawls, “Justice as Fairness: Political Not Metaphysical” (BB)
- Charles Taylor, “The Politics of Recognition” (BB)
- Aden A. Addis, “On Human Diversity and the Limits of Toleration” (BB)
- Chandran Kukathas, “Liberalism and Multiculturalism: The Politics of Indifference” (BB)

9/18, 9/20 Cultural Rights and Cultural Defense

Critical reflection #3 (write on the 2 following readings) due on 9/18.

What are the different types of cultural rights identified by Jacob Levy? Based on his typology, which categories of cultural rights do you think should be incorporated into a democratic society and which ones are problematic? What is cultural defense? According to Leti Volpp, what can cultural defense do for cultural minorities and what are its potential problems and limitations?

Readings:
- Jacob Levy, “Classifying Cultural Rights” (BB)
- Leti Volpp,“(Mis)identifying Culture: Asian Women and the ‘Cultural Defense’” (BB)

9/25, 9/27 Culture vs. Gender?

Critical reflection #4 (choose 2 of the following readings) due on 9/25.
First position paper due on 9/27.

Does the provision of cultural rights come into a conflict with gender rights? Are cultural practices such as female genital cutting, polygamy, and the wearing of headscarves patriarchal? Is there any way that we may strike a balance between recognizing cultural rights on the one hand and women’s rights on the other?

Film: “Womanhood and Circumcision: Three Maasai Women Have Their Say”

Readings:
- Susan Okin, “Is Multiculturalism Bad for Women?” (BB)
- Azizah Y. Al-Hibri, “Is Western Patriarchal Feminism Good for Third World/Minority Women?” (BB)
- Sandra D. Lane and Robert A. Rubinstein, “Judging the Other: Responding to Traditional Female Genital Surgeries” (BB)

Part III – Cosmopolitanism beyond Multiculturalism?

10/2, 10/4 Postethnic America

Critical reflection #5 (choose 2 of the assigned chapters from Hollinger’s book) due on 10/2.
What are David Hollinger’s reasons in asking us to move beyond multiculturalism? What are the problems associated with identity politics? What does Hollinger mean by “rooted cosmopolitanism”? Does his postethnic vision sound like an attractive proposition? Why or why not?

Readings:
-David Hollinger, *Postethnic America*, Ch. 1, 2, 4, 5

**10/9, 10/11 Actually Existing Cosmopolitanism**

**Critical reflection #6 (choose 2 of the following readings) due on 10/9.**
**Second position paper topic given on 10/11, due on 10/25.**

What is the connection between cosmopolitanism and Enlightenment? Is cosmopolitanism an elitist idea that is accessible only to the educated and financially privileged? Who are included in and who are excluded from cosmopolitanism? What are the similarities and differences between the writings on “actually existing cosmopolitanism” and Hollinger’s “rooted cosmopolitanism”?

Readings:
-Bruce Robbins, “Actually Existing Cosmopolitanism” (BB)
-Scott Malcomson, “The Varieties of Cosmopolitan Experience” (BB)
-Gloria Anzaldúa, “La conciencia de la mestiza: Towards a New Consciousness” (BB)

**10/16 No Class – Fall Break**

**10/18 Group Presentation Discussion**

**IV. Cultural Diversity in Everyday Life: The State of Multicultural America**

**10/23, 10/25, 10/30 Bilingual Education and Culturally Responsive Instruction**

**Second position paper due on 10/25**
**Group presentation (bilingual education) on 10/30**

Does bilingual education prevent non-native English speakers from learning, or can it help enrich learning experiences in the classroom? Should K-12 school system incorporate linguistic differences in the instruction of students? Why or why not?

Readings:
-Victor Villaseñor, excerpts from *Burro Genius* (BB)
-Mileidis Gort, “Bilingual Education: Good for U.S.?” (BB)
-Lisa Delpit, “Language Diversity and Learning” (BB)
11/1, 11/6, 11/8 (Class Cancelled), 11/13 Hip Hop: Musical Multiculturalism?

Class is cancelled on 11/8 as I will be away for conference.
Group presentation (hip hop) on 11/13.

Some commentators consider hip hop as a form of “resistance”? What exactly does it resist? In which ways does hip hop constitute a musical expression of racial/cultural difference? Are the foul words and hypermasculine messages in the music purely entertainment or do they carry implications for gender justice? What is the impact of commodification on hip hop?

Film: “Hip-Hop: Beyond Beats and Rhymes”

Readings:
- Theresa A. Martinez, “Popular Culture as Oppositional Culture: Rap as Resistance” (BB)
- Robin D.G. Kelley “Kickin’ Reality, Kickin’ Ballistics: ‘Gangsta Rap’ and Postindustrial Los Angeles” (BB)
- Jeff Chang, “New World Order: Globalization, Containment and Counterculture at the End of the Century” (BB)

11/15, 11/20, 11/22 (No Class – Thanksgiving), 11/27 Miss America Pageant: Domesticating Difference and Managing Diversity?

Third position paper topic given on 11/27, due on 12/11.
Group Presentation (Miss America Pageant) on 11/27.

How is our national identity constituted in an event such as the Miss America pageant? According to Sarah Banet-Weiser, in which ways does this cultural representation of women domesticate racial and gender differences? Why does she argue that cultural diversity is being “managed” in this annual national event? Do you agree?

Readings:
- Sarah Banet-Weiser, The Most Beautiful Girl in the World, Ch. intro, 1, 3, 4, 5

11/29, 12/4, 12/6 Food and Culture

Group Presentation (food and culture) on 12/6.

Do you think most Americans desire the familiar and fear the strange when it comes to the matter of tastes? To what extent has the presence of immigrants and cultural minorities influenced the eating habits of Americans? Does the current food scene in the U.S. reflect a sign of assimilation or does it reflect cultural diversity? How might different cultural conceptions of human relations inform different notions about food taking, gender roles, and body shapes? According to Jennie Germann Molz, what does the phenomenon of “culinary tourism” say about these tourists’ outlook on cultural awareness in their exploration of foreign tastes?

Readings:
- Christiana Miewald, “The Nutritional Impact of European Contact on the Omaha: A Continuing Legacy” (BB)
- Elisa Sobo, “The Sweetness of Fat: Health, Procreation, and Sociability in Rural Jamaica” (BB)
- Marvalene Hughes, “Soul, Black Women, and Food” (BB)

12/11 Conclusion

Last day of class – third position paper due.
Cultural Recognition

Tensions between Liberal Justice and...
(among rational actors)

overlapping consensuses

to eliminate bias in our decision

well of ignorance

original position

Hypothetical thought experiment

Diverse society?

How to maintain order and stability in a

1. John Rawls:
b) difference principle

2. a) principle of equal opportunity

1. basic equal liberties

„Justice as Fairness“, 2 principles
(Stability)

beliefs or practices do not disrupt order and moral doctrines or beliefs (provided that such conception of justice: tolerance vis-à-vis diverse public sphere should be run by a political doctrine (e.g. family, church) private sphere can be run by a general moral: public vs. private sphere:

incommensurable) to coexist

conceptions of good (sometimes conflicting and allows for a plurality of moral doctrines and instead of moral conception of justice)
2. Cultural survival

1. Psychological wound and harm

Why recognize?

- Not toleration, but group recognition
- Liberal neutrality is not neutral

---

2. Charles Taylor
no emergence of "pluralistic solidarity"

room for all cultures to change and grow
no reciprocal empathy and respect, and no

2. cross-cultural dialogue and understanding

1. paternalistic - "put up with" another person's
culture

Tolerance as a false charity towards minorities

3. Adeno Addis:
dialogues, etc., and creating public forums for cross-cultural schools, media, workplace, shopping centers, linguistic practices, and religious beliefs.

Public recognition of different cultural identities:

Institutionalize "respect".
and exit associations (e.g., Rotary Club): right to join
Cultural communities as private voluntary
eutral to diversity
Government: staying indifferent and
unnecessary group recognition unnecessary
extra: extra multicultural

A. Chandran Kukathas:
Cases:

1. A congressional bill that promotes multilingual versions of the U.S. national anthem.
2. Promoting ethnic food on kids' public school lunch menu (K-12).
3. Same-sex marriage.
4. Removing the word "God" from monetary currency and the Pledge of Allegiance.

Minority focus on U.S. case.
Assessing the Legitimacy of Cultural Rights

Kymlicka’s two-step test:

1. The “individual liberty” criterion:
   Does this cultural right help promote individual choice by providing a meaningful range of options for the individual pursuit of religious freedom or cultural practice without interfering with other people’s individual liberty? If so, this cultural right is legitimate; if not, go to the second criterion.

2. The “group equality” criterion:
   Assuming this cultural right constrains some people’s individual liberty, does consideration of group equality (e.g. recognition, respect, cultural survival, alleviating psychological harm, or offsetting historical disadvantages and unfavorable conditions) provide a compelling reason to still support this cultural right? If yes, this cultural right is legitimate; if not, it has failed the legitimacy test and should not be incorporated into a democratic institution.

Instructions: use the two-step test as a reference in determining the legitimacy of the following six categories of cultural rights.

1) Exemptions: members of a minority religious/cultural group request to be exempt from a law because it would impair their religious practices, or would compel them to do what they consider religiously prohibited.

Cases for consideration:

A) The U.S. Supreme Court case of Wisconsin v. Yoder (1972):
   Three Amish families sued the state of Wisconsin because of a requirement that children be enrolled in school until the age of sixteen. The parents refused to follow the law and removed their children from the public schools after the eighth grade and
continued their education at home, emphasizing domestic and farming skills. According to the parents, any further education in the schools would present their children with too much exposure to the “evil world” that comes into conflict with their religious beliefs. Should the Amish be exempt from the compulsory education law?

B) Should Sikhs be exempt from mandatory motorcycle helmet laws that would compel them to remove their religiously required turbans?

C) Should Mormons and Muslims be exempt from anti-polygamy law?

2) **Assistance**: special provisions for cultural/linguistic minorities to overcome certain burdens and obstacles so that they can engage in common practices.

Cases for consideration:

A) Language rights: multilingual ballots; interpreters in courts and administrative agencies; offering college entrance exams in more than one language; bilingual education; public funding for minority-language schools.

3) **Self-government/Self-determination**: an ethnic/national/religious group seeks a political unit which would be ruled by members of their own group. It can take on different forms: states or provinces in a federal system; join with other political units in a confederation; or fully independent (secession from a state).

Cases for consideration:

A) Aborigines in Australia
B) Quebecois in Canada
C) Tibetans in China
D) Within the U.S.: Native Hawaiian Sovereignty Movement, Puerto Rico, Native American tribes

4) **Representation**: reserve seats for ethnic minorities in government (legislative, judicial, executive).
Cases for consideration:

A) In Zimbabwe’s black rule, 20% of parliamentary seats were reserved for whites.
B) In Canada’s Supreme Court, 3 out of 9 seats are served for Quebec.
C) In Belgium, linguistic legislation must be approved by a majority of the legislators from each linguistic group (e.g. Dutch, French, German).

5) External Rules: restrictions on the liberty of nonmembers in order to protect the character of the cultural/religious community

Cases for consideration:

A) Quebec: ban on English-language commercial signs; business with more than 50 employees must be run in French.
B) Some Indian tribes: deny non-Indians the right to purchase or reside on Indian lands; or restrictions on local whites voting in their tribal elections.
C) Amish seek to keep pornography out of their settlement areas.

6) Internal Rules: restrictions on the liberty of members through shunning, excommunication, ostracism, or disowned by family

Cases for consideration:

A) Some members of the Pueblo Indians converted to Christianity and chose to withdraw from certain communal/religious functions, but still continued to reside on the land and partake in community resources. Soon after, these apostates were ostracized and denied access to community resources and the land.
B) The Amish restrict the freedom of members to revise traditional beliefs and practices.
C) Catholic Church reserves religious offices for men only.
D) Punishment for choice of spouse? A person may be disowned by family for marrying outside an ethnic/racial/religious group.
Cultural Defense Exercise

For each of the following scenarios, explain whether you think cultural defense can be properly invoked to exonerate the defendant or at least reduce the severity of punishment. Assign a rating of culpability from “1” to “3”: “1” meaning the action is a harmless and innocuous cultural practice that should never be prosecuted; “2” meaning the action, while culpable, is influenced by a sincere cultural or religious belief held by the person, and a reduced sentence ought to be considered; “3” meaning the action is a completely culpable criminal conduct where no excuse pertaining to the person’s cultural or religious background should be accepted under any circumstances. After you do so, provide a reason for your rating.

1) The case of *People v. Singh*, where a Sikh priest carrying a kirpan (a ceremonial dagger) as he stood waiting for a train violated a law that prohibited the carrying of a knife blade in a public place. As one of the five K’s (articles of faith) of Sikhism, kirpan carries a symbolic meaning similar to the Cross in Christianity.

2) A well-to-do Egyptian man kept a 12-year-old Egyptian girl as a servant for his family in California violated a law on child endangerment and infringement upon the girl’s liberty. The girl worked as a maid for the man, his wife, and their five children, cleaning floors, hosing down patio furniture and serving meals. She lived in a 12-by-8 foot converted area of the home’s garage. In return for her service, the man regularly sent money to the girl’s impoverished parents, who had 10 other children and lived in a small Egyptian village. The defense lawyer argued that the Egyptian man’s support of her and her family was part of a well-established Egyptian practice of the well-to-do helping children from poor families.

3) The case of *Trujillo-Garcia v. Rowland* in which after a poker game incident, Padilla came to demand his money back from Trujillo-Garcia and said to him, “chinga tu madre!” In response, Trujillo-Garcia grabbed a gun and shot Padilla. The question was whether the court should consider the Spanish fighting words in its cultural context and allowed for a provocation defense as the person might be provoked to an act of violence, and potentially reducing the charge from murder to manslaughter.

4) In the Canadian Supreme Court case, *Jack and Charlie v. the Queen*, the Coast Salish Indians were convicted under a Provincial Wildlife law for hunting out of season. They claimed that hunting and burning deer meat were part of a religious ceremony to show respect for their ancestors, who had demonstrated dissatisfaction with descendants by causing illness.
5) A Vietnamese father was accused of child abuse in the U.S. after applying coin massage on his son to treat flu that resulted in a pattern of temporary bruising on the son’s back. In some Asian cultures, coin massage was a common medical practice (sometimes used with a spoon) conducted by physicians in Eastern medicine and by common folks at home to treat headaches, shoulder pain, and muscle strain.

6) The Krasniqi case where an Albanian Muslim immigrant father touched his 4-year-old daughter in the genital area during a martial arts tournament at which his son was competing, leading to charge of sexual molestation that brought the case to a Texas criminal court. An expert witness testified in court that touching children was a common way of showing affection in Albanian custom and non-erotic in nature. In American society, adult touching of children is found to be disturbing; but in Albania’s physically demonstrative culture, it is an ordinary, customary practice for adults to pet and caress children until they attain school age. The defense argued that the father was motivated by the custom when he touched his daughter. During the legal process, the parents Sadri (Sam) and Sabahete (Kathy) Krasniqs lost the custody of their children, who were later adopted by foster parents and converted from Islam to Christianity.

7) In the case, State of Maine v. Kargar, an Afghan refugee who kissed his eighteenth-month-old son’s genitals as a sign of love was convicted of gross sexual assault and required to live apart from his family for several years during the appeal process. According to expert witnesses and religious leaders of the community, kissing a son’s penis was common in Afghanistan, as it showed how much the father loved his child by kissing an unclean part of his body.

8) An Ethiopian immigrant mother in New York was accused of child abuse after having her 12-year-old daughter circumcision, a procedure that removed certain parts of the external genitalia including the clitoris. The mother claimed that the procedure, while not mentioned in the Qur’an, was widely practiced in the Muslim community of her native country as a rite of passage to womanhood, promoting sexual self-discipline and self-control, and creating a bond between generations of women who have shared an important experience.

9) Gillian Gibbons, a 54-year old British teacher in Sudan was accused of blasphemy and inciting hatred against Islam after letting her class of seven-year-olds to name a teddy bear “Mohammed” as part of a school project. Gibbons asked the children to pick their favorite name for the new class mascot in aiding lessons about animals and their habits. Under Sudanese law, insulting Islam is punishable with whipping of 40 lashes. Suppose her lawyer wants to invoke the defense that Gibbons comes from a Western culture that respects individual choice and free expression of students as a mitigating factor in sentencing, explain whether you think this should be done.
JUS 394 Cultural Diversity and Justice
Fall 2012

Paper #1

Instructions:

The following questions present two “intellectual puzzles” that will require you to revisit what you have learned about the debate between liberal universalism and cultural relativism. Choose ONE of the two questions below and write a 6-7 pgs. essay (double-spaced, with standard 12-pt font and margins). As a general guideline, be sure to:

1) Make pertinent use of readings and lectures in-depth to support your position and address counterarguments. Random and vague references to readings and class discussions will not suffice.

2) Provide a clear thesis by the end of introduction to indicate your position and major argument.

3) Craft your writing to make your analysis clear and concise.

Note: when you quote an author, be sure to provide proper citation that includes the author’s last name and page number. E.g. (Donnelly, 305). However, you do not need a bibliography page for this paper.

Due date: in class on September 27, 2010 (Thursday)

Questions:

1. Competing philosophical conceptions of justice have often had a role to play in determining where one stands on multicultural issues when minorities demand recognition of their cultural values or distinct ways of life. In each of the two following cases, pick THREE of the four philosophers/theorists we discussed in class – Rawls, Taylor, Addis, and Kukathas – in analyzing where each would stand on the issue at hand. For each case, discuss whose views you would endorse and whose views you would refute and why. In your response, also address if you think the liberal universalist model or the cultural relativist model (or a compromise between the two) provides better guidance in helping us resolve this kind of multicultural conflict in a democratic society.

Case A: a congressional bill that promotes multilingual versions of the U.S. national anthem.

Case B: legalizing same-sex marriage.
JUS 394 Cultural Diversity and Justice
Fall 2012

Position Paper #2

Instructions:

Choose TWO of the following three questions, and write a 3-3½ page essay for each, for a total of 6-7 pages (note that you are writing 2 separate essays for this paper assignment). Please indicate which questions you are answering on your paper.

For each scenario:

1) Provide a clear thesis early on to indicate your position and major argument.

2) Make pertinent use of relevant readings and lectures in-depth to support your position and address counterarguments. Random and vague references to readings and class discussions will not suffice.

3) Craft your writing to make your analysis clear, concise, and to the point.

Note: when you quote an author, be sure to provide proper citation that includes the author’s last name and page number. E.g. (Donnelly, 305). However, you do not need a bibliography page for this paper.

Due date: in class on October 25, 2012 (Thursday)

Question:

1. The Federal Prohibition of Female Genital Mutilation Act of 1996 provides prison sentences of up to 5 years for anyone who performs circumcision on a minor under age 18. An Ethiopian immigrant mother in Phoenix was found in violation of this law after circumcising her 16-year-old daughter who agreed to this procedure, which removed certain parts of her external genitalia including the clitoris. The question at hand is whether cultural defense should be introduced to exonerate the mother or at least reduce the severity of the punishment. Based on a scale from “1” to “3” (“1” meaning the action is an innocuous cultural practice that should never be prosecuted and the law should be overturned; “2” meaning the action, while culpable, is influenced by a sincere cultural belief held by the mother and a reduced sentence ought to be considered; and “3” meaning the action constitutes a criminal offense and no excuse should be accepted under any circumstances), write a 3-3½ page response that analyzes how would Okin, Al-Hibri, and Lane & Rubenstein each rate the case, and whose views you would adopt and why.
2. Peter came to the U.S. as a Cambodian refugee when he was twelve-years-old, and this year he is about to graduate from X university as a senior. The following describes four different stages of how Peter sees cultural identity over his college years:

Freshman year: Peter joins a fraternity on campus. Wanting to fit in, he works hard on his coursework but also enjoys partying all night. He wants other people to just see him as a regular teenager, and does not like any campus discussions on ethnicities. His friends are unaware of the fact that he is actually bilingual in English and Cambodian. He feels that the university is already a diverse place, and it should just focus on creating an orderly environment for students to concentrate on school work and have fun.

Sophomore year: Peter rediscovers his Cambodian roots. He actively seeks out courses on the history of refugees and Asian American literature, and becomes the president of the Cambodian Student Association. He is proud of his parents who overcome all obstacles and continue to practice Cambodian customs, and thinks that the X university should have more campus programs to promote awareness of Cambodian culture and to provide resources that gear towards the needs of students who were once refugees.

Junior year: Peter still appreciates his ethnic roots, but he is also curious about other cultures and eagerly explores other possibilities of affiliation beyond his immediate community. In fact, during his junior year Peter converts from Buddhism to Islam, has a Jewish girlfriend, takes courses in Spanish, and also joins an astronomy club.

Senior year: Peter participates in a week-long educational program off campus called “BorderConnect” where program participants experience first-hand the implications of global economy and what it is like to live along the U.S./Mexico border. In talking with workers and newly arrived migrants in communities along the border, Peter feels that some migrant populations are forced to move and relocate due to circumstances not of their own choosing, and do not have as much choice as he or his peers in determining which new culture to enter or which community to affiliate with. He thinks that these border residents and migrant workers are placed in a situation where they have to constantly straddle between cultures, and yet this particular historical experience and geographic context also enable them to develop a unique and valuable perspective on immigration that should be brought to public attention.

It turns out that four different scholars – Hollinger, Taylor, Kukathas, and Robbins* – each has had a major impact on Peter in each stage. Write a 3-3½ page response pinpointing which scholar’s work has an influence on him in each of the different stages and why. In addition, given this is Peter’s senior year, discuss which author(s) you think has the most positive influence on Peter and that he should continue to explore that belief(s) when he graduates.

*Note: You may substitute Malcolmson or Anzaldúa for Robbins in your discussion if you so choose.
3. Write a 3-3½ page response that assesses the legitimacy of the following two categories of cultural rights by using Kymlicka’s two-step test of “individual liberty” and “group equality”:

**A) Exemptions**: Should Sikhs be exempt from public safety law that prohibits the carrying of a knife blade (in this case, their religiously required kirpan – the ceremonial dagger) at a public train station? Is “exemption” legitimate in this case?

**B) Internal rules**: Some members of the Pueblo Indians converted to Christianity and chose to withdraw from certain communal/religious functions, but still continued to reside on the land and partake in community resources. Soon after, these apostates were ostracized and denied access to community resources and the land. Is “internal rule” legitimate in this case?

*Note: although no specific author/reading is mentioned in this question, be sure to draw connections and make use of 3 or 4 readings that we have studied in the course (such as but not limited to: Donnelly, An-Na’im, Rawls, Taylor, Addis, Kukathas, Okin, Hollinger, etc.) to support your arguments and address counter-arguments so to enhance the quality of your essay.*
JUS 394 Cultural Diversity and Justice
Fall 2012

Paper #3: Cultural Diversity in Everyday Life

Instructions:

Choose ONE of the following two questions and write a 6-7 pages essay (double-spaced, with standard 12-pt font and margins). Please indicate which question you are answering on your paper. As a general guideline, be sure to:

1) Make pertinent use of relevant readings and lecture materials to support your position and address counterarguments.

2) Provide a clear thesis by the end of introduction to indicate your position and major argument.

3) Craft your writing to make your analysis clear and concise.

Note: when you quote an author, be sure to provide proper citation that includes the author’s last name and page number. E.g. (Donnelly, 305). However, you do not need a bibliography page for this paper.

Due date: Beginning of class – 3pm – on December 11, 2012 (Tuesday). We will have a short class on that day, so be sure to arrive on time. Once the class leaves, there will be no one to take your paper…

Questions:

1. In response to the large population of minority and immigrant children in public elementary schools, school district administrators and educators in Arizona are debating whether and how to incorporate cultural diversity into public elementary school curriculum. The ideas that have been proposed include 1) bilingual education, 2) culturally responsive instruction, and 3) ethnically diverse food options on the children’s school lunch menu. Write a 6-7 pg essay analyzing whether you endorse implementing these types of programs in helping to achieve “multicultural justice” in Arizona’s elementary schools.
   (Be sure to define your own vision of “multicultural justice” in thesis. Key readings: Gort, Delpit, Miewald, Sobo, Hughes, Molz.)

2. To what extent has American popular culture achieved “multicultural justice”? Write a 6-7 pg essay that responds to this question by examining two cases of popular culture – hip-hop and the Miss America pageant as shown on national television. In your response, also address how commercialization has impacted the contents of these two examples of popular culture – in particular, has it helped promote or dilute cultural diversity?
   (Be sure to define your own vision of “multicultural justice” in thesis. Key readings: Martinez, Kelley, Chang, Banet-Weiser.)