Norms, Rights, and Social Justice: 
Feminists, Disability Rights Activists and the Poor at the Boundaries of the Law

Political Science/LJST 474
Fall 2011

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COURSE DESCRIPTION:

This seminar explores how the civil rights movement began a process of social change and identity-based activism. We evaluate the successes and failures of excluded groups’ efforts to use the law. We primarily focus on the recent scholarship of theorists, legal professionals, and activists to define “post-identity politics” strategies and to counteract the social processes that normalize persons on the basis of gender, sexuality, disability, and class.

BOOKS:

Course books are available for purchase at the Amherst Bookstore.

Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*
Derrick Bell, *Silent Covenants*
J.M. Coetzee, *The Lives of Animals*
Martha Fineman, *The Neutered Mother*
Anna Kirkland, *Fat Rights: Dilemmas of Difference and Personhood*
Michael Sandel, *The Case Against Perfection: Ethics in the Age of Genetic Engineering*

All other readings are available on electronic reserves.

COURSE REQUIREMENTS:

The course will be conducted in a seminar format. In it essential to come to class prepared to discuss the assigned readings. Two shorter assignments, designed as “building blocks” for the final paper, will be submitted in early October and November. These papers will be revised and resubmitted as part of the final 20-page seminar paper. **All students are required to submit a draft of their seminar paper and the final papers will not be accepted unless a draft has been submitted prior to December 2nd.** If you are unable to attend class, please notify the professor via email. Frequent nonattendance or academic dishonesty will be cause for failure in the course.
READING ASSIGNMENTS:

September 6

Introduction to the Course

September 13

Animal Rights

J.M. Coetzee, *The Lives of Animals*, entire


September 20

The Civil Rights Society


Patricia Williams, *The Alchemy of Race and Rights*, pp. 216-236


September 27

The Right to an Equal Education

Derrick Bell, *Silent Covenants*, entire

Martha Minow, *In Brown’s Wake*, pp. 33-68

*Parents Involved in Community Schools v. Seattle School District No. 1*, Supreme Court, June 27, 2007 (optional)

October 4

Social Justice Activism, Liability and Rights

October 11

The Right to Gender Equality

Catherine MacKinnon, *Feminism Unmodified*, pp. 72-83, 91-102


Drucilla Cornell, *The Imaginary Domain*, pp. 3-27, 231-238

Martha Fineman, “The Vulnerable Subject” 20 *Yale University Journal of Law and Feminism* 1 (2008) and “The Vulnerable Subject and the Responsive State” (manuscript)

October 18

Feminist Theories and The Family

Martha Fineman, *The Neutered Mother*, entire

October 25

Intimacy, Sexuality and Rights

Katherine Franke, “Theorizing Yes: An Essay on Feminism, Law and Desire,” in Martha Fineman et al., *Feminist and Queer Legal Theory: Intimate Encounters, Uncomfortable Conversations*

Vicki Shultz, “The Sanitized Workplace Revisited,” in Martha Fineman et al., *Feminist and Queer Legal Theory: Intimate Encounters, Uncomfortable Conversations*

Ruthann Robson, “Compulsory Matrimony,” in Martha Fineman et al., *Feminist and Queer Legal Theory: Intimate Encounters, Uncomfortable Conversations*

*Hillary Goodridge and others v. Department of Public Health*, November 18, 2003


November 1

Rights and Genetic Engineering


November 8    Disability and Rights

Adrienne Asch, “Critical Race Theory, Feminism, and Disability,” Gendering Disability, Bonnie G. Smith and Beth Hutchison, Editors, pp. 9-44.


Tobin Siebers, Disability Theory, pp. 120-134.

James I. Charlton, Nothing About Us Without Us: Disability Oppression and Empowerment, pp. 3-4.


November 15    Broadening the Civil Rights Paradigm

Anna Kirkland, Fat Rights: Dilemmas of Difference and Personhood, entire

November 29    Sexual Violence

Lisa Frohmann, "Discrediting Victim's Allegations of Sexual Assault," Rape and Society


Kristin Bumiller, In an Abusive State, Chapter One

December 6    Mass Incarceration

Michelle Alexander, The New Jim Crow: Mass Incarceration in the Age of Colorblindness, entire

December 13    Final Class: Student Presentations