Sex Discrimination Law

Professor Adrien Wing

Fall 2012

This course surveys sex based discrimination and legal responses in the United States and around the world. Within the American context, it will cover constitutional guarantees as well as various statutory guarantees, including Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. In the global context, the course will examine various regions of the world, with an emphasis on countries including France, South Africa, and those with majority-Muslim populations. Issues involving customary law, affirmative action/quotas, and constitutional reform will be among those featured. Writing credit is available.

TEXTS

The texts for the course will be:


DO NOT BUY A PRIOR EDITION.


3. Handouts

REQUIREMENTS

1. There will be a take home open book exam question distributed on the last day of class. It will be due on a date agreed to by the class. The exam question will be worth 30%.

2. Each student will do a 15 minute oral and written class presentation of one day’s readings. The length of the written component is variable. Many students now do PowerPoint and we circulate the slides via email. Some of the power points even contain video clips which can be highly effective. The presentation may include: questions raised by each reading, relations of the readings to other readings and current events, issues for further study, etc. DO NOT SUMMARIZE THE DAY’S READINGS. This aspect may include a role play, moot court, film clip or some other creative component. For the articles from the text, they are usually shortened version of law review pieces. You may want to seek out the full versions and also check for later articles. This assignment is worth 20%. The students should email the class the presentation no later than 6am of the day of the presentation.
3. Class participation will count 20% of the final grade. It includes regular class attendance and active contribution to class discussion. Comments should evidence a mastery of the readings. Anyone who will be absent should email me.

4. There will be a Roundtable at the end of the course which will count 30%. The Roundtable will consider cutting edge questions on where do we go from here? Students will orally present their question and submit their answer.

5. This course will not be graded on the Iowa curve.

OFFICE HOURS

The best time to reach me will be immediately after class. Additionally, you can email adrien-wing@uiowa.edu or call my cell phone 319-621-7674. Please do not come to see me in the hour before class. You can also drop by, and the best days are class days. Email if you want a specific appointment.

My assistant is Kelley Winebold in rm 469. She can be reached at 335-9099 or at kelley-winebold@uiowa.edu.

READINGS  -- Please note that there will be make up classes.

**Wed. Aug. 22**  BR Text pp. 25-26, 33-51. Be prepared to pick your two choices for class presentations.

**Mon. Aug. 27**  BR Text pp. 52-70  
**Tues. Aug. 28**  BR Text pp. 70-83, 92-102  
**Wed. Aug. 29**  BR Text pp. 103-121

**Mon. Sept. 3**  --no class  
**Tues. Sept. 4**  BR Text pp. 127-128, 131-33, 143-61  
**Wed. Sept. 5**  Part 2 Substantive Equality  BR Text pp. 161-85

**Mon. Sept. 10**  BR Text pp. 185-215  
**Tues. Sept. 11**  BR Text pp. 215-235  
**Wed. Sept. 12**  BR Text pp. 235-259

**Mon. Sept. 17**  BR Text pp. 259-272, Part 3 Nonsubordination pp. 281-292  
**Tues. Sept. 18**  BR Text pp. 292-313  
**Wed. Sept. 19**  BR Text pp. 313-327, 334-344

**Mon. Sept. 24**  BR Text pp.347-349, 356-378  
**Tues. Sept. 25**  BR Text pp. 378-394, 398-405  
**Wed. Sept. 26**  BR Text pp. 405-422, Part 4 Difference pp. 435-444
Mon. Oct. 1    BR Text pp. 444-67
Tues. Oct. 2    BR Text pp. 467-86

Mon. Oct. 8    BR Text pp. 534-55
Tues. Oct. 9    BR Text pp. 555-76

Mon. Oct. 15   BR Text pp. 597-618
Tues. Oct. 16   BR Text pp. 618-39

Mon. Oct. 22   BR Text pp. 675-95
Tues. Oct. 23   BR Text pp. 696-726
Wed. Oct. 24

CRITICAL RACE FEMINISM

Essentialism and Antiessentialism: Ain't I a Woman?

Kimberle Crenshaw, Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics CRF Text pp. 23-33

Angela Harris, Race and Essentialism in Feminist Legal Theory CRF Text pp. 34-41

Margaret Montoya, Mascaras, Trenzas, y Grenas: Un/masking the Self while Un/braiding Latina Stories and Legal Discourse CRF Text pp. 70-77

Mon. Oct. 29

Lea Vandervelde & Sandhiya Subramanian, Mrs. Dred Scott CRF Text pp. 78-87

Outsiders in the Academy and Profession

Lani Guinier, Of Gentlemen and Role Models CRF Text pp. 106-113

Angela Gilmore, It Is Better to Speak CRF Text pp. 114-19

Tues. Oct. 30

Pamela Bridgewater, Transforming Silence: The Personal, Political, and Pedagogical Prism of Abortion Narrative CRF Text pp. 149-56

On Mothering or Not
Patricia Williams, Spare Parts, Family Values, Old Children, Cheap CRF Text pp. 159-66

**Wed. Oct. 31**

Twila Perry, Transracial Adoption: Mothers, Hierarchy, Race, and Feminist Legal Theory  CRF Text pp. 176-85

Adrien Wing, Polygamy in Black America  CRF Text pp. 186-94

*Criminality*

Anita Allen, Against Drug Use  CRF Text pp. 197-208

**Mon. Nov. 5—no class this week**

Margaret Chon, Erasing Race? A Critical Race Feminist View of Internet Identity Shifting CRF Text pp. 238-49

*Domestic Violence*


*Working*

Regina Austin, Sapphire Bound!  CRF Text pp. 301-308

**Tues. Nov. 6**

Paulette Caldwell, A Hair Piece: Perspectives on the Intersection of Race and Gender CRF Text pp. 309-17


Emma Coleman Jordan, Race, Gender, and Social Class in the Thomas Sexual Harassment Hearings: The Hidden Fault Lines in Political Discourse  CRF Text pp. 367-72

**Wed. Nov. 7**

**International documents:**  HANDOUT 1 Women’s Convention (CEDAW), European Convention on Human Rights (ECHR), Arab Convention on Human Rights (ACHR), South African Constitution
Mon. Nov. 12


Tues. Nov. 13

Leyla Sahin v. Turkey Grand Chamber (2005)
Aktas v. France and related cases (2009)

Wed. Nov. 14


Mon. Nov. 19


Tues. Nov. 20


Wed. Nov. 21 –no class

Mon. Nov. 26  finish all readings
Tues. Nov. 27  Roundtable starts
Wed. Nov. 28  Roundtable finishes, last class, course evaluations