COURSE: Gender & Justice (2)  714

PROFESSOR: Nancy Levit

PREREQUISITE(S): None

METHOD OF GRADING: Students will be given the individual option of either a 25 page paper on a topic of the student’s choice (which can satisfy the R & W requirement) or a take-home exam.

SUMMARY DESCRIPTION OF COURSE: Students will examine and discuss legal issues that have a substantial impact on the construction of gender. Topics will include (among others) sexual discrimination, sexual harassment, feminist theory, domestic violence, reproductive autonomy, custody decisions, feminist theory the politics of housework, depictions in popular culture of femininity and masculinity, and pornography. The course seeks to present each topic in its social context by supplementing legal readings with materials drawn from the social sciences, literature, and film.

More specifically, the course will cover: the history of the women’s movement, from Seneca Falls to suffrage; why we lost the Equal Rights Amendment; the Supreme Court’s constitutional dances with gender and sexual orientation; feminist theory in its various incarnations (equal treatment theory, cultural feminism, radical feminism, lesbian theory, and racial essentialism); feminist theory and the alienation of men; intimate violence (state laws regarding domestic violence and rape, the Academy Award winning documentary Defending Our Lives, the new theory from evolutionary biologists that biological impulses predispose men to commit rape, the Violence Against Women Act); law and the construction of sexuality, including sexual freedom, heterosexuality, homosexuality and transsexualism (Leslie Feinberg’s Stone Butch Blues and Renee Richards and tennis), and sex work; reproductive rights (abortion, birth control, surrogacy, cocaine babies and the pregnancy police); gender differences in perception and language; the legal regulation of marriage and family life (heterosexual and same sex marriage, the politics of housework, custody); gender in the workplace (sex discrimination against women and men and the Title VII standards, sexual harassment of both sexes, peer harassment in schools, professional appearance cases, equal pay, and comparable worth); and legal education and practice (gender bias in law schools and legal practice, lawyering in a different voice). We will also do a mock moot court exercise to argue the constitutionality and wisdom of an anti-pornography ordinance, listen to a conversation between sociolinguist Deborah Tannen (Talking From 9 to 5) and mythopoetic men’s rights advocate and poet Robert Bly (Iron John), view a short movie, “A Jury of Her Peers,” regarding gender and the admission of evidence in trials, and devote attention to the intersections of popular culture and law.

Enrollment limited to 25 students.