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

Political Science/LJST 74
Fall 2010

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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
Charles R. Epp, Making Rights Real: Activists, Bureaucrats, and the Creation of the Legalistic State
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 3.** 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 7

Introduction to the Course
September 14

Animal Rights

J.M. Coetzee, The Lives of Animals (P)


Peter Singer, Ethics into Action, pp. 141-162.


September 21

The Civil Rights Society


Patricia Ewick and Susan Silbey, “Narrating Social Structure: Stories of Resistance to Legal Authority.” American Journal of Sociology, May 2003

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


September 28

The Right to an Equal Education

Derrick Bell, Silent Covenants

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 (recommended)

October 5

Social Justice Activism, Liability and Rights

Charles R. Epp, Making Rights Real: Activists, Bureaucrats, and the Creation of the Legalistic State
October 12

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)

October 19

Feminist Theories and The Family


October 26

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 2

Rights and Genetic Engineering

Michael Sandel, *The Case Against Perfection: Ethics in the Age of Genetic Engineering* (entire)

November 9

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.


November 16

Broadening the Civil Rights Paradigm

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

November 30

Sexual Violence

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


Kristin Bumiller, *In an Abusive State*, Chapter One

December 7

Mass Incarceration

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

December 14

Final Class: Student Presentations