

University of Miami School of Law
Designing A Radical Praxis
Fall 2021: Thursdays at 3:35pm - 5:20pm

Instructors:

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Community Justice Project

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Course Description

All too often legal tools have proven themselves to be vastly inadequate when attempting to educate and shift broader consciousness about the historical and structural inequities faced by societies most marginalized communities. How then, can lawyers use the tools of their practice to better support those communities and directly address the nuances and institutional manifestations of social oppression that come with it? If you believe that a more just society can only truly come about through grassroots organizing and social movements, but have struggled to find a legal framework with which to practice - this class is for you. This seminar will invite students to develop new and critical approaches of their own to the relationship among legal practice & theory, race, power, and politics.

Students enrolled in this course may also register for a Fall 2022 practicum with the Community Justice Project (CJP), a nonprofit movement lawyering firm that supports grassroots organizing for racial justice and human rights with innovative lawyering and creative strategy tools. Students will gain experience through assisting in active litigation, conducting legal research, creating and presenting community education materials, attending community meetings, and participating in strategy conversations for current and future campaign work.

Course Objectives

Students will (i) conduct independent research, produce writing, and examine case studies to demonstrate the role of a critical socio-political analysis in their legal practice; (ii) examine different ways in which scholars and the community at large have assessed the impact of litigation on social and political transformation; (iii) begin to develop a theory around their approach and how they will conduct themselves in the practice of law in relation to movements that aim to address institutional and systemic forms of oppression.

Requirements:

1. **Reflective Writing Assignments:** The aims of these assignments are to spur critical thinking and advance reflection about the readings, to encourage you to think about the controversies each set of readings raises, integrate your personal experiences and feelings about the readings, and to help facilitate in-class discussions. The specific assignments are as follows:
 1. **Learning Goals Memo:** One of the first assignments involves preparing a memorandum on your learning goals for the semester. This paper should be 1-2 pages double-spaced.
 2. **Reflection Paper:** The reflection paper assignment will provide you with an opportunity to work through in writing what you find most interesting or troubling about the course issues, events, relationships, or readings. This reflection should be between 2-5, double-spaced pages.
2. **Final Paper - Project Development.** Neighborhood/Community Issue Spotting, Power Analysis, and Historical Research & Interviewing.

Evaluation:

- 20% Class Participation
- 20% Learning Goals & Reflection Paper
- 60% Final Paper

Academic Integrity Policy

Students are expressly prohibited from recording any part of this course. Meetings of this course might be recorded by the University. Any recordings will be available to students registered for this class as they are intended to supplement the classroom experience. Students are expected to follow appropriate University policies and maintain the security of passwords used to access recorded lectures. Recordings may not be reproduced, shared with those not in the class, or uploaded to other online environments. If the instructor or a University of Miami office plans any other uses for the recordings, beyond this class, students identifiable in the recordings will be notified to request consent prior to such use.

ADA Policy

If a student has a disability, or suspects that he or she may have a disability, please contact Jesse Howell, Coordinator, Office of Disability Services, for information about available opportunities, resources, and services. Her phone number is 305-284-9907, and her email address is disabilityservices@law.miami.edu.

SYLLABUS

Section I: Grounding

“It's not about supplication, it's about power. It's not about asking, it's about demanding. It's not about convincing those who are currently in power, it's about changing the very face of power itself.”

— *Kimberlé Williams Crenshaw*

August 26, 2021

Week 1: Overview

- **Reading:** None
- **Assignment:** Learning Goals Memo, Due 09/02

September 2, 2021

Week 2: Introductions & Grounding in Our Politics

- **Subject:** Frameworks and Analysis
- **Reading:**
 - [Combahee River Collective Statement](#)
 - *Cherie Moranga & Gloria Anzaldua*, *This Bridge Called My Back* (Catching Fire Preface to 4th Edition & Forward to First Edition, 1981)
 - *Charlene Carruthers*, *Unapologetic* (Chapter 1)
 - *Robin Wall Kimmerer*, *Braiding Sweetgrass* (The Gift of Strawberries & People of Corn)
 - Alicia Garza Lady Don't Take No Podcast with Ai-Jen Poo ([Here](#) - min 8:35 - min 32:00)
 - **Additional Suggested Readings:**
 - *Kimberlé Crenshaw*, [Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Policies](#)
 - *Gilmore, Ruth Wilson*. “[Forgotten Places and the Seeds of Grassroots Planning](#).” In *Engaging Contradictions: Theory, Politics, and Methods of Activist Scholarship*, edited by Charles R. Hale, 31–61. Berkeley: University of California Press, 2008.

September 9, 2021

Week 3: A Human Rights Framework & A Global Vision

- **Reading:**

- *Davis, Angela Y.* Freedom Is a Constant Struggle: Ferguson, Palestine, and the Foundations of a Movement. Chicago: Haymarket Books, 2016. (excerpt: Ch. 9 & 10)
- *Justin Hansford And Meena Jagannath*, [Ferguson to Geneva: Using the Human Rights Framework to Push Forward a Vision for Racial Justice in the United States After Ferguson](#)
- Sarah Knuckey, [Power in Human Rights Advocate and Rightsholder Relationships](#)
- Asadullah Haroon, [After 13 Years in Guantanamo](#)
- *Maha Hilal*, [We can't just close Guantanamo Bay prison](#), Insider
- **Additional Suggested Readings:**
 - *Asad Dandia*, [Biden must close GITMO](#), Responsible Statecraft
 - Human Rights First, [How to Close Guantanamo](#), Report
 - [A Report to the Special Rapporteur on the Right to Adequate Housing of the United Nations Human Rights Council](#)
 - **(LINK)** [We Charge Genocide, Police Violence Against Chicago's Youth Of Color](#) (2014)
 - Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights, [Hearing on the State of Civil and Human Rights in the United States](#) Tuesday, December 9, 2014
 - [On Appeal To The World!](#) - W.E.B Du Bois and NAACP to the United Nations (October 23rd, 1947)

September 16, 2021

Week 4: Shifts in Relationships to Power Through Lawyering

- **Subject:** Challenges and Contradictions
- **Reading:**
 - *Derrick Bell*, [Serving Two Masters: Integration Ideals and Client Interests in School Desegregation Litigation](#), 85 Yale L.J. 470 (1976)
 - *William P. Quigley*, [Reflections of Community Organizers: Lawyering for Empowerment of Community Organizations](#), 21 OHIO N.U. L. REV. 455 (1994)
 - *Jedediah Britton-Purdy*, [How Law Made Neoliberalism](#)
 - **Additional Suggested Readings:**
 - *Christine Zuni Cruz*, [\[On the\] Road Back In: Community Lawyering In Indigenous Communities](#)
 - *Allegra M. McLeod*, [Envisioning Abolition Democracy, in Developments in the Law — Prison Abolition](#), 132 HARV. L. REV. 1613, 1617 (2019)
 - *Amna Akbar*, [Law's Exposure: The Movement and the Legal Academy](#)

- *Betty Hung*, [Essay, Law and Organizing from the Perspective of Organizers: Finding a Shared Theory of Social Change](#)

Section II: Theories of Change and Organizing Frameworks

“Dreams and reality are opposites. Action synthesizes them.” — Assata Shakur

September 23, 2021

Week 5: The Practice of Organizing

- **Subject:** Theory of Social Change
- **Reading Due:**
 - *Jane McAlevey*, *No Shortcuts: Organizing for Power* (excerpt: Introduction)
 - *Mariame Kaba*, *We Do This ‘Til We Free Us* (excerpt: Ch.5 We Must Organize and Experiment - pgs. 110 - 129)
 - *Charlene Carruthers*, *Unapologetic* (Chapter 5)
 - **Additional Suggested Readings:**
 - *Charles M. Payne*, *I’ve Got The Light of Freedom: The Organizing Tradition and the Mississippi Freedom Struggle* (Chapter 8: Slow and Respectful Work, Organizers Organizing) (excerpt)
 - *Charles Payne* - [Ella Baker and Models of Social Change](#)
 - *Howard Zinn* - [History is a Weapon](#), *People’s History* (Chapter 24: The Coming Revolt Of The Guards)
 - E. Tammy Kim, [Structure Test How Should Union’s Organize in Today’s World](#)
 - *Dr. Martin Luther King Jr.*, [“I’ve been to the Mountain Top”](#) (April 3, 1968)
 - [WATCH](#) - Grace Lee Boggs Center - 10 Years Later Video Series (Part 1 - 5)
 - *Mark and Paul Engler*, *This is an Uprising*

September 30, 2021

Week 6: Movements & Future Dreaming

- **Subject:** Organizing in Action
- **Reading:**
 - Movement For Black Lives - [Vision For Black Lives](#)
 - Dream Defenders - [Freedom Papers](#)
 - Stop Line 3 - <https://www.stopline3.org/#intro>

- People's Regenerative Economy demands - <https://www.ienearth.org/regenerativeeconomy/>
- Investing in the Feminist Economy - <https://unitedfrontlinetable.org/feminist-economy/>
- *Matthew Desmond* - “The Tenants Who Evicted Their Landlord”, New York Times
- *Democracy Now!* - [Moms 4 Housing: Meet the Oakland Mothers Facing Eviction After Two Months Occupying Vacant House](#)
 - **Additional Suggested Readings:**
 - Right to Counsel Documentary - [Our Rights! Our Power!](#)

Section III: Developing Your Practice

“If you don’t understand yourself you don’t understand anybody else.” - Nikki Giovanni

October 7, 2021

Week 7: Practice Models

- **Subject:** Summer 2022 Internship Movement Lawyering Internship Program
- **Reading Due:**
 - Websites: [Amistad](#), [BALT](#), [CJP](#), [DJC](#), [L4BL](#)

October 21, 2021

Week 8: Models

- **Subject:** Jailhouse Lawyering, Abolition & Empowering Returning Citizens
- **Reading:**
 - *Mumia Abu-jamal*, *Jailhouse Lawyers: Prisoners Defending Prisoners V. The U.S.A.* (City Lights Publishers 2009). (excerpt: Forward; Ch. 3; Ch.12; Afterwords)
 - *Angel E. Sanchez*, [In Spite of Prison](#), in *Developments in the Law — Prison Abolition*, 132 HARV. L. REV. 1650, 1652 (2019)
 - **Additional Suggested Readings:**
 - *Legal Empowerment and Advocacy Hub (L.E.A.H.)* - National Jailhouse Lawyers Initiative ([Video](#))
 - *James, Joy, ed.* *Imprisoned Intellectuals: America’s Political Prisoners Write on Life, Liberation, and Rebellion.*

October 28, 2021

Week 9: Litigation and Movement Lawyering

- **Subject:** Strategic Litigation
- **Reading:**

- *Charles Elsesser, Community Lawyering – The Role of Lawyers in the Social Justice Movement*, 14 LOY. J. PUB. INT. L. 375 (2013)
- *Magic City Case*, Miami, FL (attach writ of certiorari)
- HB1 Litigation (ongoing)
- **Additional Suggested Readings:**
 - *Anthony Swain & MetroWest Case*, Miami FL (#FreeAnthony)

November 4, 2021

Week 10: Local Movements

- **Subject:** The state of Housing in Florida - Now and Then
- **Reading Due:**
 - *Max Rameau, Take Back The Land: Land, Gentrification & The Umoja Village Shantytown* (Chapter 5-7)
 - Scott Carver Oral History Project, University of Miami (**Arnikkia Chavis, Chuck Elsesser**)
 - [The Scott Carver Files](#)
 - [Regency Point](#), Statement, May 7th, 2021
 - Power U, State of Renters (2011)
 - *Bryce Covert, [Why Landlords Target Mothers for Eviction](#)*
 - **Additional Suggested Readings:**
 - *Marcos Feldman, [The State of Miami's Housing Crisis: An Updated Look at Affordability in One of the Country's Least Affordable Housing Markets](#)*, November 2007

November 11, 2021

Week 11: Valuable Tools - Centering Community Voices

- **Subject:** Storytelling & The Media
- **Reading:**
 - *Audre Lorde, Transformation of Silence into Language and Action*
 - *BGM Press Release- [Press Release](#)*
 - *Oolite and CJP Partnership - [Documentary shorts](#)*
 - *Nadege Green, [As Seas Rise, Miami's Black Communities Fear Displacement from the High Ground](#)*, WLRN
 - *Robin D. G. Kelley, Find The Strength To Love and Dream*
 - **Additional Suggested Readings:**
 - *Anthony Swain, [What It's Like Inside A Miami Jail As Coronavirus Spreads: "This Place Is A Petri Dish For Disease"](#)*, The Appeal
 - *Nadege Green, [This is a thread about the 1918 flu pandemic](#)*

November 18, 2021

Week 12: Valuable Tools - Arts, Movements, and the Law

- **Subject:** “The role of the artist is to make the revolution irresistible” — Toni Cade Bambara

- **Reading Due:**

- *Martín Espada*, Live Reading! - [How We Sleep, How We Sleep](#)
- *The Activists' Room* (podcast), **Episode: Nancy Pilli: Reclaiming Public Spaces; Episode: 2 with Aja Monet**
- *Chire Regan*, CJP Artist-in-Residence Piece
 - **Additional Suggested Readings:**
 - *adrienne maree brown*, Octavia's Brood
 - *Robin D. G. Kelley*, Freedom Dreams: The Black Radical Imagination

December 2, 2021

Week 13: Practice in Action!

- **Subject:** Developing a Practice

- **Reading:**

- *Emanuel Powell*, [Unlawful Silence: St. Louis Families' Fight For Records After The Killing Of A Loved One By Police](#)