Class and the Law
Fall 2005
Prof. Deborah Malamud
Time: Thursday 4:00-6:00
Place: Furman 324
Office: Vanderbilt 310
Email: Deborah.malamud@nyu.edu
Assistant (and mailbox): Jerome Miller, Room 411, 992-8821
Office Hours: Tuesday 4-6; other times by appointment

COURSE SYLLABUS

Readings

1. Books on order

I have asked the Bookstore to have the following books available for purchase. Most are
in paperback, and many are available used (try abebooks.com, or your favorite source).

-- Dalton Conley, Being Black, Living in the Red: Race, Wealth, and Social Policy in
America
-- Paul Fussell, Class: A Guide Through the American Status System
-- Ruth Milkman, Farewell to the Factory: Auto Workers in the Late Twentieth Century
-- Katherine S. Newman, No Shame in My Game: The Working Poor in the Inner City
-- Teresa A. Sullivan, et al., The Fragile Middle Class: Americans in Debt (Yale 2000)

2. Additional readings

There will be other required readings; these will be made available to you on
Blackboard.

3. Course Requirements

a. Attendance – no unexcused absences.

b. Reaction papers – 3 double-spaced, typed pages a week, maximum, due in my
mailbox by 6 PM on the day before each class. Their purpose is to focus your
mind for class discussion, and to let me know something of your thoughts in case
of excused absence. Missed papers must be made up. Papers will not be graded,
but will count as part of participation.

c. Participation – this is a seminar, so no passivity, please! Participation will count
to raise or, in extreme cases, to lower grades.

d. Final paper -- for students not writing A papers for this class, papers should be
approximately 20 pages long, and should explore aspects of (a) the nature of
class in the United States, and/or (b) interactions between class and the law in an
area of interest to you. “A” papers should be 40-50 pages long and, except with
my approval, should be of type (b) rather than type (a). If you are planning to
write an A paper for the seminar, please see me promptly.
Presentations – I am reserving time at the end of the course for students doing A papers to make presentations related to the subject matter of the work. I will need to determine the length and number of those presentations according to the number of A papers that will result from the class. I may shorten some earlier classes to leave more time for presentations. More information to come.

Assignments

Class 1 (Thurs Sept 1)

This class will be mostly organizational. To get a feeling for the subject matter, you may read the series of articles on class from the New York Times that is posted on Blackboard.

Class 2 (Thurs Sept 8)

Class in America: a first look

The question being, what might we (or what do we) mean by “class,” and does America have it?

Some theoretical musings (lecture only)

Sheldon Danziger & Peter Gottschalk, America Unequal, 1-14

Daniel P. McMurrer & Isabel Sawhill, Getting Ahead: Economic and Social Mobility in America, 31-37, 45-50, 61-72

Paul W. Kingston, The Classless Society 1-top 14, 16-36

START READING: Paul Fussell, Class: A Guide Through the American Status System, whole book (concentrate where you will – it is humorous, annoying, insulting, and provocative, and I knowingly assign it to provoke you)

Class 3 (Thurs Sept 15)

Class Mobility from a Cultural Perspective

FINISH READING Fussell

Erving Goffman, Stigma: Notes on the Management of Spoiled Identity, pp 73-104

Richard Sennett & Jonathan Cobb, The Hidden Injuries of Class, pp. 119-top 135

Class 4 (Thurs Sept 22)

Class and the Constitution
1. A Sampling From the (Limited) Constitutional Canon


2. A Contemporary View


Class 5 (Thurs Sept 29)

Race and Class

Dalton Conley, Being Black, Living in the Red: Race, Wealth, and Social Policy in America (pages tba)

Risa Goluboff, “We Live’s in a Free House Such as It Is”: Class and the Creation of Modern Civil Rights, 151 U. Pa Law Rev. 1977 (pages tba)

Class in the Affirmative Action Debate (readings tba)

Class 6 (Thurs Oct 6)

Poverty and Low-Wage Work

Danziger & Gottschalk, America Unequal, 110-150

Katherine S. Newman, No Shame in My Game: The Working Poor in the Inner City (pages tba)


NO CLASS on Thurs Oct 13 (Yom Kippur);

Class 7 (Thurs Oct 20)

The Working Class(es)

Ruth Milkman, Farewell to the Factory: Auto Workers in the Late Twentieth Century (California 1997) (pages tba)

Michele Lamont, The Dignity of Working Men: Morality and the Boundaries of Race, Class, and Imagination (pages tba)

Deborah Malamud, Class-Work (forthcoming) (excerpt)
Class 8 (Thurs Oct 27)
The Middle Class(es)

Katherine Newman, *Falling From Grace: The Experience of Downward Mobility in the American Middle Class* (pages tba)

Teresa A. Sullivan, et al., *The Fragile Middle Class: Americans in Debt* (Yale 2000) (pages tba)


Class 9 (Fri Oct 28 – 1:05-2:55, Yom Kippur Makeup)
Class in the Rhetoric and Reality of the Tax System

Liam Murphy & Thomas Nagel, *The Myth of Ownership: Taxes and Justice* (Introduction)

Other readings tba

Class 10 (Thurs Nov 3)
Class and Globalization (subject to change as needed for presentations)

Saskia Sassen, *The Global City* (pages tba)

Light & Bonacich, *Immigrant Entrepreneurs* (pages tba)

Freeman, *High Tech and High Heels in the Global Economy* (pages tba)

Class 11 (Thurs Nov 10)

presentations [as needed]

Class 12 (Thurs Nov 17)

presentations [as needed]

NO CLASS on Thurs Nov 24 (Thanksgiving)

Class 13 (Thurs Dec 1)

presentations [as needed]

Class 14 (Thurs Dec 8)

presentations [as needed]