

# **POLS 4933: Gender and Law**

Midwestern State University  
Fall 2022  
Monday/Wednesday/Friday 11:00 —11:50 AM  
PY 209

**Dr. Linda Veazey**

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**Office Hours:**

Tuesday/Thursday 10 AM – 12 PM

Friday 10-11 AM

## **Course Description and Learning Objectives:**

The purpose of POLS 4933: Gender and Law is to examine the legal system and construction of rights from the perspective of gender. Starting from here, we may see many issues in a different light and find others that we may never have thought about before. There is no way to cover all the possible issues in one semester, so our topics in this class are not an exhaustive list. There will be key issues that connect all our topics such as the nature of ensuring equality in society.

To accomplish these goals, this course will combine interdisciplinary scholarship, court cases, film, lecture, and class discussion. We will work to develop a critical eye for examining gender in society and then work to apply that framework to a few issues that impact people's lives. Through the course of the semester, it is my hope that you begin to see how broad this topic is and develop a framework for considering issues of gender in the future.

## **Women's and Gender Studies Minor:**

This course counts towards the Women's and Gender Studies minor, as well as Political Science degree plans. Please see me for more information about the Women's and Gender Studies minor.

## **Required Texts:**

Renée Ann Cramer. *Birth of a Movement: Midwives, Law, and the Politics of Reproductive Care*. Stanford, California: Stanford University Press, 2021.

Nancy Levit and Robert R.M. Verchick. *Feminist Legal Theory: A Primer*, 2<sup>nd</sup> edition. New York: New York University Press, 2016.

Jennifer Musto. *Control and Protect: Collaboration, Carceral Protection, and Domestic Sex Trafficking in the United States*. Oakland, California: University of California Press, 2016.

Additional Readings on D2L

## Grades:

### Breakdown of Grades:

Grade Category	Grade Percentage
Exam 1	15%
Exam 2	15%
Reading Responses and Short Writing Assignments	15%
Term Paper Project	20%
Term Paper Presentation	10%
Participation and Engagement	10%
Final Exam	15%

## Grading:

On each exam and for the final grade, points will be assigned according to the following scale:

Letter Grade	Numerical Grade
A	90-100
B	80-89
C	70-79
D	60-69
F	0-59

### Course Engagement Grading:

Engagement Grade	Unexcused Absences/Non-Engagement Days
95	1
90	2
85	3

Engagement Grade	Unexcused Absences/Non-Engagement Days
80	4
75	5
70	6
65	7
60	8
55	9
0	10+

### Reading Response Grading Scale:

Reading Response Grade	Submission Type
10	Full submission
8	Good, but partial submission
5	Poor submission, missing more than 1 section
0	No submission

### Class Policies:

### Emergency Policies:

#### Course Modality Statement:

- This course has been planned as a fully face-to-face course for Fall 2022.
- This course will also use D2L. Course communication, course schedule, attendance, several readings, assignments, and the gradebook will be in D2L.
- In the event of increased incidence and risk of COVID-19 or a similar emergency that results in the university moving back to a shelter-in-place mode, the course instruction will transition to fully online. More instructions will be given at that time.
- As the course instructor, I reserve the right to move the course online, either partially, or in full, in the event of a personal emergency that prohibits me from delivering the course fully in-person. More instructions will be given at that time.

## Attendance and Engagement:

### Absences:

You should attend class. Students who do not attend class often have difficulty with the course and receive lower grades. Attendance will be taken at each class meeting and will be noted in Attendance and Engagement. **Students missing more than 9 course periods may be dropped from the course without notice.** Excused absences will be those as follows: illness, death in the family, legal proceedings occurring during class period, university-approved absence such as travel as member of a MSU sports team, or emergency situation as determined by me. To excuse an absence, I must be notified in advance of the class meeting.

### Engagement:

Engagement during class is as important as attendance. Students are expected to engage in the class and be fully present with their engagement. Students observed using mobile phones, reading non-class materials, or otherwise not fully engaged in class, will not receive engagement credit for that class period. Distracting behavior will also constitute non-engagement for the class period. This syllabus serves as the notice of the above policies; students will receive no further alert if engagement points are not earned during a class meeting.

### Lateness:

I will take attendance at each class meeting. Students arriving after the role has been called will not be counted as on-time and will be marked as tardy. **Two tardies will be the equivalent to one absence.** Students arriving more than 10 minutes late to class either in-person or online will be counted as absent for that class meeting. Students who leave early without an excuse that meets the excused absence criteria for this course may be marked tardy or absent, depending upon how much time remains in the course meeting.

### Leaving Class/Disruptions:

Students are expected to be present for the entire class period. Excessively leaving the classroom during the class period is defined in this syllabus as more than 2 times during one class period or leaving 1 time for more than 10 minutes in one class period. **Excessive trips outside of the classroom during a class period will be the equivalent to 1 absence.** This is a form of disruptive behavior. If a student requires an accommodation to this rule (e.g. due to illness or medical condition), please let me know in advance.

### Safe Zone Statement:

This classroom is to be a place where students will be treated with respect. We will work together to create an inclusive space that respects equality and diversity in terms of gender, race, ethnicity, national origin, religious affiliation, sexual orientation, gender identity, gender expression, political beliefs, culture, age, or ability. Additionally, diversity of thought is appreciated and encouraged, provided you can agree to disagree. It is the expectation that all students consider the classroom a safe environment. Harassment, sexual misconduct, violence,

bullying, and disruptive behavior will not be tolerated will result in removal from the classroom and reporting to the appropriate university authority. This syllabus is your warning.

### **Disruptive Behavior:**

Furthermore, disruptive behavior, including but not limited to raising one's voice to the instructor or classmates, threatening the instructor or classmates, excessive noise or behavior that disrupts the class will not be tolerated. This syllabus serves as the warning that disruptive behavior will not be tolerated. Students committing disruptive behavior will be removed from the class.

## **Classwork and Homework:**

### **Classwork and Notes:**

If you do miss class, you are responsible for all material missed. Students are responsible for obtaining notes from a classmate for any missed material. In-class activities may be graded.

**Classwork cannot be made up.**

### **Reading Logs and Writing Assignments:**

All reading logs, homework, and writing assignments are due on D2L. Reading logs can be submitted as one-page summary and reflection on the reading. **No late work** will be accepted late without an excuse that has been approved by me.

## **Communication:**

Outside of class time, please email me through my MSU email (not D2L) or visit me in my office hours. My email address and office hours are listed on the first page of the syllabus.

## **Exams:**

### **Exams:**

Exams will be given in person during class time. Now materials including notes, a book, websites, apps, etc., may be used during the exam.

### **Make-Up Exams**

A make-up exam will only be given if the following criteria are met: If a student has a course-approved excuse and the instructor is notified **in writing, prior** to the examination, and the instructor approves the excuse and make up exam, arrangements for a make-up exam will be made. If a student fails to notify the instructor, the student will receive a zero for the exam. **Unless arrangements have already been made in accordance with this policy, no exam may be administered after the graded exam is returned to the class.**

If the final exam is missed and arrangements for a make-up exam have not been made with me, the final exam cannot be made up.

## **Technology Requirements:**

This course will utilize D2L.

Microsoft Office or a compatible program for written assignments. Access to Microsoft Office 365 available through the Office 365 for Students on the Microsoft website.

## **Academic Dishonesty:**

All work submitted in this class is expected to be the student's own and original to this course. Otherwise, the MSU Honor Creed has been violated and academic dishonesty has occurred. Using the work of another person as one's own is theft of intellectual property. Submitting work to this course that was produced for another course without permission of both instructors, is also academic dishonesty. Any violation of MSU academic honesty policy will result in an automatic ZERO on the assignment, quiz, or exam in question. Assisting another student in academic dishonesty will also result in a ZERO on that assignment. A second instance of academic dishonesty will automatically result in an F for the course. All instances of academic dishonesty may be turned over to the University for sanction.

## **Accommodations:**

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you believe that you have a disability requiring accommodation, please contact:

Disability Support Services (DSS)  
Room 168, Clark Student Center  
940-397-4140

Please note that instructors are not allowed to provide classroom accommodation until verification from DSS has been provided.

<https://msutexas.edu/student-life/disability/current-students.php>

## **MSU Campus Carry Statement:**

Senate Bill 11 passed by the 84<sup>th</sup> Texas Legislature allows licensed handgun holders to carry concealed handguns on campus, effective August 1, 2016. Areas excluded from concealed carry are appropriately marked, in accordance with state law. For more information regarding campus carry, please refer to the University's webpage at <http://mwsu.edu/campus-carry/rules-policies>

## Class Outline:

*The following is a tentative outline of the semester. Students will be notified of any changes.*

### Introduction to Course

Monday, August 22:  
Introduction to Course

### Gender and Law Introduction

Wednesday, August 24:  
*The Declaration of Sentiments and Resolutions*. Seneca Falls, 1848.

Friday, August 26:  
The Nineteenth Amendment, *US Constitution*

The Equal Rights Amendment

Monday, August 29  
Lecture: Introduction to Gender Concepts

*Bradwell v. Illinois*, 1873

Wednesday, August 31:  
*Feminist Legal Theory*, Introduction, Chapter 1: Feminist Legal Theories, and Chapter 2: Feminist Legal Methods

### Gender and Reproductive Rights

Friday, September 2:  
Catharine MacKinnon. "Law in the Everyday Life of Women." In *Women's Lives/Men's Laws*. Cambridge, Massachusetts: Belknap Press of Harvard University Press, 2005, pp. 32-43.

Kimberlé Crenshaw. Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." *University of Chicago Legal Forum*. 1989: Issue 1.

Reading Reflection Due

**Monday, September 5: Labor Day – No Class**

Wednesday, September 7:

*Feminist Legal Theory: A Primer*, Chapter 5: Gender and the Body

Friday, September 9:

Alix Kates Shulman. Sex and Power: Sexual Bases of Radical Feminism. *Signs*. 5.4 (1980): 590-604.

Film excerpt: "Conservative Backlash." Excerpt from Not Done: Women Remaking America. PBS, 2013. (Viewed August 22, 2022 <<https://www.pbs.org/video/makers-women-who-make-america-conservative-backlash/>>)

Reading Reflection Due

Monday, September 12:

*Dobbs v. Jackson Women's Health Organization*, 2022

Eleanor Klibinoff. "Not 1925: Texas' Law Banning Abortion Dates to Before the Civil War." *Texas Tribune*, August 17, 2022 [texastribune.org](https://www.texastribune.org) (Viewed August 22, 2022 <https://www.texastribune.org/2022/08/17/texas-abortion-law-history/>).

Marty, Robin. "An Alabama Clinic Reinvents Itself for a Post-Roe World." *Time*. July 28, 2022 (Viewed August 22, 2022 <https://time.com/6200914/alabama-clinic-after-roe-v-wade/>>).

### **Wednesday, September 14: Watch on Your Own – No Class**

The Abortion Divide. *Frontline*. PBS, April 23, 2019. (Viewed August 22, 2022 <[https://www.youtube.com/watch?v=vMrOB\\_pffOs](https://www.youtube.com/watch?v=vMrOB_pffOs)>).

Friday, September 16:

Rebecca Cook. International Human Rights and Women's Reproductive Health. *Studies in Family Planning*, 24.2 (1993): 73-86.

General Recommendations Adopted by the Committee on the Elimination of All Forms of Discrimination against Women. General Recommendation 24: Article 12 of the Convention: Women and Health, 1999. [ohchr.org](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_4738_E.pdf) (Viewed August 22, 2022 <[https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1\\_Global/INT\\_CEDAW\\_GEC\\_4738\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_4738_E.pdf)>).

### **Term Paper Proposal**

Reading Reflection

Monday, September 19:



United Nations Human Rights Office of the High Commissioner. Information Series on Sexual and Reproductive Health and Rights: Abortion. United Nations Human Rights. ochhr.org. (Viewed August 22, 2022: <https://www.ohchr.org/EN/Issues/Women/WRGS/Pages/Information-Series-Sexual-Reproductive-Health-Rights.aspx>)

World Health Organization. Abortion. World Health Organization. who.int (Viewed August 22, 2022. < <https://www.who.int/news-room/fact-sheets/detail/abortion>>).

Wednesday, September 21:

Dorothy Roberts. Chapter 1: *Reproduction in Bondage. Killing the Black Body: Race, Reproduction, and the Meaning of Liberty*. 20<sup>th</sup> anniversary ed. New York: Vintage Books, 2017, pp. 22-55.

Friday, September 23:

Renée Cramer. Chapter 1: Law, Popular Culture, and Pregnancy in America. *Pregnant with the Stars: Watching and Wanting the Celebrity Baby Bump*. Stanford, California: Stanford Law Books, 2016, pp. 23-47.

Clare Daniel. "Taming the Media Monster:" Teen Pregnancy and the Neoliberal Safety (Inter)Net. *Signs*. 39.4(2014): 973-998.

Reading Reflection

Monday, September 26:

*Burwell v. Hobby Lobby*, 2014.

Wednesday, September 28:

*Birthing a Movement*, Introduction and Chapter 1, pp. 1-57.

**Friday, September 30: Exam 1**

Monday, October 3:

*Birthing a Movement*, Chapters 2 and 3, pp. 58-119

Wednesday, October 5:

*Birthing a Movement*, Chapters 4 and 5, pp. 120-168

Friday, October 7:

*Birthing a Movement*, Chapter 6 and Conclusion, pp. 169-220

Reading Reflection

## Gender and Equal Protection

Monday, October 10:

*Frontiero v. Richardson*, 1973

*Craig v. Boren*, 1976

Wednesday, October 12

*United States v. Virginia*, 1996

*Romer v. Evans*, 1996

## The Right to Marriage and Family

Friday, October 14:

*Feminist Legal Theory*, Chapter 6: Marriage and Family

*Obergefell v. Hodges*, 2015

Reading Reflection

Monday, October 17:

*Buck v. Bell*, 1927

Wednesday, October 19:

David M. Perry. Commentary: Our Long Troubling History of Sterilizing the Incarcerated. *The Marshall Project*, July 26, 2017, themarshallproject.org (Viewed August 22, 2022 < <https://www.themarshallproject.org/2017/07/26/our-long-troubling-history-of-sterilizing-the-incarcerated>>).

Emily Medosch. "Not Just ICE: Forced Sterilization in the United States." The Blog. *Immigration and Human Rights Law Review*, May 28, 2021, lawblogs.uc.edu, (Viewed August 22, 2022 < <https://lawblogs.uc.edu/ihr/r/2021/05/28/not-just-ice-forced-sterilization-in-the-united-states/>>).

Friday, October 21:

Alison Dundes Renteln. Chapter 4, *The Cultural Defense*. Oxford University Press, 2004.

Reading Reflection

Monday, October 24:

*Avitzur v. Avitzur*, 446 N.E. 2<sup>nd</sup> 136, 1983.

## Gender and Work

Wednesday, October 26:

*Feminist Legal Theory*, Chapter 3: Workplace, Wages, and Welfare

### Friday, October 28: Exam 2

Monday, October 31:

*Price Waterhouse v. Hopkins*, 1989

*Bostock v. Clayton County*, 2020

Wednesday, November 2:

Paulette Caldwell. "A Hair Piece: Perspectives on the Intersection of Race and Gender." *Duke Law Journal* 1991, 365-396.

Friday, November 4:

*California Federal Savings and Loan Association v. Guerra*, 1987

Reading Reflection

Monday, November 7:

Catharine MacKinnon. "Sexual Harassment: The First Five Years."

*Ellison v. Brady*, 1991

Wednesday, November 9:

Dean Spade. "Compliance is Gendered: Struggling for Gendered Self-Determination in a Hostile Economy," 2006. In pp. 255-266.

Friday, November 11:

Leslie Paik. "Who's in the Family?" Chapter 4. *Trapped in a Maze: How Social Control Institutions Drive Family Poverty and Inequality*, Oakland, California: University of California Press, 2022.

Reading Reflection

## Gender, Sex Work, and the Law

Monday, November 14:

*Control and Protect*, Introduction, Chapter 1 and Chapter 2, pp. 1-67.

Wednesday, November 16:

Control and Protect, Chapters 3 and 4, pp. 68-115.

Friday, November 18:

Control and Protect, Chapter 5 and Conclusion, pp. 116-148.

Reading Reflection

Monday, November 21:

Wrapping Up

**Wednesday, November 24 and Friday, November 26: Thanksgiving Break – No Class**

## **Term Paper Presentations**

Monday, November 28, Wednesday, November 30, and Friday, December 2:

Term Paper Presentations

**Friday, December 2: Term Paper Due**

## **Final Exam**

**Monday, December 5: 10:30 AM-12:30 PM**