**POLS 4750: Gender, Law, and Politics**

University of Georgia Fall 2022
TR 8:00-9:15
Location: Baldwin 301

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| Instructor | Email | Office Location & Hours |
| Alyson Hendricks-Benton | aeh46145@uga.edu | 303AOffice Hours: T & R: 11:00 AM-12:00 PM or by appointment |

# General Information

## Description

This course is designed to help students place and understand gender in the American legal landscape at the federal and state levels. Students will engage with gender literature through court cases, academic papers, and current events in the media. Gender will be examined from the beginning of the republic to present day and will include discussions of different types of discrimination, inequalities, and sexuality throughout American Political Development.

## Expectations and Goals

Students are expected to attend/*participate* in class every day and turn in assignments on time. Students should be able to trace and explain how gender and the meaning of gender has changed within the eyes of the law and Supreme Court throughout American history. Laptops are permitted but please limit cell phone use. If there is an emergency, step into the hall.

# Course Materials

## Required Text

**Bartlett, K. T., Rhode, D. L., Grossman, J. L., & Brake, D. L. (2020). *Gender Law & Policy*. Third Ed.\***

ISBN: 978-1543813739

On the syllabus, the textbook will be denoted as BRGB and supplemental readings will be posted on ELC and noted as ELC on the syllabus.

\*Because of the cost of this textbook, you may also choose the second edition, which is available for a lower cost. The page numbers and layout are similar to the third edition listed above and you should have no trouble following along. I will try to post corresponding page numbers when I can.

**Course Grades**

*\* Case briefs must be handed in in a hard copy when the student’s name is called but they may be hand-written or typed. Other written assignments detailed below are to be emailed by the stated due date below.*

This course will be based on a 100 -point scale, detailed below:

***Participation (20%):***Students are expected to attend class every day. Each student gets 2 excused absences. Barring family emergencies, any additional absences will negatively affect your participation grade. 6 points are allotted for spoken participation and 14 points are allotted for written participation (often in the form of tickets out the door). Discussion is key to understanding constitutional law in context, especially for an area of law as salient as gender!

***Exams (40%; 20% each):***There will be one midterm and one final exam. The midterm will cover material from the first half of class and the final will cover the last half. The final exam is not cumulative. Exams consist of three sections. The first part is short answer (one to two sentences) (5 points), followed by two compare and contrast of cases (8 points), and a short essay (2-3 paragraphs) (7 points). If an exam is missed, the student must contact the instructor within 24 hours of missing the exam. The make-up exam must be taken within one week of the *original* exam date. Notice before missing an exam is appreciated but not required.

***Homework (10%):*** Briefing cases is essential to understanding constitutional law and placing it within American Political Development. Every class, I will randomly collect 5 case briefs from students. Each student will be called twice throughout the semester. The template on how to brief a case is on ELC.

***Simulation (15%):***Every student will receive a role (justice, attorney, or interest group member) and we will have a mock Supreme Court case hearing. Justices will write a biographical paper (2 pages double spaced) in which they demonstrate their understanding of the justice’s ideology and case logic. Attorney’s will prepare briefs, and interest group members will supply amici briefs. These briefs will each be 2 pages double spaced in length. The exact case and more instructions will be given later in the semester. Simulation instructions and student assignments given 10/13. **Simulation papers (depending on your role) due 11/30 on ELC by 5PM. Do not type your answers in the space provided by ELC.**

***Reflection Paper (10%):*** Every area of gender law and policy studied this semester has evolved since the beginning of American Political Development. Choose one unit topic (Workplace, Reproductive Rights, Education, Family Law/Obscenity, Crime/Violence, LGBTQIA+ Rights) and write a 3-5 page double spaced paper on how that area has transformed throughout the development of the United States. Use case law and readings to support your answer. **Due 11/23 on ELC by 5PM. Word document or PDF only. Do not type your answers in the space provided by ELC.**

***Web Day (5%):*** Throughout the semester, we will discuss the impact on media reporting and frames on gendered topics and decisions. Using the online resources posted on ELC and online UGA databases, students will write a 1-page double-spaced paper on how a major national newspaper has changed their discussion of gender from the 1990s to today. Each student will pick a unit topic and find two articles (one from the 1990s and one from 2020-now) and briefly discuss any changes in vernacular (use of pronouns, references to LGBTQIA+ community, inclusion of race, etc.). **Due 9/30 on ELC by 5PM. Word document or PDF only. Do not type your answers in the space provided by ELC.**

## Grading Scale

No plus/minus scale

90-100: A

80-89: B

70-79:C

60-69: D

59 and below: F

\*\*Late grades will have one point deducted for every day late. For example, if you received at 4.5/5 on your Web Day assignment, but turn it in a day late then your score will be 3.5/5.\*\*

## Academic Honesty

## All students are responsible for maintaining the highest standards of honesty and integrity in every phase of their academic careers. The penalties for academic dishonesty are severe and ignorance is not an acceptable defense. All academic work for this course must meet the standards contained in "A Culture of Honesty." Students are responsible for informing themselves about those standards before performing any academic work. The penalties for academic dishonesty are severe, and ignorance is not an acceptable defense.

## Title IX/Inclusion

This course will require discussion of potentially divisive topics. All viewpoints expressed in class should be respected. Disrespectful behavior will result in a deduction of participation points. The key to productive academic discourse is to respect other worldviews and beliefs.

## Special Accommodations

Accommodations for Disabilities (e.g., If you plan to request accommodations for a disability, please register with the Disability Resource Center. They can be reached by visiting Clark Howell Hall, calling 706-542-8719 (voice) or 706-542-8778 (TTY), or by visiting http://drc.uga.edu.) See https://drc.uga.edu/sample-access-statements/ for additional examples.

*Disclaimer: The course syllabus is a general plan for the course; deviations announced to the class by the instructor may be necessary.*

**Course Schedule**

**Week 1:** 8/15- 8/19: Syllabus

*\*First day of classes 8/17\** **R:** Syllabus and intro to class

**Week 2:** 8/22- 8/26: Foundations

*\*Tuesday (8/23) is the last day to add/drop classes\**

**T:** How to brief a case, foundations of judicial analysis

**R:** Suffrage and the Women’s Movement

**Week 3:** 8/29- 9/2: Equal Protection Clause/Gender in the Constitution

**T:** Individual Rights: BRGB p. 57-64 (stop before reading *Orr*), p. 74-84

* Brief *Reed* v. *Reed*; *Frontiero* v. *Richardson*

**R:** Group and Indirect Discrimination: BRGB p. 67-74; p. 89-90

* Brief *Craig* v. *Boren*

**Week 4:** 9/5- 9/9: Media Coverage and Gender Frameworks

**T:** Gender and Sexuality in the Media: “Winning Coverage” (Barakso and Schaffner) (ELC); “Framing the Women’s March on Washington: Media coverage and

organizational messaging alignment” (Nicolini and Hansen) (ELC)

**R:** Salient Issue Coverage: “Covering Domestic Violence” (Maxwell et. al) (ELC); “Why the Stanford sexual assault case has become a national flashpoint, explained” (ELC) <https://www.vox.com/2016/6/7/11866390/brock-turner-stanford-sexual-assault-explained>

**Week 5:** 9/12- 9/16: Gender in the Workplace I

**T:** Title VII: BRGB p. 113-115; p. 123-127; p. 132-141

* Brief *Waterhouse* v. *Hopkins*

**R: NO CLASS**

**Week 6:** 9/19- 9/23: Gender in the Workplace II

**T:** Equal Pay Act: BRGB p. 92-113; Lily Ledbetter Act (ELC)

* Brief *EEOC* v. *Madison Community Unit School District No. 12*

**R:** Sexual Harassment: BRGB p. 419-451

* Brief: *Harris* v. *Forklift Systems Inc*

**Week 7:** 9/26- 9/30: Reproductive Freedom and Rights I

**T:** Forced Sterilization and Pregnancy Discrimination: “*Buck* v. *Bell* American Eugenics, and the Bad Man Test” (Suuberg) (ELC); BRGB p. 248-276

* Brief: *California Federal Savings* v. *Guerra*; *Young* v. *UPS*

**R:** Birth Control: BRGB p. 678-705

* Brief: *Griswold* v. *Connecticut*; *Eisenstadt* v. *Baird; Burwell* v. *Hobby Lobby Stores*

**Web Day Assignments due by Friday September 30 at 5 PM**

**Week 8:** 10/3- 10/7: Reproductive Freedom and Rights II

**T:** Abortion: BRGB p. 706-716

* Brief: *Planned Parenthood* v. *Casey*; *Roe* v. *Wade*

**R:** Abortion: Gestational Age Act (ELC); BRGB p. 717-737

* Brief: *Whole Women’s Health* v. *Hellerstadt*; *Dobbs* v. *Jackson Women's Health Organization*

**Week 9:** 10/10- 10/14: Education

**T:** ***Mid-Term Exam*
R: \***Start of Material for Final Exam\* \*Simulation Assignments and Case Given\*

* Same Sex Schooling: BRGB p. 293-308
	+ Brief: *United States* v. *Virginia*

**Week 10:** 10/17- 10/21: Education and Family Law

**T:** School Athletics and Title IX: BRGB p. 318-328

* Brief: *Cohen* v. *Brown University*

**R:** Divorce and Child Custody: BRGB p. 358-400

* Brief: TBA

**Week 11:** 10/24- 10/28: Family Law and Pornography

*\*Monday (10/24) is the last day to withdraw from classes\**

*\*Fall Break starts Friday 10/28\**

**T:** Surrogacy and Protection of Fetuses: BRGB p. 739-765

* Brief: *In re Baby M*; *Ferguson* v. *City of Charleston*

**R:** Pornography: BRGB p. 516-530

* Brief: *American Booksellers Association Inc* v. *Hudnut*

**Week 12:** 10/31- 11/4: Crime and Violence I

**T:** The Meaning of Consent: BRGB p. 617-663

**R:** Prostitution: BRGB p. 664-677

* Brief: *Lambert* v. *City of Atlanta* (242 Ga. 645, 1978) (ELC); *Lee* v. *State* (289 Ga. 95, 2011) (ELC)

**Week 13:** 11/7- 11/11: Crime and Violence II

**T:** Domestic Violence: BRGB p. 470-497

* Brief: *Stevenson* v. *Stevenson*

**R:** Domestic Violence and Masculinities: BRGB p. 497-514; 26-31

* Brief: TBA

**Week 14:** 11/14-11/18: LGBTQIA+ Rights I

**T:** Right to Privacy in the Home

* Brief *Bowers* v. *Hardwick*; *Lawrence* v. *Texas*

**R:** Sexual Orientation and Gender: Readings and Cases on ELC

* Brief *Romer* v. *Evans* (ELC); *Bostock* v. *Clayton County* (ELC)

**Week 15:** 11/21- 11/25: LGBTQIA+ Rights II

**T:** Same Sex Marriage

* Brief *Perry* v. *Schwarzenegger*; *Obergefell* v. *Hodges*

**R: NO CLASS; THANKSGIVING BREAK**

**Reflection Papers are due by Wednesday November 23 at 5 PM.**

**Week 16:** 11/28- 12/2: **Simulation Papers due November 30 at 5 PM.**

**T:** Simulation Prep Day **R:** Simulation

**Week 17:** 12/5- 12/9

**T:** Review for Final Exam **R: READING DAY**

**FINAL EXAM THURSDAY DECEMBER 9: 8:00 AM -11:00 AM**

## FERPA

FERPA Notice (e.g., The Federal Family Educational Rights and Privacy Act (FERPA) grants students certain information privacy rights. See the registrar’s explanation at reg.uga.edu/ general-information/ferpa/. FERPA allows disclosure of directory information (name, address, telephone, email, major, activities, degrees, awards, prior schools), unless requested in a written letter to the registrar.)

## Mental Health and Wellness Resources

• If you or someone you know needs assistance, you are encouraged to contact Student Care and

Outreach in the Division of Student Affairs at 706-542-7774 or visit https://sco.uga.edu/. They will

help you navigate any difficult circumstances you may be facing by connecting you with the

appropriate resources or services.

• UGA has several resources for a student seeking mental health services

(https://www.uhs.uga.edu/bewelluga/bewelluga) or crisis support

(https://www.uhs.uga.edu/info/emergencies).

• If you need help managing stress anxiety, relationships, etc., please visit BeWellUGA

(https://www.uhs.uga.edu/bewelluga/bewelluga) for a list of FREE workshops, classes, mentoring,

and health coaching led by licensed clinicians and health educators in the University Health Center.

• Additional resources can be accessed through the UGA App.