

GENDER, LAW, AND POLITICS

POLS 4750 –Spring 2023 Tues/Thurs 301 Baldwin 2:20-3:35pm

Professor Susan B. Haire

Office hours:

I am easiest to reach via email: cmshaire@uga.edu. We can discuss many things through email but if you need an appointment, don't hesitate to ask:

cmshaire@uga.edu

My office is located in the main office for political science: Baldwin 180.

Over the last several decades, judges have grappled with disputes that range from questions of contractual obligations by surrogate mothers to allegations of unequal athletic programs in colleges and universities. In this respect, courts play an important policy making role as they define the legal parameters for marriage and divorce, equal employment opportunities, domestic violence, reproductive freedom, child custody, economic and educational equity. To understand the relationship between law and gender, this course will draw on case law, doctrinal analyses, and social science scholarship. In addition, we will examine the factors that affect the decision making of those who sit on appellate courts in these areas, including the US Supreme Court. By the end of this course, students will be familiar with legal principles and the institutions that shape policy making in these areas. Students, together and individually, will develop their ability to analyze and communicate orally and in writing.

Text

All assigned readings and videos will be available through GALILEO/Westlaw, publicly accessible web sites or uploaded to ELC.

Organization of Class

This class is divided into topical modules with each covering 1-2 weeks of materials. Students are expected to be prepared prior to class by reading and reviewing assigned materials, as noted on ELC. During the time period set aside for class, we will be focused on discussions and exercises that build on what you have read (or watched) prior to class. *Students should check email accounts regularly (and on ELC) for messages and updates.* I will provide specifics on assignments, scheduling, and due dates on ELC. Below is a general topical outline for the semester:

1. Foundations – overview of judicial process, stare decisis, and reading caselaw
2. Suffrage and voting
3. Gender and Constitution: Equal Protection Clause
4. In the workplace, part I: Equal Pay Act, Title VII
5. In the workplace, part II: sexual harassment, pregnancy, affirmative action

Midterm assessment

6. Reproductive freedom
7. Family law: marriage, divorce, child custody, parental rights
8. Education: equal protection, single-sex schools, Title IX
9. Crime: domestic violence, sexual assault, campus crime, human trafficking
10. Supreme Court decision making

Requirements

Your grade in this class will be weighted as follows:

Participation (15%). All students are expected to participate in class sessions, requiring regular attendance. Participation will come in many forms: responses to my open-ended queries during class, responses while in the “hot seat”, and in-class small group exercises. Everyone will have multiple opportunities to “sit in the hot seat” over the course of the semester. On those days where we will be discussing caselaw, the “hot seat” is used as a modified form of the Socratic method (I’ll explain this more on the first day of class).

Our classroom is a place of learning where all are welcome. Ideas are much more likely to emerge in an inclusive environment where we each bring a different identity to class—and this relies on the participation of all of you. I encourage you to ask questions and respond to class discussion, but also understand that you are doing so in a learning environment in which we all are expected to treat one another with respect. Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with differences of race, culture, religion, politics, sexual orientation, gender, gender variance, and nationalities. Class rosters are provided to the instructor with the student’s legal name. I am eager to address you by your preferred name and/or gender pronoun. I may also need guidance on pronunciation of your name. Please advise me of this preference early in the semester so that I may make appropriate changes to my records. You should also let me know if you will need to miss class due to religious observance.

Given the interactive nature of this class, students should make every effort to attend. If you experience a severe illness or you are dealing with a chronic sickness, please contact me and/or Student Care and Outreach: <https://sco.uga.edu/> via email so that we can work out an accommodation. If you miss a class due to illness or a University-supported program/obligation, please send me documentation so that I have it for my records.

Mid-term assessment (30%) : In class. February 23rd and February 28th. For this summative assessment, your exam will include short “answer” (15% - February 23rd) and a series of analytical essays in response to prompts (15% - February 28th).

Quizzes (20%) In the second part of the semester, I will give five in-class quizzes (one for each module 6-10) and drop your lowest quiz grade, leaving you with four quiz scores, each worth 5%. If you miss a quiz, whether due to an excused absence or not, you will receive a zero (and that will be your lowest quiz score). You will be notified of an upcoming in-class quiz the

immediate class prior. Each quiz focuses on the assigned readings for class and should take no more than 10 minutes to complete.

Paper and Simulation – final (25%). Each simulation will involve the consideration of a hypothetical case before the US Supreme Court. You will be assigned a justice to play in this simulation. Justices are expected to prepare for their role by analyzing the past voting behavior and opinion writing of their assigned judge/justice. You are to vote, debate, and write in the simulation as you believe the jurist would do if actually confronted with a real case similar to the hypothetical dispute. You will turn in an essay (approximately 10 pages, 20%) that includes: your justice’s professional background as it relates to the case (1-2 pages), an analysis of the justice’s decision making, with particular attention to previous positions on similar issues (appr. 5 pages), and an analysis of the justice’s present stance on the hypothetical case before the court (appr. 3 pages). Although the writings of your justice will guide your paper, the essay also will be expected to demonstrate an ability to develop an appropriate analytical framework for that issue. In addition, during the final exam period, justices will participate in “mock” conference deliberations (5%).

Grading scale:

A 92.5 and higher

A-: 89.5-92.4

B+ 87.5 – 89.4

B 82.5-87.4

B- 79.5-82.4

C+ 77.5 – 79.4

C 70-77.4

C- 68.5-69.9

D 60-68.4

F below a 60

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. This includes the expectation that all work submitted is your own (unless it is work conducted as a group). The penalties for academic dishonesty are severe, and ignorance is not an acceptable defense.

Accommodations. If you plan to request accommodations for a disability, please register with the

Disability Resource Center at drc@uga.edu or 706-542-8719.

If the fire alarm sounds, we will exit the building and reassemble in the parking lot across the street and next to the Main Library to make sure everyone exited the building. If there is a tornado warning, we will move to the shelter location in the ground floor of Baldwin and account for everyone. If you have concerns about other emergencies or if you have special circumstances that I need to know about in case of an emergency, please speak to me after class.

Health

The University has a number of mental health and wellness resources available for students to access:

- 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 located on the App.

Schedule - tentative

Jan. 10th – introductory class, syllabus review, *held on zoom*

Time: Jan 10, 2023 02:20 PM Eastern Time (US and Canada)

<https://zoom.us/j/99536649407?pwd=TUFOOFovOXBtKytseVBZZFZsb1BaZz09>

Meeting ID: 995 3664 9407

Passcode: 613674

One tap mobile

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Jan. 12th – Module 1 – Foundational knowledge and methods
See ELC module 1: readings and assignment
Submit assignment on ELC by Jan. 12th 5pm

Jan. 17th , Jan. 19th - Module 2 – Women’s suffrage

Module 2a (Jan. 17th) Historical background

Module 2b (Jan. 19th) Women and political participation today

Module 3 – Equality and the US Constitution –

- a) The “beginnings” – use of hot seat begins....Jan. 24th
- b) The 1970s – Jan. 26th
- c) Applying the Craig test – Jan. 31st

Module 4 – Workplace discrimination: Equal Pay Act, Title VII

Feb. 2nd 7th, 9th

Module 5 – Sexual harassment, pregnancy, affirmative action

Feb. 14th, 16th, 21st

Midterm – February 23rd, 28th