

Seattle University School of Law

Critical Perspectives on Transgender Law

Spring 2009

Thursdays 12-1:50pm

Prof. Dean Spade

Office Hours: Tuesdays: 5:50-6:45pm, Thursdays 5:50-6:45pm and by appointment

REQUIRED TEXTS

The Color of Violence, ed. Incite! Women of Color Against Violence (South End Press, 2007).

The History of Sexuality, Vol. 1, Michel Foucault.

All other readings will be provided as PDF files on the TWEN or as handouts in class.

COURSE REQUIREMENTS AND GRADING

Attendance and Participation. You are expected to attend all sessions of the class. Attendance and participation count for 40% of the final grade. Participation includes TWEN participation. You are expected to post something every week at minimum. You will sign up to provide a more in-depth response twice during the semester. On those days, you will be expected to provide a response of at least 4-5 paragraphs responding to the week's readings, connecting them to themes or concepts from previous discussions, and raising questions they bring up for you. This is not a place to summarize the readings, but rather to engage with them. On the weeks for which you are signed up to provide a significant response, it must be posted by 10am on the Wednesday before class. On the weeks when you are not signed up, you are expected to participate in one or more of the threads of conversation happening on TWEN at any length you desire.

Final Paper/Project. A final paper 7-10 pages in length will be assigned. Students will have a choice of several topics provided or can create their own in consultation with me. Papers are due by the end of the exam period. No extensions will be granted. You must discuss what your final paper is going to be about with me by March 1, 2009. The final paper/project counts for 60% of your grade.

Schedule (subject to change)

January 15

Michel Foucault, The History of Sexuality, Vol. 1. pp. 3-49

January 22

Michel Foucault, The History of Sexuality, Vol. 1. pp. 81-114, 135-159.

January 29

Doe v. Bell (PDF on TWEN)

MT v. JT, 355 A.2d 204, 211 (N.J. 1976).

Dwight B. Billings and Thomas Urban, *The Socio-Medical Construction of Transsexualism: An Interpretation and Critique*, 29 SOCIAL PROBLEMS 266, 276 (1982) (PDF on TWEN)

Nick Gorton, *Toward a Resolution of GID, the Model of Disease, and the Transgender Community* available at <http://makezine.enoughenough.org/giddisease.htm>

Optional Reading:

Eli Clare, *Exile and Pride* excerpt (PDF on TWEN)

Adrienne L. Hiegel, "Sexual Exclusions: The Americans with Disabilities Act as a Moral Code," 94 Colum. L. Rev. 1451 (1994)

February 5

Oiler v. Winn-Dixie, No. 00-3114, 2002 U.S. Dist. LEXIS 17417 (E.D. La. 2002)

Schroer v. Billington, 577 F.Supp.2d 293 (D.D.C. 2008).

Lopez v. River Oaks Imaging & Diagnostic Group, Inc., 542 F.Supp.2d 653 (S.D. Tex. 2008).

Etsitty v. Utah Transit Authority, 502 F.3d 1215 (10th Cir. 2007).

Dan Irving, *Normalized Transgressions*, *Radical History Review*, 2008.

February 12

Angela Harris, "From Stonewall to the Suburbs?" (PDF on TWEN)

February 19 (attend Angela Harris Lecture February 17 as replacement for April 2 class)

Chela Sandoval, "Methodologies of the Oppressed" excerpt (PDF on TWEN)

Color of Violence Chapters 1, 4, 17

February 26

Roderick A. Ferguson, *Aberrations in Black: Toward a Queer of Color Critique*, Pages 1-29 (PDF on TWEN)

Color of Violence Chapters 18, 25, 26

March 5

Dean Spade and Sam Feder, "Sparkling Difficult Dialogue" from *Makeshift* magazine (PDF on TWEN)

[Hispanic Aids Forum v. Estate of Bruno](#), 839 N.Y.S.2d 691 (2007).

[Goins v. West Group](#), 619 N.W.2d 424 (2000).

Janice Raymond, "Sappho by Surgery: The Transsexually Constructed Lesbian Feminist," in *The Transgender Studies Reader* (ed. Stryker) 2006.

Sandy Stone, "The Empire Strikes Back: A Posttranssexual Manifesto," in *The Transgender Studies Reader* (ed. Stryker) 2006.

Emi Koyama, "Whose Feminism Is It Anyway: The Unspoken Racism of the Trans Inclusion Debate," in *The Transgender Studies Reader* (ed. Stryker) 2006.

Screening:

Boy I am

Toilet training

Screaming Queens

March 12

Bassichis et al., *Intimate Investments* (PDF on TWEN)

Matt Richardson, et al., *Is gay marriage racist?* (PDF available at <http://makezine.enoughenough.org/prop8.html>)

March 26

Jasbir Puar, *Terrorist Assemblages*, Chapter 3 (PDF on TWEN)

Paisley Currah and Lisa Jean Moore, “‘We Won’t Know Who You Are’: Contesting Sex Designations on New York City Birth Certificates,” Forthcoming in *Hypatia* (Summer 2009)

April 2 class cancelled

April 9

Dean Spade, “Documenting Gender,” 59 *Hastings L. J.* 731 (2008).

Casillas v. Daines, 580 F.Supp.2d 235 (S.D.N.Y., 2008)

Materials related to Medicaid coverage of trans health care in WA

April 16

Christina Hanhardt, “Butterflies, Whistles and Fists: Gay Safe Street Patrols and the New Gay Ghetto 1976-1981,” *Radical History Review* 2007.

Alex Lee, “Gendered Crime & Punishment: Strategies to Protect Transgender, Gender Variant & Intersex People in America’s Prisons”

April 23

Excerpted Chapters from *The Revolution Will Not Be Funded* (Incite!, 2007)

Chapter 1: The Political Logic of the Non-Profit Industrial Complex, by Dylan Rodríguez

Chapter 2: In The Shadow of the Shadow State, by Ruth Wilson Gilmore

Chapter 4: Democratizing American Philanthropy, by Christine E. Ahn

Chapter 10: Social Service or Social Change?, by Paul Kivel

Dean Spade and Rickke Mananzala, “Trans Resistance and the Non-Profit Industrial Complex” (pdf on TWEN).