This course surveys the relationship between women and the law, looking at the way that women have been defined as legal subjects over time. The course is designed to introduce students to the varied ways that law intersects with women’s lives, this will primarily be done through the use of Supreme Court case law. The course will examine such issues as equal protection, marriage and family and criminal justice.

REQUIREMENTS

Students will be expected to attend class and participate in class discussions. Constructive, informed, respectful participation that contributes directly to conversations about the course material will raise borderline grades; lack of participation or consistently disruptive participation may result in lower grades. You will be expected to keep up with the reading throughout the course. Simply attending class will not be sufficient for a passing grade.

Students will be expected to answer 4 (four) discussion questions throughout the course. These discussion questions will be distributed at the beginning of the semester and students must submit one on each of the dates indicated on the syllabus. These answers should be 3 pages. (double spaced, times new roman, 12 point font, 1 inch margins). There will also be a midterm on the date indicated on the syllabus. In addition, each student will select a substantive area of law (reproductive freedom, criminal justice, marriage etc) that bears special relevance to women and will conduct a comparative analysis of the issue in the United States and another country of the student’s choice. Student should submit their chosen area and a brief outline by October 20 to the instructor. (This outline need not be more than 1 page) The project is due by December 11. This should be 7 -10 pages in length. (double spaced, times new roman, 12 point font, 1 inch margins)

The weights of these various obligations break down as follows:

- Class Participation: 10%
- Response Papers: 40%
- Midterm: 15%
- Project outline: 5%
- Final Project: 30%

POLICIES

Students with disabilities. If you have a documented disability and anticipate needing accommodations in this course, please make arrangements to meet with me soon. Please
request that the Disabilities Resource Center send a letter verifying your disability.

Extensions for papers. To avoid creating inequities for other students in the class, no extensions will be given for papers. Late papers will be penalized half a grade per day for every day that the paper is late, starting at the beginning of class the day the paper is due unless the student can provide a University-approved excuse.

Plagiarism or cheating. This one’s simple: don’t do it. Don’t even think about doing it. Plagiarism is the use of someone else’s words or ideas without giving the original author credit by citing him or her. If you use someone else's language directly, you must use quotation marks. If you rely on another person’s ideas in creating your argument, you must provide a citation. I expect careful citation for research papers. If you have any questions about plagiarism, please contact me before you submit the assignment for grading. If you plagiarize or cheat in this class, the BEST outcome you can hope to achieve is a failing grade from me, in addition to any mandatory university sanctions. Ignorance will not provide a defense to the application of this policy.

Attendance. Attendance will be taken at the beginning of each class. If you arrive to class after attendance has been taken you will be marked absent for that day, but will still be able to receive participation points. It is imperative that you arrive to class on time to avoid disruption both to me and your fellow students. Each student may have three (3) unexcused absences. Beyond this, whatever the reason, any absence will negatively affect your grade, by one half a letter grade per absence.

MATERIALS

The course materials include two books, Baer and Goldstein’s The Constitutional and Legal Rights of Women (Third Edition) and Pinello’s America’s Struggle for Same-Sex Marriage. They are available both at Mary Jane’s and the University Bookstore. You will also be responsible for additional materials available on blackboard. The course’s blackboard page will also have assignments and any updates, so be sure to check it regularly.

EXAMPLES OF CORRECT CITATIONS

Legal citations should be as follows:

Academic citations should be in text and follow the quotation e.g. (Sullivan, 2007, 201) This indicates the author, the date of publication and the page where the quotations can be found.

SYLLABUS

M 8/31 Introductions

Introduction: Women’s Rights in Contemporary and International Context

W 9/2 Universal Declaration of Human Rights
The proposed Equal Rights Amendment (USA)
F 9/4 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

M 9/7 No class

Liberal Equality and its Critics

W 9/9 Christine Littleton, “Reconstructing Sexual Equality”

F 9/11 No Class

M 9/14 MUW v. Hogan (510)
US v. Virginia (517)

Women, Work and Regulation

W 9/16 Bradwell v. IL (16)
Lochner v. New York (25)
Muller v. Oregon (32)

F 9/18 Bunting v. Oregon (34)
Adkins v. Children’s Hospital (35)
West Coast Hotel v. Parrish and US v. Darby (44)

M 9/21 No class

W 9/23 Goesaert v. Cleary (51)
Hoyt v. Florida (53)

F 9/25 No class

M 9/28 No class

W 9/30 Meritor Savings Bank v. Vinson (150)
Ellison v Brady (151)
Oncale v. Sundowner (159)
Jones v. Clinton (162)

F 10/2 Frontiero v. Richardson (60)
Cleveland Board of Education v. LaFleur (183)

M 10/5 UAW v. Johnson Controls (189)
The Legal Regulation of Marriage and Family

   Elizabeth Cady Stanton, Declaration of Sentiments
   Norma Basch, “Invisible Women: The Legal Fiction of Marital Unity in
   Nineteenth Century America.”

   *Pace v. Alabama*

M 10/12  *Tinker v. Colwell* (273)
   Priscilla Yamin, “The Search for Marital Order: Immigration, Marriage
   and the Politics of the Progressive Era”

   Nineteenth Century”
   *Perez v. Sharp*

F 10/16  Midterm

M 10/19  *Loving v. Virginia*
   Pinello, chapters 1 and 2

W 10/21  Pinello, chapter 5
   Guardianship of Kowalski I (241)
   Guardianship of Kowalski II (241)

F 10/23  Pinello, chapters 3 and 4
   *Goodridge v. MA* (246)
   *Lockyer v. City and County of San Francisco* (261)

M 10/26  Pinello, chapters 6 and 7
   *Baker v. State* (261)

W 10/28  *Miller v. Albright* (116)
   Tuan Anh Nguyen v. INS (117)
   Equality for Women versus States Rights (136)

Reproductive Freedom

F 10/30  *Buck v. Bell* (background and case) (345)
Skinner v. Oklahoma (347)
After Skinner The paradox of Sterilization Policy (351)

M 11/2  Feminists and Contraception: A Mixed History (352)
Griswold v. CT (352)
Eisenstadt v. Baird (360)
Roe v. Wade and Doe v. Bolton (368)

W 11/4  Planned Parenthood v. Danforth (382)
Bellotti v. Baird (390)
Planned Parenthood v. Casey (404)
Stenberg v. Carhart (431)

Webster v. Reproductive Health Services (398)
Hill v. Colorado (448)

M 11/9  Gwendolyn Mink: “Violating Women’s Rights Abuses”
Gonzales v. Carhart

Women and Civic Participation

W 11/11  Women Jurors Selected under “Neutral” laws (95)
Hans Zeisel, “Dr Spock and the Case of the Vanishing Jurors” (96)
JEB v. AL (104)
Taylor v. Louisiana (97)

F 11/13  14th Amendment
15th Amendment
Elizabeth Cady Stanton, “This is the Negro’s Hour,” (18)

M 11/16  Minor v. Happersett (19)
Women and modern citizenship (23-25)
19th Amendment
Gretchen Ritter, “Jury Service and Women’s Citizenship Before and After the Nineteenth Amendment”

W 11/18  Reed v Reed (60)
Reva Siegal, “She the People: The Nineteenth Amendment, Sex Equality, Federalism and the Family.

F 11/20  Kathleen Sullivan, Constitutional Context: Women and Rights Discourse in Nineteenth Century America, excerpts

W 11/25 - No Class

F 11/27 - No Class

**Women and the Criminal Justice System**

M 11/30  The Old Days: Three Cases (566- 570)
- *Navarro v. Block* I (573)
- *Navarro v. Block* II (575)
- *Castle Rock v. Gonzalez* (578)
- Lenore Walker, *The Battered Women Syndrome* (579)
- Donald Downs, *More Than Victims: Battered Women, The Syndrome*
- Society and the Law (579)

W 12/2  Section on Rape (592- 609)
- Michael M (85)

- *Hoke v. US*
- Unequal Enforcement (631)
- *In the Matter of Dora P* (631)

M 12/7  Feminists Divide: Modern Remnant of Slavery versus just Another Job (632)
- Sexual Slavery: *US v. Footman* (633)
- Elizabeth Bruch, “Models Wanted: The Search for an Effective Response to Human Trafficking.”

F 12/11  Final Paper due in Political Science Contact Office (Humanities B16) by 3:30pm