

POLS 4750: Gender, Law, and Politics

University of Georgia Spring 2025

MWF 12:40-1:30

Location: Baldwin 102

Instructor

Alyson Hendricks-Benton

Email

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Office Location & Hours

101W

Monday/Wednesday 11:15-

12:30

By appointment; Zoom

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, Katharine T., Deborah L. Rhode, Joanna L. Grossman, Deborah L. Brake, and Frank Rudy Cooper. *Gender Law and Policy* 4th ed. (2023). ISBN: 979-8886142198

On the syllabus, the textbook will be denoted as BRGBC 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 posted on eLC 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.**

Digital 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: 1/6-1/10: Syllabus and Foundations

First day of classes 1/6

Add/Drop ends 1/10

M: Syllabus and intro to class

W: Foundations of judicial analysis and the United States' court system: Read "The Federal Judicial System" (ELC)

F: Case Briefs and WestLaw (ELC): Go over template, examples, and do a practice brief in class (*Rochin v. California*)

Beginning of Unit 1: Foundations, Incorporation, EPC, and DPC

Week 2: 1/13-1/17: Foundations, Incorporation, EPC, and DPC I

M: Foundations Review and Introduction to Incorporation

- Brief:

W: Incorporation Continued

Brief:

F: Equal Protection Clause and the Due Process Clause; EPC and DPC readings on eLC

Week 3: 1/20-1/24: Foundations, Incorporation, EPC, and DPC II

M: NO CLASS MLK DAY

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

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

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

- Brief *Craig v. Boren*

Beginning of Unit 2: Media and Gender

Week 4: 1/27-1/31: Media and Gender I

M: 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)

W: 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>;
"Media and the Depp Heard Trial" <https://time.com/6183505/amber-heard-perfect-victim-myth-johnny-depp/>

F: NEED LESSON

Beginning of Unit 3: Gender in the Workplace

Week 5: 2/3-2/7: Gender in the Workplace I

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

- Brief *Waterhouse v. Hopkins*

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

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

F: Sexual Harassment: BRGB p. 419-451

- Brief: *Harris v. Forklift Systems Inc*

Digital Day Assignments due by Friday, February 7 at MIDNIGHT

Week 6: 2/10-2/14: Gender in the Workplace II and Reproductive Freedom and Rights I

M: Appearance Regulation in the Workplace

Beginning of Unit 4: Reproductive Freedom and Rights

W: 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*

F: Birth Control: BRGB p. 678-705

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

Week 7: 2/17-2/21: Reproductive Freedom and Rights II

M: Abortion: BRGB: 709-724 Midterm Exam Study Guide

- Brief: *Planned Parenthood v. Casey; Roe v. Wade* (ELC)
- Hand out midterm review guide

W: Abortion: Gestational Age Act (ELC); BRGB: 725-737

- Brief: *Whole Women’s Health v. Hellerstadt; Dobbs v. Jackson Women’s Health Organization* (ELC)

F: Abortion Continued

- Simulation roles assigned

Week 8: 2/24-2/28: Review and Midterm

M: Review and answers to practice compare and contrast

W: Review

F: MIDTERM EXAM

Week 9: 3/3-3/7: Spring Break

M: NO CLASS

W: NO CLASS

F: NO CLASS

Beginning of Material for Final Exam

Beginning of Unit 5: Education and Family Law

Week 10: 3/10-3/14: Education and Family Law I

M: Same Sex Schooling: BRGB p. 293-308

- Brief: *United States v. Virginia*

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

- Brief: *Cohen v. Brown University*

F: Divorce and Child Custody: BRGB p. 358-400; Divorce reading (ELC)

- Brief: *Ex Parte Devine* (ELC); *Beck v. Beck* (ELC)

Week 11: 3/17-3/21: Education and Family Law II and Pornography, Sex Work, and Human Trafficking I

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

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

Beginning of Unit 6: Pornography, Sex Work, and Human Trafficking

W: Pornography: BRGB p. 516-530

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

F: The Meaning of Consent and the VAWA of 1994: BRGB p. 617-663; VAWA reading (ELC)

Brief: *U.S. v. Morrison* (ELC)

Week 12: 3/24-3/28: Pornography, Sex Work, and Human Trafficking II

M: Sex Work: BRGB p. 664-677; The Meaning of Consent BRGB p. 617-648

- Brief:; *Lee v. State* (289 Ga. 95, 2011) (ELC); *Michael M v. Superior Court of Sonoma County*; *State v. Jones* (BRGB)

W: Human Trafficking

F: Human Trafficking Continued: Watch Law and Order SVU

Beginning of Unit 7: Crime and Violence

Week 13: 3/31-4/4: Crime and Violence I

4/3 is the last day to withdrawal from classes

M: Domestic Violence: BRGB p. 470-497

- Brief: *Stevenson v. Stevenson*

W: Domestic Violence and Masculinities: BRGB p. 497-514; 26-31; “Gendering Violence” (ELC)

F: Sexual Assault and Rape

Week 14: 4/7-4/11: Crime and Violence II and Socioeconomic Characteristics and LGBTQIA+ Rights I

M: Campus Rape and Rape Law

Beginning of Unit 8: Socioeconomic Characteristics and LGBTQIA+ Rights

W: Gender and Religion

F: Intersectionality and Invisibility: Gender and Race

Week 15: 4/14-4/18: Socioeconomic Characteristics and LGBTQIA+ Rights II

M: Right to Privacy in the Home: Lifestyle and Individual Rights Readings (ELC)

- Brief: *Lawrence v. Texas* (ELC); *Romer v. Evans* (ELC); *Bostock v. Clayton County* (ELC)

W: Right to Marry for Same Sex Couples BRGB p. 339-357.

- Brief: *US v. Windsor* and *Obergefell v. Hodges*

F: Transgender Rights in Society

Reflection Papers are due by Friday April 18th at MIDNIGHT.

Simulation Papers due April 22nd at MIDNIGHT.

Week 16: 4/21-4/25: Simulation

M: Simulation Prep

W: Simulation

F: Simulation

Week 17: 4/28: Review

****Tuesday 4/29 is reading day****

M: Review for Final

W: FINAL EXAMS BEGIN

F: FINAL EXAM 4720

FINAL EXAM WEDNESDAY APRIL 30: 12:00 PM-3:00 PM

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.

COVID-19

Students who test positive for COVID-19 may attend class virtually. It is recommended not to come to class if you have tested positive or are feeling ill.