

Gender and Law

Seattle University School of Law

Spring 2018

Prof. Dean Spade

Course Description

This course examines how gender categories and norms are constructed in and enforced by law. Course materials engage an intersectional approach, analyzing how gender norms are co-constituted with other categories such as race, nation, and ability. The course will look at how systems of law enforcement, including criminal and immigration enforcement, produce gendered surveillance, confinement and violence. We will use interdisciplinary materials to ask how various scholars and social movements have understood law as both a site of the enforcement of coercive gender systems and as a potential tool of resistance to such systems.

Week 1

(January 14, 16)

Evelyn Nakano Glenn, "The Social Construction and Institutionalization of Gender and Race" in Revisioning Gender, ed. Myra Marx Ferree, Judith Lorber, and Beth B. Hess (Lanham: Altamira, 1999), 3-35.

Week 2

(January 23) (Jan. 21 classes cancelled for MLK Day)

Amy Erdman Farrell, Fat Shame: Stigma and the Fat Body in American Culture (New York: New York University Press, 2011), chapters 3 and 6.

Dylan Vade and Sondra Solovay, "No Apology: Shared Struggles in Fat and Transgender Law," in The Fat Studies Reader, eds. Esther Rothblum and Sondra Solovay (New York: New York University Press 2009), 167-175.

Week 3

(January 28, 30)

Andrea Smith, "Heteropatriarchy and the Three Pillars of White Supremacy: Rethinking Women of Color Organizing," in Color of Violence, ed. Incite! (Durham: Duke University Press, 2016)

Excerpts from This Bridge Called My Back: Writings by Radical Women of Color, eds. Cherríe Moraga and Gloria Anzaldúa (Albany: State University of New York Press, 2015):

Barbara Cameron, "Gee, You Don't Seem Like an Indian From the Reservation"
Audre Lorde, "The Master's Tools Will Never Dismantle the Master's House"
Combahee River Collective, "A Black Feminist Statement"
Pat Parker, "Revolution: It's Not Neat or Pretty or Quick"

Optional:

Cherríe Moraga, "La Güera"

Mitsuye Yamada, "Invisibility Is an Unnatural Disaster: Reflections of an Asian American Woman"

Week 4

(Feb 4,6)

Danielle L. McGuire, At the Dark End of the Street: Black Women, Rape, and Resistance, Prologue and Chapters 2, 3, 7, and 8.

Week 5

(February 11, 13)

Kimberle Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color," in The Public Nature of Private Violence, ed. Martha Fineman (London: Routledge, 1994), 93-115.

Beth Richie, Arrested Justice: Black Women, Violence, and America's Prison Nation (NYU Press, 2012), 1-22.

Juanita Diaz-Cotto, "Latinas and the War on Drugs in the United States, Latin America, and Europe," in Global Lockdown, ed. Julia Sudbury (London: Routledge, 2005), 137-148.

Black Women Matter Zine, "Black Women Matter," Underground Sketchbook, Dec. 21, 2014, last accessed January 4, 2019.

<http://issuu.com/undergroundsketchbook/docs/blackwomenmatteronline>

Week 6

(February 20) (Feb 18 Classes Cancelled for Presidents' Day)

Toshio Meronek, "Be Killed or Be Caged," Advocate, July 18, 2013, last accessed January 4, 2019. <http://www.advocate.com/crime/2013/07/18/be-killed-or-be-caged?page=full>

Joey L. Mogul, Andrea J. Ritchie, and Kay Whitlock, Queer (In)justice: The Criminalization of LGBT People in the United States, 1-68.

Week 7

(February 25, 27)

Joey L. Mogul, Andrea J. Ritchie, and Kay Whitlock, Queer (In)justice: The Criminalization of LGBT People in the United States, 92-158.

Week 8

(March 4, 6)

Kamala Kempadoo, "Victims and Agents of Crime: The New Crusade Against Trafficking," in Global Lockdown, ed. Julia Sudbury (London: Routledge, 2005), 35-52.

Julietta Hua, "Telling Stories of Trafficking: The Politics of Legibility." Meridians: Feminism, Race, Transnationalism 12 no. 1 (2014): 201-207.

Emi Koyama, "Understanding the Complexities of Sex Trade/Work and Trafficking" zine, excerpts:

- "The Anti-Trafficking Movement and the Betrayal of Street Youth by the Social Service Industrial Complex,"
- "Youth in the Sex Trade: How Understanding Push & Pull Factors Can Better Inform Public Policy."

Week 9
(March 11, 13)

Excerpts from Kim, Meiners, Petty, Petty, Richie and Ross, eds. The Long Term: Resisting Life Sentences, Working Toward Freedom:

- "'Do We Want Justice or Do We Want Punishment?' A Conversation about Carceral Feminism between Rachel Caidor, Shira Hassan, Deana Lewis, and Beth E. Richie"
- Boneta-Marie Mabo, "The Longest Long Term: Colonization and Criminalization of First Nations' Land and Bodies"
- Victory Law, "Against Carceral Feminism"
- Mariame Kaba, "Circles of Grief, Circles of Healing"
- Janaé E. Bonsu, "Fund Black Futures as an Abolitionist Demand"
- Rachel Herzing and Erica R. Meiners, "Meditations on Abolitionist Practices, Reformist Moments"
- Ann Russo, "Ten Strategies for Cultivating Community Accountability."

Alisa Bierria et al, "Taking Risks: Implementing Grassroots Community Accountability Strategies," in Color of Violence, eds. INCITE! (Durham: Duke University Press, 2016).

Week 10
(March 25, 27)

Lila Abu-Lughod, Do Muslim Women Need Saving? (Harvard University Press: 2013) Introduction and Chapter 1.

Week 11
(April 1, 3)

Mia Mingus, "On Claiming My Movement: Disability and Reproductive Justice," December 2, 2009, last accessed January 4, 2019, <https://leavingevidence.wordpress.com/2009/12/02/on-claiming-my-movement-disability-and-reproductive-justice/>

Angela Davis, "Reproductive Rights," in An Introduction to Women's Studies: Gender in a Transnational World, eds. Inderpal Grewal and Caren Kaplan (New York: McGraw Hill, 2006): xx-xx.

Marsha Saxton, "Disability Rights and Selective Abortion." in The Disability Studies Reader, ed. Lennard Davis (London: Routledge, 2013), 87-99.

Briggs et al, "Roundtable: Reproductive Technologies and Reproductive Justice." Frontiers 34 no. 3 (2013): 102-125.

Week 12

(April 8, 10)

Eithne Luibheid, Entry Denied: Controlling Sexuality at Border, p. ix-76 (2002).

Week 13

(April 15, 17)

Eithne Luibheid, Entry Denied: Controlling Sexuality at Border, p. 77-146 (2002).

Week 14

(April 22, 24)

Dian Million, "Policing the Rez: Keeping No Peace in Indian Country." Social Justice 27 no. 3 (2000): 101-119.

Andrea Smith. "The Moral Limits of the Law: Settler Colonialism and the Anti-Violence Movement." Settler Colonial Studies 2 no. 2 (2012): 69-88.

Week 15

(April 29, May 1)

Priya Kandaswamy, "State Austerity and the Racial Politics of Same-Sex Marriage." Sexualities 11 no. 6 (2008): 706-725.

Craig Willse and Dean Spade, "Marriage Will Never Set Us Free," Organizing Upgrade, September 2013, last accessed January 6, 2019, <http://www.organizingupgrade.com/index.php/modules-menu/beyond-capitalism/item/1002-marriage-will-never-set-us-free>.