

PSC 336: Women and the Law
Spring 2008
Tuesday & Thursday, 9:30 – 10:45
Graham 209

Instructors & Office Hours:

Professor Carisa R. Showden Office: 226 Graham Office Hours: Tues. & Thurs. 2:00-4:00, and by appointment Phone: 336-256-0515 Email: carisa_showden@uncg.edu	Professor Susan Johnson Office: 233 Graham Office Hours: Wednesdays 11:00 – 2:00, and by appointment Phone: 336-256-0512 Email: swjohnso@uncg.edu
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Course Catalog Description:

In “Women and the Law,” students will study the jurisprudence of gender issues, with readings in legal theory and case law. Topics include domestic violence, sexual harassment, employment and pay equity, and marriage and family law.

Student Learning Outcomes:

By the end of the semester, students should be able to:

1. Explain, compare and contrast the equality and difference approaches to feminist jurisprudence;
2. Explain and assess the reasons why women are sometimes treated as a “special” category under the law;
3. Apply basic legal reasoning techniques to case law on specified “women’s issues” in the law;
4. Articulate and defend different legal positions regarding the status of men and women in the laws of marriage, parenthood, reproduction, and employment.

Required Texts:

1. Becker, Mary; Cynthia Grant Bowman, Victoria F. Nourse, and Kimberly A. Yuracko. 2007. *Feminist Jurisprudence: Taking Women Seriously, Cases and Materials*. 3rd edition. St. Paul: West Publishing Group. ISBN: 0-314-16367-0. (Available at Addam’s University Bookstore, Tate Street).
2. Additional Readings on Blackboard/e-reserve.

Course Requirements:

Participation: 10%
2 Class Debates: 10% each; 20% total
2 Papers (4-5 pages each): 15% each; 30% total
In-Class Exam (Unit One): 15%
Final Exam: 25%

Summary of Due Dates:

Exam #1: Thursday, February 14th

Debate #1: Tuesday, March 4th

Paper #1: Tuesday, April 1st

Debate #2: Tuesday, April 15th

Paper #2: Tuesday, April 29th

Final Exam: Thursday, May 8th (Noon - 3:00 p.m.)

Late Papers and Missed Debates/Exams:

Students are expected to turn papers in on time and be present to take the exams at their scheduled times. Only in extraordinary circumstances will make-up opportunities exist. Students must notify one of us PRIOR to the missed exam or paper/debate with a valid excuse and must be prepared to provide credible evidence (such as a written doctor's note) of the excuse. Excuses for late papers and missed debates and exams after the fact will not be allowed, resulting in a failing grade for the missed paper, debate, and/or exam. **It is the instructors' sole discretion to determine whether or not an excuse is acceptable.**

Make-up exams will be scheduled for the same day, time and place for everyone either during finals week or on Reading Day. The make-up exam time will be announced in class. Students will be allowed to make-up only one (1) exam during the semester.

A Note on Grading in a Co-Taught Course:

In order to divide the grading labor equitably between the instructors, and in order for each of you to feel that you have been assessed fairly in the course, your instructors will share the grading equally. Professor Johnson will grade your first paper; Professor Showden will grade your second paper. Professors Showden and Johnson will each write 50% of the exam questions, and each professor will be responsible for grading the answers to the questions she has written. Together, we will determine your grades for the debates.

Academic Honor Code:

We expect all students in this course to abide by both the letter and spirit of the university's academic integrity policy. **Violations of the university honor code will be prosecuted.** The full text of the Academic Integrity Policy can be viewed at: <http://www.uncg.edu/reg/Policy/HonorPolicy.html>. Specifically pertinent to this course are the following rules:

1. "Cheating: Intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise."
2. "Plagiarism: Intentionally or knowingly representing the words of another, as one's own in any academic exercise."

Do NOT engage in either cheating or plagiarism. The penalties for both offenses range from the need to re-do assignments to expulsion from the University, depending upon the severity of the cheating or plagiarism offense.

If you have any questions regarding what constitutes either cheating or plagiarism, please see one or both of us *immediately*.

Students with Special Needs:

Students with special needs should contact one or both of the instructors during the first week of class. We will make every effort to accommodate the needs of students with special requirements.

Schedule of Class Meetings and Readings:

Note Well: Minor adjustments to the reading schedule may be made depending on how quickly material is covered. Students are responsible for keeping up with any schedule adjustments that are announced in class or on blackboard.

Unit One: Women and the Constitution: Equality vs. Difference

Tuesday, January 15th: Course Introduction

Thursday, January 17th: Showden: Equality, Difference, and Dominance
pp. 17-25; 101-104; 108-117; 119-122.

Tuesday, January 22nd: Johnson – Patriarchy & Protectionism
Lochner, Muller and Adkins (on reserve)

Thursday, January 24th: Showden: Relational and Pragmatic Feminisms
pp. 122-132; 144-147; 149-152.

Tuesday, January 29th: Johnson – Equal Protection
Reed, Frontiero (on reserve); *Geduldig* pp. 29-37

Thursday, January 31st: Showden: Critical Race and Lesbian Feminisms
pp. 160-166; 169-170; 173-181; 190-194; 195-201.

Tuesday, February 5th: Showden: Critical Race and Lesbian Feminisms, continued
Review readings from Jan. 31st.

Thursday, February 7th: Johnson – Equal Protection
Craig v. Boren, Feeney; Rostkler pp. 37-55

Tuesday, February 12th: Johnson – Equal Protection
J.E.B. v. Alabama pp. 55-63; *Hogan* pp. 705-708;
U.S. v. Virginia pp. 63-72
** Exam review

Thursday, February 14th: EXAM ONE

Unit Two: Violence Against Women

Tuesday, February 19th: Showden: Intimate Partner Violence
pp. 203-205; 276-290; 304-316; (skim: 316-321, VAWA).

Thursday, February 21st: Showden: Intimate Partner Violence, continued
Documentary: *Defending Our Lives*

Tuesday, February 26th: Johnson – Domestic Violence
Hynson, Brown pp. 297-301; *Dowd* pp. 321-326

Thursday, February 28th: Showden & Johnson: Rape
pp. 241-255;
Berkowitz pp. 228-235; *Michael M.* pp. 270-274

Tuesday, March 4th: **Debate #1:** Equality, Difference, and Violence Against Women

Unit Three: Women and Reproduction

Thursday, March 6th: Showden: Birth Control, Sterilization, and “Cocaine Babies”
pp. 403-416; 482-494.

Tuesday, March 11th: SPRING BREAK
Thursday, March 13th: SPRING BREAK

Tuesday, March 18th: Johnson – Privacy
Griswold, Roe and Harris (pp. 418-427; 431-438)

Thursday, March 20th: Johnson – Abortion
Webster, Casey (pp. 438-451); *Stenberg* (on reserve); Notes (pp. 473-475)

Tuesday, March 25th: Showden: New Reproductive Technologies
Readings TBA (e-reserve)

Thursday, March 27th: Johnson: New Reproductive Technologies
Baby M pp 503-509, *Johnson* pp. 512-514, *Davis* pp. 516-520

Unit Four: Women and Family Law

Tuesday, April 1st: Showden: Marriage and Divorce
pp. 538-555.

→ **Paper One Due at the Beginning of Class**

Thursday, April 3rd: Showden - Child Care and Child Custody
pp. 622-628; 663-674; 678-682; 693-701.

Tuesday, April 8th: Johnson – *Hewit* pp. 555-557; *Loving* (on reserve); *Goodridge* pp. 572-586

Thursday, April 10th: Johnson – Family Medical Leave Act and Alternatives
pp. 599-622

Tuesday, April 15th: **Debate #2:** Marriage, Divorce, and Child Custody

Unit Five: Women, Education and The Work Place

Thursday, April 17th: Showden: Sexual Harassment
pp. 792-795; 825-826; 846-852; 876-882.

Tuesday, April 22nd: Showden: Sexual Harassment, continued
Review readings from April 17th.

Thursday, April 24th: Johnson – Harassment in the Workplace
Troupe pp. 800-804; *Carnegie* pp. 809-812; *Brown* pp. 814-820;
Meritor pp. 826-830; *Harris* pp. 834-836; *Oncala* pp. 839-842;
Price Waterhouse pp. 857-861

Tuesday, April 29th: Johnson – Harassment in Schools
Gebser pp. 760-764; *Davis* pp. 764-769

→ **Paper Two Due at the Beginning of Class**

Thursday, May 1st: Johnson/Showden – class discussion – Future directions in feminist
jurisprudence
**Exam review

Thursday, May 8th: Final Exam, Noon - 3:00 p.m.