

GENDER AND THE LAW

Spring 2011

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Course Description

This course focuses on the foundations of gender-based discrimination and the laws and theories that have developed to address it. Specifically, the course takes a practical and theoretical approach to examining the law that applies to sex discrimination in a variety of contexts, including employment and education. In addition to reviewing doctrine and commentary on gender and the law, students will engage in problem solving exercises to enhance their understanding of the law and develop the analytical skills necessary to practice in this or any other area of the law.

General Information

The required text for this course is Nancy Levit & Robert R.M. Verchick, FEMINIST LEGAL THEORY: A PRIMER (New York Univ. Press 2006). Additional materials will be posted on the course's website, which is available through TWEN. To access the site, go to www.lawschool.westlaw.com and click the link for TWEN.

My office hours will be on Tuesdays and Thursdays from 3:30 until 4:30. In addition, please feel free to e-mail me to set an appointment.

Course Requirements and Grading

This course requires engagement and participation. To that end, students are required to write three five-page papers and two short reflection papers over the course of the semester. I will base your grad upon the papers and your participation in class. I will calculate grades as follows:

Reflection and short papers: 50% of your grade
Class attendance and participation: 50%

If you must miss class, please inform me ahead of time if possible by e-mail. Chronic absences and/or unpreparedness will result in a failing grade.

Assignments

Please read the following for the first week of the course:

Date	Reading Assignment	Discussion Questions
January 18	Introductory materials: Intro: Feminist Legal Theory [FLT] 1 -14 Verna L. Williams, <i>The First (Black) Lady</i> , 86 Den. U. L. Rev. 833 (2009). Frank Rudy Cooper, <i>Our First Unisex, President? Black Masculinity and Obama's Feminine Side</i> , 86 Denv. U. L. Rev. 633 (2009) [available on our TWEN site]	Does gender still matter in American life in the 21 st century? Or, do we live in a post-feminist era? (and what does that term mean?) Is gender a discrete category that can be considered in a meaningful way apart from race, class, and other aspects of a person's identity? To what extent is gender a construct that shapes men's lives and experiences? To what extent do gender and race shape expectations about masculinity in American life?
January 20	<i>Nevada Dept. of Human Resources v. Hibbs</i> , 538 U.S. 721 (2003)	Of the feminist legal theories profiled in the FLT, which one is most reflected in <i>Hibbs</i> ? Is <i>Hibbs</i> a "feminist" legal opinion?