

FEMINIST THEORY: CHALLENGES TO LEGAL & POLITICAL THOUGHT**POL 432, 2024; LAW334H1F****FALL 2012****Monday 4-6****PROFESSOR NEDELSKY**

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This course takes up two basic questions: what should we want and how should we get there? There are three focal points for these questions: 1. violence against women; 2. the distribution of care work (e.g. child care, household care, elder care, and the work of sustaining relationships), and 3. the representation of women (in media, social norms, self-understanding). In each case, there is an apparently clear answer to what we want: end violence against women, a fair distribution of care work without disadvantage to those who do it, forms of representation that foster mutual respect and self-respect. But beneath that apparent simplicity lie many disputed aspirations (even before we get to the also disputed questions of how to implement those aspirations). For example, both violence and representation involve contested questions of sexuality, its relations to dominance, and the optimal scope of freedom in forming and expressing sexual desire. Even the distribution of care work involves deep understandings of gender identity and thus also of sexuality. And the issues go beyond the complex questions of the kind of gender equality we should be seeking. For example, the last set of readings in the violence section addresses the links between social norms that tolerate violence against women and issues of violence and aggression in the context of war. Throughout we will be looking at the ways gender equality is necessary for wider values of justice, non-domination, and security. The course is organized around readings that will foster discussion about the core aspirations that should shape both public policy and informal personal, organizational and community based efforts at transformation of norms. As this last sentence suggests, one of the “implementation” questions we will be addressing is what role is there for law in effecting the desired transformations, and in what instances must there be additional or alternative forms of social transformation. Some of the readings contain suggestions for modes of transformation (legal and other), but all the discussions will invite students to imagine the kinds of approaches (legal and other) that could advance our (inevitably contested) goals for gender equality.

The course will use **BLACKBOARD**. Students will need to self-enrol. Make sure to access the joint law and political science site. **EVERY STUDENT SHOULD SEND AN E-MAIL TO aleatha.cox@utoronto.ca SAYING THAT YOU ARE IN THE FEMINIST THEORY CLASS. This way she will be sure to have accurate e-mail addresses to create a class list.**

COURSE REQUIREMENTS:

All materials are either posted or linked on the BB site.

ALL STUDENTS

Class participation and bi-weekly one page "comments" and "responses" (25% for law and grad students). Comments are to be posted by the Sunday before class at 5:00 PM and responses by noon Monday.

The core of the course will be the discussions of the assigned reading each week. To structure and facilitate an informed discussion, students will be required to write "Comments" on the readings, and "Responses" to other students' comments.

Students will be organized into 4 groups. Each week, each of the students from one of the groups is responsible for posting a 1-2 page commentary on the reading. (The groups for each week are marked on the syllabus.) Each of the students from another group will be responsible for a ½ - 1 page response.

The **COMMENTS** should be your reflections on the reading in light of the ongoing conversation in the course. Thus students are encouraged not only to comment on what they find particularly interesting, important or troubling in the readings, but how this connects to previous readings and to the ongoing dialogue. Students are also encouraged to comment on the possibilities and limitations of seeking legal responses to the issues raised in the readings. Students from one other group are required to post "**RESPONSES**" to one of the comments. Responses are **NOT EVALUATIONS, but** your thoughts, reflections, and reactions to the comments. They should be between a half a page and one page. Students should post their intention to respond to a particular comment as soon as they have selected it so that, ideally, each of the "comments" will get a response (as opposed to having a cluster of responses to one comment, and none for the others). **ALL** students should read the comments and responses.

LATE COMMENTS OR RESPONSES WILL NOT BE ACCEPTED, but if you are unable to attend class on a day your comment or response is due, you should do the comment or response for another class. This way I can incorporate your written submissions into the class discussion, which is harder if you are not there to participate in the conversation. If for any reason you cannot do a comment or response for the date assigned to your group, you can do it on another week when you will not otherwise be doing a comment or response. Unless so posted in the syllabus, comments and responses must be done on separate weeks. So if you need to make up comments and responses, you must do so on different weeks. Send an e-mal to let me know.

These weekly comments and responses will form a part of the class participation mark. Students will receive their "comments" back with very brief remarks and a grade. The responses (which are recorded, but not graded) and regular class discussion will constitute the rest of the participation mark.

LAW STUDENTS AND GRADUATE STUDENTS:**PAPER:**

25 page paper (75%) (Due December 20, 10:00 AM).

The paper will focus on 3 or 4 of the readings, connecting them to each other and to the main themes of the course. Students should show how together they contribute to these themes, or develop a particular problem related to these themes, and use the articles to work the problem through, or show how the insights of these articles help us better understand a particular concrete case or problem. If you are using an example not drawn from the course material, be sure you do not spend too much space presenting the example. A maximum of 2-3 pages. If you find you cannot present the example you have in mind within that space, you may use additional pages. But then you will need to add those additional pages to the total length of the paper, so that you still have at least 22 pages of analysis, integrating the example into your discussion of the texts and the key issues. A similar approach applies to using material outside the assigned reading. You are, of course, welcome to note other material that adds to your argument. But if you spending more than a few lines referring to that material, you should ensure that you still have the required page length devoted to the analysis of the texts and issues in the course.

Students wishing to do a research paper must submit a proposal to me by— ~~NOVEMBER 12~~**OCTOBER 20**. It must relate to the main theoretical issues of the course and engage with some of the assigned reading.

PAPERS MUST BE SUBMITTED TO TURNITIN.COM. Students must also submit a hard copy with the turnitin number.

BY THE LAST CLASS, STUDENTS SHOULD SUBMIT A PARAGRAPH SUMMARY OF THEIR PAPER TOPIC AND THE TEXTS THEY WILL FOCUS ON, OR AN OUTLINE OF THE PAPER WHICH IDENTIFIES THE TEXTS. STUDENTS MAY SUBMIT THIS SUMMARY OR OUTLINE EARLIER, BUT I RECOMMEND THAT IF YOU DO SO YOU AT LEAST SKIM ALL THE MATERIALS SO YOU WILL KNOW WHICH WILL WORK BEST FOR YOUR TOPIC.

UNDERGRADUATES:

Three 2 page papers that serve as “comments”, worth 10% each. Even though these papers are short, they should be written with care. You have the option of writing one additional paper, with the top 3 grades counting for the final mark.

Participation and three 1 page responses, worth 20%

PLEASE NOTE THAT YOU ARE AN UNDERGRADUATE ON YOUR PAPERS AND RESPONSES, AS THE GRADING SYSTEM IS DIFFERENT FOR YOU. YOU WILL RECEIVE GRADES ON YOUR RESPONSES AS WELL AS COMMENTS.

15 page paper on three of the readings (and some additional “posts”) and a main theme of the course, DUE December 7. worth 50%

Please note that I leave town on Dec 8 and need to take the papers with me.

BY NOVEMBER 23rd, STUDENTS SHOULD SUBMIT A PARAGRAPH SUMMARY OF THEIR PAPER TOPIC AND THE TEXTS THEY WILL FOCUS ON, OR AN OUTLINE OF THE PAPER WHICH IDENTIFIES THE TEXTS. STUDENTS MAY SUBMIT THIS SUMMARY OR OUTLINE EARLIER, BUT I RECOMMEND THAT IF YOU DO SO YOU AT LEAST SKIM ALL THE MATERIALS SO YOU WILL KNOW WHICH WILL WORK BEST FOR YOUR TOPIC.

Week 1 10/09	Introduction
Week 2 17/09	<p>J. Nedelsky, "Violence Against Women: Challenges to the Liberal State and Relational Feminism," Ch. 5, <i>Law's Relations: A Relational Theory of Self, Autonomy, and Law</i>. Link from Oxford Scholarship Online (access via U of T) - http://tinyurl.com/d93rf6g</p> <p>Cindy L'Hirondelle. 2003. "Why Women Would Gain from a Guaranteed Livable Income"</p> <p>"Nothing to Report", Submission of the B.C. CEDAW Group To the United Nations Committee on the Elimination of All Forms of Discrimination against Women. January 2010.</p> <p>Hudson, Valerie, "But Now Can See: One Academic's Journey to Feminist Security Studies". <i>Politics & Gender</i> 7(4) 2011</p> <p>Anne-Marie McAlinden, Review of "Sexual Assault and the Justice Gap: A Question of Attitude. By Jennifer Temkin and Barbara Krahe" (Oxford: Hart Publishing, 2008, xi + 257pp. £30.00 pb)</p> <p>RECOMMENDED FOR THOSE WITH RELATIVELY LITTLE BACKGROUND IN FEMINIST THEORY:</p> <p>Bryson, V. Gender and the Politics of time," Ch. 4, "Women and Men in Feminist Political Thought."</p> <p>RECOMMENDED:</p> <p>Stats Can, "Measuring Violence Against Women. Statistical Trends 2006". 2006</p> <p>Comment on Nedelsky reading and brief note on at least 2 other of the short readings.</p> <p>Group 1 comment, group 2 response</p>
Week 3 24/09	<p>Renée Römken, "Law as a Trojan Horse: Unintended Consequences of Rights-Based Interventions to Support Battered Women." <i>Yale Journal of Law and Feminism</i>, Vol. 13: 265.</p> <p>White Ribbon Campaign, Engaging Men and Boys to Reduce and Prevent Gender-Based Violence.</p>

	<p>Katherine P. Luke, "Sexual Violence Prevention and Technologies of Gender among Heavy-Drinking College Women."</p> <p>Recommended: The New Brunswick attitudinal study on violence against women: http://www.gnb.ca/0012/violence/PDF/AttitudinalSurvey-e.pdf</p> <p>Comment can focus on one reading, with brief comments on the others Group 2 comment, group 3 response</p>
Week 4 01/10	<p>Nedelsky, "Restructuring Relations," Ch. 8 <i>Law's Relations</i></p> <p>Diana Majury, "What Were We Thinking? Reflections on Two Decades of Law Reform on Issues of Violence Against Women."</p> <p>RECOMMENDED: Anna-Maria Marshall, "Injustice Frames, Legality, and the Everyday Construction of Sexual Harassment." <i>Law & Social Inquiry</i>, Vol. 28, No. 3 (Summer, 2003), pp. 659-689.</p> <p>Janet Halley, <i>Split Decisions</i> (Princeton: Princeton University Press, 2006) at 282-333 and 349-363.</p> <p>Comment should focus on "Restructuring Relations," and compare Majury's views with it. Group 3 and 4 comment, group 4 and 1 response</p>
Week 5 15/10	<p>Valerie M. Hudson et al, "The Heart of the Matter: The Security of Women and the Security of States"</p> <p>Valerie M. Hudson et al, "Wings of National and International Relations, Part One: Effecting Positive Change Through Top Down Approaches." Ch. 5, of <i>Sex and World Peace</i></p> <p>Laura Sjoberg, "Gender, The State and War Redux: Feminist International Relations across the 'Levels of Analysis'". pp 119-122.</p> <p>RECOMMENDED: Hudson, V. "Wings of National and International Relations, Part Two: Effecting Positive Change Through Bottom Up Approaches." Ch. 6, of <i>Sex and World Peace</i>. On reserve in law library.</p> <p>Carol Cohn, "Sex and Death in the Rational World of Defense Intellectuals".</p> <p>Comment should focus on "Heart of the Matter," with briefer discussion of Ch. 5. Students can also opt to comment on Ch 6 or "Sex and Death" (noted in recommended) instead of Ch 5. Group 4 comment, group 1 response</p>

<p>Week 6 22/10</p>	<p>CARE SECTION</p> <p>http://examinedlife.typepad.com/johnbelle/2006/02/ok_a_whiffle_ba.html (short blog post with interesting comments and debate about game theory, gender, and domestic labour)</p> <p>Mainardi, Pat, "The Politics of Housework." This is a classic from 1970, available on line thanks to the CWLU herstory project, which happens to be a history of the first feminist organization I belonged to.</p> <p>Nedelsky, "The Gendered Division of Household Labor: An Issue of Constitutional Rights".</p> <p>Hochschild, "Love and Gold."</p> <p>Fraser, Nancy, "After the Family Wage: Gender Equity and the Welfare State."</p> <p>OR</p> <p>Diduck, A. and O'Donovan, K., "Feminism and Families: <i>Plus Ça Change?</i>" Ch. 1, <i>Feminist Perspectives on Family Law</i>.</p> <p>RECOMMENDED:</p> <p>Breen and Cooke, "The Persistence of the Gendered Division of Domestic Labour." <i>European Sociological Review</i>, Vol. 21, No. 1, 2005. 43-57.</p> <p>Kittay, E. <i>Love's Labour</i>, excerpts, pp. 1-19. (Omit pp. 5-13 unless not much background in feminist theory)</p> <p>Lindsay, Colin. (2008) <i>Are Women Spending More Time on Unpaid Domestic Work than Men in Canada?</i> Statistics Canada Catalogue No. 89-630-X.</p> <p>Jennifer Nedelsky, "Dilemmas of Passion, Privilege, and Isolation: Reflections on Mothering in a White, Middle Class, Nuclear Family." in Julia Hanigsberg and Sara Ruddick, eds., <i>Mother Troubles: Rethinking Contemporary Maternal Dilemmas</i> (Boston: Beacon Press, 1999).</p> <p>Group 1 and 3 comment, group 2 and 4 response</p>
<p>Week 7 29/10</p>	<p>Bryson, V., <i>Gender and the Politics of Time</i>, Ch. 1, "Introduction," Ch. 6, "Feminist Politics and Welfare States," and Ch. 10, "The Time(s) we want and the time(s) we've got." **add link to full book. I think I have sent you all of these chapters as pdfs.</p> <p>Rebecca J. Erickson, "Why Emotion Work Matters: Sex, Gender, and the Division of Household Labor." <i>Journal of Marriage and Family</i>, Vol. 67, No. 2 (May, 2005), pp. 337-351.</p>

	<p>HIGHLY RECOMMENDED: Bryson, V., “Time Use Studies: A Potentially Feminist Tool.” <i>International Feminist Journal of Politics</i>, 10:2 June 2008, 135–153.</p> <p>RECOMMENDED: Goodin, R. et al, <i>Discretionary Time</i>. excerpts.</p> <p>Duxbury, Full report, Balancing Paid Work . . . in drop box please fill in proper cite</p> <p>Higgins, Duxbury and Lyons. Full report, “Reducing Work–Life Conflict: What Works? What Doesn’t?”</p> <p>Group 2 comment, group 3 response</p>
	LAW READING WEEK Nov 5-9
Week 8 12/11	<p>Folbre, Nancy, excerpts from, <i>Valuing Children: Rethinking the Economics of the Family and Greed, Lust and Gender: A History of Economic Ideas</i>** can you check Oxford on line to see if its there? The library has been scanning it for me, but realized that since its oxford, it might be on line.</p> <p>RECOMMENDED:</p> <p>Sullivan, Rozzie and Harriet, need full cite, in drop box</p> <p>Weir, Allison, “the Global Universal Caregiver . . .” Full cite, in drop box</p> <p>Group 3 comment, group 4 response</p>
Week 9 11/11	<p>Week 9 – Misrepresentation and its harms</p> <p>Required</p> <p>Documentary screening (not in class) – Miss Representation</p> <p>Tamara R. Piety, “Onslaught: Commercial Speech and Gender Inequality,” pdf posted.</p> <p>What sexual objectification is and how to do it, with visual examples.</p> <ul style="list-style-type: none"> • http://thesocietypages.org/socimages/2012/07/02/sexual-objectification-part-1-what-is-it/ <p>Geena Davis’ foundation and their research findings</p> <ul style="list-style-type: none"> • http://www.seejane.org/research/ <p>American Psychological Association’s report on the sexualization of girls</p> <ul style="list-style-type: none"> • http://www.apa.org/pi/women/programs/girls/report.aspx

	<p>http://www.racialicious.com/2008/02/15/not-woman-enough/ Piece on image and race. It's a black woman writing about how her male colleagues frequently make comments that treat her as de-feminized.</p> <p>http://www.feminisms.org/4232/you-watch-that-why-we-consume-violence-againstwomen-as-entertainment/ Discussion about Law and Order: SVU, also about media representations of violence against women in general.</p> <p>RECOMMENDED</p> <p>Bechdel Test videos</p> <ul style="list-style-type: none"> • http://www.feministfrequency.com/2009/12/the-bechdel-test-for-women-in-movies/ • http://www.feministfrequency.com/2012/02/the-2012-oscar-and-the-bechdel-test/ <p>Test your implicit assumptions</p> <ul style="list-style-type: none"> • https://implicit.harvard.edu/implicit/demo/ <p>http://www.gender-focus.com/2010/01/02/law-and-order-svu/ This is one (of many) posts about the show, Law and Order: Special Victim's Unit. It does a good job of briefly summarizing the pros and cons of the show. See additional resources lists.</p> <p>http://www.miscellanynews.com/2.1577/a-feminist-s-perspective-on-chris-brown-1.2704814#.T_WyNY7CLao Good summary of the assault and events afterwards (Brown got off basically scot-free, showed no remorse etc) with a focus on the backlash against Rihanna both by a general victim-blaming/slut-shaming public but also by feminists. See additional resources lists.</p> <p>Group 4 comment, group 1 response</p>
<p>Week 10 1010 18/11</p>	<p>Self representation</p> <p>“The Reciprocal Relation of Judgment and Autonomy: Walking in Another’s Shoes and Which Shoes to Walk,” Jennifer Nedelsky, skim til you get to the high heels example.</p> <p>Third-Wave Feminism and the Defense of “Choice” by R. Claire Snyder-Hall</p> <ul style="list-style-type: none"> • http://search.proquest.com.myaccess.library.utoronto.ca/docview/615440869/fulltextPDF?accountid=14771 • A sympathetic account of why choice feminism is helpful – inclusive, recognizes difference etc <p>Choice Feminism and the Fear of Politics by Michael L. Ferguson</p> <ul style="list-style-type: none"> • http://search.proquest.com.myaccess.library.utoronto.ca/docview/734374807/fulltextPDF?accountid=14771 • Argues that choice feminism is actually fear of politics masquerading as respect. She argues that feminism is so afraid of excluding and of the historical stereotypes of the radical feminist that it refuses to judge and criticize at all. Part of this is because of

	<p>enmeshedness in culture and relations; judging sometimes means judging people close to us and sometimes judgment is hard (e.g. criticizing cultural norms.)</p> <p>RECOMMENDED:</p> <p>*This is just for me(n): how the regulation of post-feminist lingerie advertising perpetuates woman as object by Dee Amy-Chinn</p> <ul style="list-style-type: none"> • http://joc.sagepub.com.myaccess.library.utoronto.ca/content/6/2/155 <p>This is about how current regulation (in Britain) decides what is too offensive to be advertised. The author contends that the way the regulation is understood disinclines advertising agencies from moving away from the woman as object standard.</p> <ul style="list-style-type: none"> • http://jezebel.com/revealing-clothes <p>Short article about revealing clothes. sometimes we want to attract attention and even sexual attention. Is this ok? She quotes one feminist as saying yes as long as you don't call it feminism but the author takes the view that it can be empowering.</p> <ul style="list-style-type: none"> • http://www.clutchmagonline.com/2012/06/hey-there-pretty-lady-how-street-harassment-affected-my-body-image-and-how-i-overcame-it/ <p>A woman describing how she changed her physical appearance (gaining weight, baggy clothes) to try to avoid street harassment. It didn't work and she had to learn to accept herself. Her way of doing that involved losing weight, learning tricks to make her seem thinner, practicing posing for pictures, etc.</p> <ul style="list-style-type: none"> • http://www.star-telegram.com/2010/10/06/2526778/colleyville-heritage-girls-give.html <p>Teen girls reacting to pressures to look good by going make-up free once a week. It catches on quickly and almost 200 girls sign on.</p> <p>Group 1 comment, group 1 response</p>
<p>Week 11 25/11</p>	<p>Transformation of representation</p> <p>Feminist Consumerism and Fat Activism</p> <ul style="list-style-type: none"> • http://www.jstor.org.myaccess.library.utoronto.ca/stable/pdfplus/10.1086/528849.pdf?acceptTC=true • Other Dove video, - http://www.youtube.com/watch?v=iYhCn0jf46U <p>Debate on Slut Walk on The Agenda with Steve Paikin</p> <ul style="list-style-type: none"> • http://www.youtube.com/watch?v=ol-ND8oQREc • 35 minutes and includes one of the founders of Slut Walk, Heather Jarvis. She brings up the personal empowerment/choice feminism stuff a lot while one of the critics argues that this ignores the macro reality of institutional misogyny etc.

- http://www.salon.com/2012/03/11/to_reclaim_or_reject_slut/

Police response: the officer apologized, the police put a statement up on their website saying that they had failed because they perpetuated the myth of the slut, and Bill Blair said this was a training failure.

- <http://www.cbc.ca/news/canada/toronto/story/2011/04/03/slut-walk-toronto.html>

Slut Walk pictures:

- <http://www.buzzfeed.com/mjs538/the-30-best-signs-at-slutwalk-toronto>
- http://sfist.com/2011/08/10/photos_from_san_franciscos_first_sl.php#photo-1

Pro Slut Walk:

- <http://www.guardian.co.uk/commentisfree/2011/may/09/slutwalk-feminist-activism>
- <http://bigthink.com/focal-point/more-thoughts-on-slutwalk>
- <http://bigthink.com/focal-point/sluts-like-me>
- http://www.washingtonpost.com/opinions/slutwalks-and-the-future-of-feminism/2011/06/01/AGjB9LIH_story.html

Anti Slut Walk:

- <http://www.feministfrequency.com/2011/05/link-round-up-feminist-critiques-of-slutwalk/>
- The link has a collection of anti-slut walk pieces

Examples of alternative media: LOOK AT A FEW

Feminist blogs as replacing traditional women's magazines:

- <http://www.racialicious.com/>
A great blog analyzing the intersection between race, feminism, and pop culture.
- <http://feministing.com/>
One of the most well known general feminist blogs.
- <http://thehairpin.com/>
- <http://rookiemag.com/>
An online magazine for teen girls started by a 15 year old girl

Online shows:

- <http://www.awkwardblackgirl.com/season-1/episode-1>
Awkward Black Girl

RECOMMENDED:

Blog post on fat acceptance

- <http://adiposeactivist.wordpress.com/>

Examples of protests:

	<p>American Apparel plus size modeling competition</p> <ul style="list-style-type: none"> • http://campusprogress.org/articles/american_apparels_plus-sized_contest_sparks_controversy/ The pictures (article only includes a few): • http://extrawiggleroom.tumblr.com/post/9836727398 • http://extrawiggleroom.tumblr.com/post/9836643886 • http://extrawiggleroom.tumblr.com/post/9836236472 <p>Online protests got U.S. department chain J.C. Penney to pull a top for young girls with the words “I’m to pretty to do homework”</p> <ul style="list-style-type: none"> • http://www.washingtonpost.com/blogs/blogpost/post/jcpenney-promotes-im-too-pretty-to-do-homework-shirt/2011/08/31/gIQAxFD4rJ_blog.html <p>One of the U.S. Senators advocating for forced transvaginal ultrasounds for women seeking abortion got his facebook page deluged with women giving detailed updates about their vaginas, periods, etc. The reasoning was that since he was so interested in women’s health, he would want to know.</p> <p>http://www.themarysue.com/women-leave-vagina-updates-on-facebook/</p> <p>*Target Women</p> <ul style="list-style-type: none"> • http://www.youtube.com/watch?v=qMRDLCR8vAE This was her first one. It’s about how yoghurt is marketed as “woman food.” • http://www.youtube.com/watch?v=a7vtyheqPVU About how men are portrayed as idiots • http://www.youtube.com/watch?v=ZqDzKad2Q3M About how cleaning products are marketed to women • http://www.youtube.com/watch?v=BU1BidE1Vsg About all the euphemisms used in advertising to talk about female genitalia <p>Group 2 comment, group 3 response</p>
Week 12 02/12	<p>Rosi Braidotti, MTB at 83-116, 172-211, 264-270.</p> <p>Group 3 and 4 comment, group 4 and 1 respond.</p>