
THE LATCRIT SEMINAR:

BASIC COURSE DESCRIPTION



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LATCRIT@LAW.MIAMI.EDU

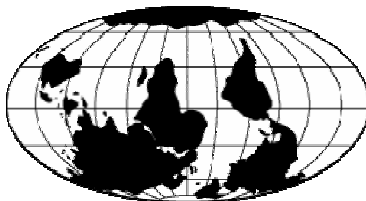
LAW, THEORY AND JUSTICE IN CRITICAL AND COMPARATIVE PERSPECTIVE

This one-week, one-credit seminar is offered during the first week of June each year (beginning in 2005) and is a prerequisite for membership on the Student Editorial Board of CLAVE, the new academic journal published jointly by LatCrit, Inc. and the Universidad InterAmericana de Puerto Rico, Facultad de Derecho (for more information on CLAVE, please visit the LatCrit website at www.latcrit.org). This course examines the historical legal traditions and more recent jurisprudential developments that have defined “law” and “justice” in the North and South, and how different schools of legal theory have contributed to these traditions and developments. Beginning with a brief historical review to introduce basic concepts and to provide a context for more recent developments, the course quickly turns to Twentieth Century efforts that produced “critical” legal studies in the North. The course then takes up similar developments in the South to focus on a critical and comparative review of South and North. To supplement these studies, the course additionally covers key issues or concepts of international law that reflect, or build on, the notions of law and justice developed through the different traditions and schools of thought under study. In particular, the course focuses on the ways in which “identity” has played a pivotal role in the evolution of law and justice in various schools of legal theory, most notably Feminist Legal Theory, Critical Race Theory, LatCrit Theory and Queer Legal Theory. With this background in place, the course considers the relevance of critical legal scholarship to “Latina/o” populations in Puerto Rico, the United States, and the Americas before concluding with two “case studies” focused on Formal Democracy and Formal Equality. The concluding case studies are designed to illustrate how the application of different theoretical perspectives to current social and legal issues can influence what “democracy” and “equality” mean (or should mean) under the law. The aim of the course is to help bridge the gaps in current legal theory and jurisprudence, both in the North and South, to provide substantive platforms for social justice through policy and legal reforms appropriate to a given society or region.

This mini-course would serve several purposes in addition to expanding the curriculum at the IAUPR and providing a common base of knowledge for CLAVE student editors. This mini-course also would be open to law students from all over the country, who would be able to enroll at the IAUPR as visiting students for this purpose. In addition, this course structure (and course materials) could serve as a template for a “transportable” and adjustable seminar conducted upon request at various sites or institutions as a kind of “traveling road show.” Given these multiple purposes, the Basic Course Outline below is provided to illustrate in broad terms the themes and coverage of this course.

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BASIC OUTLINE OF COURSE STRUCTURE



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- **Pre-Class Module of Readings:**
Law and Social Justice: An Introduction to South-North Perspectives
- **Module 1:**
Roots and Precursors: Legal Realism, Sociology of Law and Critical Legal Studies
- **Module 2:**
Jurisprudential Ruptures: From Critical Legal Studies to Outsider Jurisprudence
- **Module 3:**
Social Identities in Law and Jurisprudence: Gender, Race, Sexuality and Ethnicity
- **Module 4:**
Current Developments in Critical Outsider Jurisprudence: LatCrit Theory and Praxis
- **Module 5:**
The Americas and Beyond: Critical Outsider Jurisprudence and Legal Internationalism
- **Module 6:**
Contemporary Topics and Issues: Beyond Formal Equality, Beyond Formal Democracy

These “modules” of readings are designed to provide a flexible template for the seminar, which teaching faculty can adjust to focus on specific areas more than others according to need or circumstance. Within each module, however, the concept is to present materials from the South as well as from the North, and to include readings from various disciplines and perspectives, to provide comprehensive, critical, cross-disciplinary and comparative coverage of each topic area. Course materials for this seminar will be posted to the LatCrit website for easy access, both by students, teaching faculty, and others who may be interested in developing similar courses at other institutions (and the materials posted to the website also will be updated periodically). For more information about this project, or to request that this seminar be presented at your institution or locality, please contact LatCrit directly using the web and email contact information provided above.