

WS/AMST/POLS 436 (E): Gender, Justice and Law
SP 2016 TH 8-10:30 a.m. WEB 203

Instructor:	Susan Hippensteele, Ph.D., J.D.
Office:	Saunders 722
Phone:	808 956 6928
e-mail:	hippenst@hawaii.edu
Office Hours:	By appointment

Course description, goals:

Gender, Justice and Law is a seminar course designed to provide students with an opportunity to examine various ways in which law is gendered and the degree to which law reinforces gender inequalities in daily life. Readings for the course help frame discussions of language, power, history, racism, capitalism, colonialism, and patriarchy and their relation to our individual and collective knowledge of the many ways we are affected by law, law creators, and law enforcers in the U.S. Specific topics of class discussion include, but are not limited to: colonialism and gendered violence; consumer culture, global trade and women's bodies; legal regulation of identity; same-sex marriage; the influence of radical feminist legal theory, critical legal studies, and critical race feminist theory on contemporary legal systems.

Students are required to present, analyze and discuss their own ideas and theories regarding contemporary social issues and to ground them epistemologically and politically. In addition, students are graded on the clarity, accuracy, precision, relevance, and logic of the positions they take and arguments they make in class.

This course has a Contemporary Ethical Issues (E) Focus designation. Contemporary ethical issues are fully integrated into the main course material and will constitute at least 30% of the content. At least 8 hours of class time will be spent discussing ethical issues. Through the use of lectures, discussions and assignments, students will develop basic competency in recognizing and analyzing ethical issues; responsibly deliberating on ethical issues; and making ethically determined judgment

In addition to the subject matter outlined above, Women and Madness incorporates the first two (2) of the three (3) Women's Studies Program Learning Objectives (PLO):

1. Demonstrated ability to engage in critical and interdisciplinary thinking, analysis, and problem solving through effective written and oral communication.
2. Evidence of ability to integrate key concepts in Women's Studies, including the social construction of gender; intersectionalities among gender, sexuality, race, class and other vectors of power and identity; social stratification; and how these issues manifest in a Pacific-Asia context in written and oral work.
3. Demonstrated ability to connect the classroom with "real world" feminist issues through active engagement in citizenship and civic participation.

Course Requirements:

1. All assigned readings for the week must be completed by the beginning of class. You must be prepared to discuss assigned readings, raise your own questions and analyses about the readings, and respond to questions posed by me or by others class members. Class participation is evaluated on the basis of attendance, frequency of participation during class discussions, and quality of contributions to class discussions.
2. You must complete a research paper on a topic discussed with, and approved by, me. The topic must thoroughly explore an ethical issue or dilemma within the general scope of topics discussed in this course. All papers must be fully cited in APA or ABA format and include endnotes or footnotes as appropriate. Final papers must be a minimum of 16 pages in length (1.5 spacing) excluding references and will be graded for content, depth and substance, organization, and overall clarity. You must use peer reviewed journals, published books, articles or other references that are academic in nature as citation sources. I will accept most government document references but these need to be approved prior to use if they web based. Students may not use exclusively web based sources or internet sites as sources unless they are peer reviewed and receive prior approval from me.

Note: Students who are uncertain about how to write a research paper need to see me early in the semester. If you believe you will need assistance in order to understand how to accomplish this assignment, and/or you have any questions about how to properly cite an author and how to avoid plagiarizing another's work, *ask!!* (But don't wait until right before your first draft is due or I may not have time to provide you the help you need.)

You should be prepared to discuss the substance of your research for 15 minutes on one of the three (3) paper presentation days, and be prepared to respond to questions from your peers and from me on your topic.

Grading: Your grade for this course is based on a 100 point scale: up to fifty (50) points can be earned for the research paper and fifty (50) points can be earned for quality class participation.

Other class policies:

1. Attendance: Mandatory. However, since illnesses and unexpected emergencies do occur, you have two free absences. 1/2 a grade will be deducted from the final course grade for every absence after the third one.
2. No Incompletes. Please note that an Incomplete may be given to an undergraduate **only** when the student "has not completed a small, but important part of a

semester's work if the instructor believes that the incomplete was caused by conditions beyond the student's control" (2015-2016 UHM Catalog).

3. **Plagiarism** or any other kind of cheating will not be tolerated. You will fail the course at the first instance of plagiarism or cheating on any assignment. See, 2015-2016 UHM Catalogue for discussion of academic integrity including plagiarism.
4. Grading Policy: A, B, C, D, F A = 4.0; B= 3.0; C = 2.0; D = 1..
5. All cell phones and paggers must be off during class session.
6. **Classroom as FREE SPEECH ZONE /Policy for Class, Small Group and E-mail Discussions:** In order for all of us to take full advantage of the educational communities we are in, we must keep to certain rules meant to ensure that everyone's views and ideas get a fair and respectful hearing. E-mail discussions are an extension of the classroom. The discussion etiquette for this class follows:
 - a. Listen to understand, not necessarily to agree.
 - b. Discuss ideas, not the speaker.
 - c. Allow speaker to complete remarks before you respond.
 - d. Speak, and then wait for others in class who wish to speak to do so before you speak again.
 - e. Keep in mind that one way to strengthen your essays/arguments is to express your ideas fully and to listen openly to the feedback and ideas of classmates. Disagreements with others, accompanied by useful suggestions, will usually help you to refine and develop your ideas. When you express disagreements with others' opinions, do so fully and respectfully, focusing on the idea or opinion under discussion. Most importantly, provide the best reasons you can come up with as to why you hold a certain position. A primary emphasis of this kind of class is to ask "why?"

Required Texts:

Kenney, Sally J (2013). *Gender & Justice; Why Women in the Judiciary Really Matter.*

Mogul, Joey L., Ritchie, A.J. & Whitlock, Kay (2012). *Queer (In)justice: The Criminalization of LGBT People in the United States.*

Ptacek, James (Ed.) (2009). *Restorative Justice and Violence Against Women.*

Stewart, Ann (2011). *Gender, Law and Justice in a Global Market.*

Emailed readings should be brought to class on assigned days.

Course Calendar:

- Jan 14 Course introductions; Intro to Legal Ethics Exercise: Chandler, Davidson & Harootonian (Eds), *Reasonable Evidence of Reasonableness* (Kelman); *On Finding Facts* (Sunstein); *A Rejoinder to Cass Sunstein* (Kelman) (emailed readings).
- Jan 21 Kenney (Intro, Foreward, Chpt 1- 2): Gender as social process, gender and judging.
- Jan 28 Kenney (Chpt 3-5); Rosalie Wall and other cautionary tales
- Feb 4 Kenney (Chpt 6-8): European courts, backlash, and next steps. **Research Paper Proposals Due.**
- Feb 11 Mogul & Whitlock (Note from Editor, Introduction, Chpts 1-2): Colonialism, gender benders and queer killers.
- Feb 18 Mogul and Whitlock (Chpts 3-5): Queer policing, sex and courts
- Feb 25 Mogul & Whitlock (Chpts 6-7): Systemic responses to GLBT violence
- Mar 3 Stewart (Intro, Chpts 1-2): Context and consumption.
- Mar 10 Stewart (Intro, Chpts 3-5): politics, production and the global food chain. **Paper Drafts Due.**
- Mar 17 Stewart (Intro, Chpts 6-9): Global body work markets and constructing women in law.
- Mar 31 Ptacek (Parts I-II); Restorative justice, activism and application in courts
- Apr 7 Ptacek (Parts III): Restorative justice and sex crimes, innovation, and cross-cultural applications.
- Apr 14 Paper Presentations. **Research Papers Due.**
- Apr 21 Paper Presentations.
- Apr 28 Paper Presentations.
- May 9-13 Final Exam Period