Feminist Theory/Law and Society

This course is an upper level seminar in feminist social and political theory. We will explore the contemporary debates in the field and address a wide range of topics, such as the mobilization of feminist movements and grassroots organizing among women of color; the condition of poor single mothers and their experiences with poverty programs; the peculiar American history of child care policy; reproductive technology, race, and disability; the confrontation between transgendered people and the law; women and incarceration; immigration law and the family; and transnational feminist protest against militarism, corporate profiteering, and human rights violations. Finally, in the last part of the course, we will examine the work of theorists who are widely read in the feminist law and society field, and we will ask whether or not their thinking adequately accommodates and responds to the theoretical and empirical problems that we have covered in the earlier parts of the course. This year, we will consider recent works by Catharine MacKinnon, Carole Pateman, Charles Mills, and Iris Marion Young.

Admission is restricted to juniors and seniors who have completed coursework in FGSS and/or in the GOVT political theory subfield. Please write to Prof. Smith (ams3@cornell.edu) to obtain permission to register in the seminar.

Course Evaluation
Presentation and Discussant's Response -- For every class, one person will be responsible for making a presentation on the required reading, and one person will act as the discussant. The presenter will make his/her paper (approximately 5 pages long; double-spaced) available to me and to other members of the seminar at least 24 hours before the class meeting. (We will distribute the papers via the students' e-mail addresses, using Word attachments. Please do not forward computer viruses to your colleagues, and please prepare your own computer for an onslaught of the latest viruses. We have not had any spectacular crashes for a few semesters, so it seems that if we place our faith in the professional services of the CIT people, we will all come out of the course with more or less intact systems. Just do your part by running the latest virus protection programs throughout the course, and try to avoid communicating with the class from unprotected computers. Many thanks! ) The discussant will then prepare his/her remarks. Ideally, presentations will last 25-35 minutes, and responses 15 minutes. Presentations and responses should be as jargon-free as possible, with all terms clearly defined. They should feature substantial close readings of selected passages from the assigned readings. (Please see my web page for a detailed memo on seminar presentation strategies.)
Depending on the level of enrollment, each participant may be required to do more than one presentation and response.

Like the presentation, the examinations will deal primarily with the required reading. The research paper, by contrast, should integrate the required reading and further scholarly materials obtained by the student himself/herself. (Students can find another memo on writing research papers posted on my web page.) I welcome discussions with students about possible research topics, thesis arguments, and research materials; just sign up on my office door (309 White Hall) for an appointment. The research paper is an opportunity to explore new ground; please address different readings in your presentation and in your research essay.

Auditors are expected to complete the required readings and to attend every session of the course. An S/U option is available, but students wishing to take the course for an S/U grade are urged to keep a sharp eye out for the College enrollment deadlines; in my experience, these have been set in stone.

Course Requirements

15% written version of short paper critically discussing the readings for one week, prior to spring break, circulated to the class before the class meeting (undergraduates must sign up to give a presentation during one of the meetings prior to spring break)

10% oral presentation of short paper in class, and class participation

20% mid-term examination (on required course readings assigned for sessions # 2-6; 90 minutes and closed book format): to be held outside class time during the week of 1-5 October

25% ten-page research paper on topic relating to at least two class meetings after session #5, incorporating both the required reading and additional material obtained by the student (you are strongly advised to consult with me about the selection of your topic and your thesis argument). Deadline – before Thanksgiving break

30% final examination (on required course readings assigned throughout the semester, with special emphasis on those assigned after session # 5; two hour and closed book format): to be held outside class time during the last week of classes

Additional Requirements

1. Cut rule: if you are significantly late or miss class altogether on more than two occasions, you will probably be asked to drop the course, out of fairness to your colleagues.

2. A grade of "F" in any one assignment will result in a grade of "F" for the course.
3. For more guidance on delivering an oral presentation to the class and on writing political theory essays, please see the relevant memos posted on my website:
http://falcon.arts.cornell.edu/ams3

Course Texts

The following texts have been ordered through the campus bookstore and placed on reserve at Uris Library. The journal articles are available online through the Library Gateway.

23 August 2007
Introduction

30 August 2007

Intersectionality and poverty law in the United States: how do gender, race, and class work together in the oppression of poor single mothers?

6 September 2007

How did the United States end up with a mostly private and very expensive child care system? What does this particular history tell us about policy priorities and official attitudes towards working women?

13 September 2007

According to the stereotypical depiction of the "welfare queen," poor black women are either passive victims or pathological members of the unruly underclass. How did poor black women seize upon public housing as a vital community resource and organize a grassroots movement to advance their families' right to a decent living standard in the case examined by Williams?

20 September 2007

King and Meyer document the structural difference in reproductive health care access for poor women as opposed to working class and middle class women. Ikemoto discusses the accessibility of health care for women of color. Roberts updates her work on the violation of poor black women's reproductive rights with a discussion of reproductive technologies. Asch, an ethicist and advocate for the disabled, discusses prenatal testing and selective abortion. What general lessons can we take from these case studies about the stratification of women's social rights in the United States?

27 September 2007
How are transgendered people treated in the United States by governmental and legal agencies? What does their treatment tell us about the confrontation between the socially constructed body and the intractability of the law?

[medium-term exam]

4 October 2007
The Muslim woman is typically depicted as either a victim of Islamic fundamentalism or as an evil co-conspirator bent on the violent destruction of Western civilization. How are Muslim women taking part in American society? How does their testimony challenge mainstream ideas about multicultural tolerance and secularism, that is, the separation between "church and state"?

[fall break]

11 October 2007
Incarceration is massively expanding in the United States, and the female prisoner population is also increasingly at an unprecedented rate. Why are more women going into detention facilities? How are they treated there? How does incarceration impact the woman inmate and her family? What is the effect of a prison term upon her wage earning and parenting, and how does this punitive encounter with the State shape her sense of herself as a citizen and member of her community?

18 October 2007
How is our taken-for-granted understanding of American citizenship being defined, shored up, and transformed by contemporary debates about immigration? What do we learn about inclusion, exclusion, and family policy when we consider the case of the undocumented alien?

25 October 2007
Why do American political leaders who support the US wars in Afghanistan and Iraq refer so often to the rights of foreign women? In what ways can we say that "woman" has come to signify not only the "hearth of the nation" but the national borders that separate "us" and "them" as well? What does war rhetoric teach us about the construction of femininity, masculinity, and sexuality, and how are all these figures racialized and mapped within an imperial imaginary?

1 November 2007
11. Mary Hawkesworth Globalization and Feminist Activism (New York: Rowman and Littlefield, 2006) and
What is "globalization"? Is it a feminist issue? How are activist women contesting social, economic, and political inequality? What does their political organizing tell us about the nation-state -- that is, the ways in which the nation-state is adapting to globalization and yet remaining absolutely relevant where the struggle to bring about gendered social justice is concerned? What challenges do Western human rights activists face when they seek to form transnational partnerships with women's organizations in the developing world?

In the last section of the seminar, we will examine a selection of work by well known senior scholars in the feminist law and society field. How well do their works accommodate and respond to the theoretical and policy questions raised by the texts that we have studied to date?

8 November 2007

15 November 2007

[research paper due]

[Thanksgiving break]
29 November 2007

[final examination]