

## **HIS 475: Topics in Women's History "Gender and Law in US History"**

History & Political Science Department  
Point Loma Nazarene University  
4 Units  
Fall 2018

**Meeting days:** MWF

**Meeting times:** 1:30-2:35pm

**Meeting location:** Colt 120

**Final Exam:** Wednesday, 1:30-4:00

**Professor:** Dr. Kelli McCoy

**Phone:** 619-849-2438

**E-mail:** KelliMccoy@pointloma.edu

**Office:** Colt 114

**Office hours:** 8:30-9:30am MWF, 2:45-3:45pm Mondays  
and Fridays and by appointment.

### **COURSE DESCRIPTION AND OUTCOMES**

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This seminar will examine the relationship between gender and law from the colonial era to the present, with particular emphasis on the court cases and social/political movements that have shaped and continue to shape the legal relationships between women, men, and the nation. Throughout U.S. history, the struggle for women's rights has challenged and changed the legal system, and has helped to define the meanings of citizenship. The readings for this class will historicize several debates that continue to be controversial today. Among other issues, we will consider the ways in which marriage, reproductive rights, employment, and medical care in the U.S. have been shaped by various intersections of law and gender (combined, in many cases, with race and class). Though we will, in part, examine the overtly political actions of the American women—suffragists, reformers, feminists—who have demanded equal rights, we will also explore the more nuanced ways in which cultural understandings about gender roles have shaped American laws and affected the lives of “ordinary” women in various times, places, and situations. Therefore, the course is organized thematically, rather than chronologically, and the weekly class sessions will focus on students’ thoughtful discussion and analysis of the reading material.

#### **PLNU MISSION**

#### **To Teach ~ To Shape ~ To Send**

Point Loma Nazarene University exists to provide higher education in a vital Christian community where minds are engaged and challenged, character is modeled and formed, and service becomes an expression of faith. Being of Wesleyan heritage, we aspire to be a learning community where grace is foundational, truth is pursued, and holiness is a way of life.

## HISTORY PROGRAM LEARNING OUTCOMES

Students will be able to...

- Complete a substantial historical project autonomously. (Assessed with the literature review paper.)
- Present and analyze, in written or oral presentation, different perspectives on an event from the past. (Assessed with the lit review paper and oral presentation.)
- Find appropriate materials online, in a library, or in the community and know how to cite them. (Assessed with the lit review paper.)

## COURSE LEARNING OUTCOMES

Students will be able to...

- Explain the major events that have shaped the legal rights of women in America.
- Analyze various types of primary and secondary sources.
- Write an analytical paper.
- Teach their classmates about a significant historical event.

## COURSE REQUIREMENTS AND EXPECTATIONS

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|------------------------|-----|
| Weekly Responses       | 10% |
| Participation/ Quizzes | 15% |
| Paper                  | 15% |
| Presentation           | 10% |
| Midterm Exam:          | 25% |
| Final Exam:            | 25% |

**Weekly Responses** are a way of rewarding you for thinking thoughtfully and critically about the reading assignments. They are also designed to encourage participation in class discussions; for this reason, they will not be accepted late. **Responses must be submitted via Canvas before the time class starts.**

- 2 pages typed, double-spaced, 12 pt. font
- Due on the dates listed in the syllabus
- Analyze the main themes from that week's reading and end with a few questions about it to pose to your classmates during the discussion.

**Reading Assignments** should be read before class on the date listed in the syllabus.

**Paper and Presentation:** more info will be given in class and posted on Canvas.

### Required Texts

Kerber, Linda K. *No Constitutional Right to be Ladies*, Hill and Wang, 1999.

Kerber, Linda and Jane Sherron De Hart, eds., *Women's America: Refocusing the Past*, 7<sup>th</sup> edition.

Purchase ticket to attend a play (approx. \$15). We will discuss this more in class.

All other readings are online and links are provided on Canvas.

## Assessment and Grading

Please contact me at any point during the semester if you have questions about your grade.

| Assignment distribution by percentage: |     | Letter grades assigned as follows: |             |
|--|-----|------------------------------------|-------------|
| Weekly Responses                       | 10% | A=93-100                           | C=73-76.99  |
| Participation                          | 15% | A-=90-92.99                        | C-=70-72.99 |
| Research Paper Proposal                | 5%  | B+=87-89.99                        | D+=67-69.99 |
| Research Paper                         | 20% | B=83-86.99                         | D=63-66.99  |
| Midterm Exam:                          | 25% | B-=80-82.99                        | D-=60-62.99 |
| Final Exam:                            | 25% | C+=77-79.99                        | F=0-59.99   |

## COURSE POLICIES

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This class will follow the academic policies of PLNU as outlined in the Student Handbook and the Undergraduate Catalog.

### Late work

Please talk with me as soon as possible if for whatever reason you are having trouble completing your work, so that we can find the best solution. All assignments are to be submitted/turned in by the beginning of the class session when they are due, unless otherwise indicated on Canvas. Late work will receive a deduction of 10% per day. However, if you contact the professor *more than 72 hours before the due date* and explain your circumstances (i.e. an unusual number of assignments due in other classes that week), your request for an extension will be considered. Note that “Weekly Responses” **cannot** be turned in late for the reasons given above. Of course, emergencies are an exception to this rule, and will be dealt with depending on the individual circumstances. There are no make-up exams (midterms and final), unless you have contacted me in advance, in which case I *may* allow it depending on the circumstances. Incompletes will only be assigned in extremely unusual circumstances.

### Cell Phones and Recording Devices

In order to create the most conducive learning environment, all phones should be silenced and not used during class. No recording of lectures or class discussions is allowed without prior permission from the professor.

### Final Examination Policy

Successful completion of this class requires taking the final examination **on its scheduled day**. The final examination schedule is posted on the [Class Schedules](#) site. No requests for early examinations or alternative days will be approved.

**PLNU Copyright Policy**

Point Loma Nazarene University, as a non-profit educational institution, is entitled by law to use materials protected by the US Copyright Act for classroom education. Any use of those materials outside the class may violate the law.

**PLNU Academic Honesty Policy**

Students should demonstrate academic honesty by doing original work and by giving appropriate credit to the ideas of others. Academic dishonesty is the act of presenting information, ideas, and/or concepts as one's own when in reality they are the results of another person's creativity and effort. A faculty member who believes a situation involving academic dishonesty has been detected may assign a failing grade for that assignment or examination, or, depending on the seriousness of the offense, for the course. Faculty should follow and students may appeal using the procedure in the university Catalog. See [Academic Policies](#) for definitions of kinds of academic dishonesty and for further policy information.

**PLNU Academic Accommodations Policy**

If you have a diagnosed disability, please contact PLNU's Disability Resource Center (DRC) to demonstrate need and to register for accommodation by phone at 619-849-2486 or by e-mail at [DRC@pointloma.edu](mailto:DRC@pointloma.edu). See [Disability Resource Center](#) for additional information.

**PLNU Attendance and Participation Policy**

Regular and punctual attendance at all classes is considered essential to optimum academic achievement. If the student is absent from more than 10 percent of class meetings, the faculty member can file a written report which may result in de-enrollment. If the absences exceed 20 percent, the student may be de-enrolled without notice until the university drop date or, after that date, receive the appropriate grade for their work and participation. See [Academic Policies](#) in the Undergraduate Academic Catalog.

**AN IMPORTANT NOTE:**

In this course we're going to read about and discuss a lot of very serious themes, including (but not limited to) ones involving gender-based violence, slavery, sexual assault, and abortion. We will all be committed to having a classroom dialogue that is respectful and compassionate, while also seriously engaging in studying and understanding these significant issues in women's history.

If anyone feels that it would be exceptionally difficult for you to read about or talk about these subjects, please discuss it with me as soon as possible.

All reading is from Kerber & De Hart, *Women's America*, unless otherwise noted. I have purposefully left off the page numbers so that you can use either the 7<sup>th</sup> or 8<sup>th</sup> edition.

## COURSE OUTLINE

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### Introduction to Women's and Gender History

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| Week 1 | Aug 28 | Introduction to Course   |
|        | Aug 29 | Introduction to Course<br>Sign up on Canvas for leading a discussion |
|        | Aug 31 | Kerber & De Hart, "Introduction"                                     |

### Women's Legal Status in Early America: Gender Roles, Marriage, and Coverture

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| Week 2 | Sep 3 | <b>No Class- Labor Day</b>  |
|        | Sep 5 | Mary Beth Norton, "An Indentured Servant Identifies as 'Both Man and Woeman'" [formerly titled "Searchers again Assembled"]<br>Document: "European Women and the Law: Examples from Colonial Connecticut" [formerly titled "The Law of Domestic Relations"]<br>Carol Karlsen, "The Devil in the Shape of a Woman" |
|        | Sep 7 | Linda Kerber, "Why Diamonds Really Are a Girl's Best Friend: The Republican Mother and the Woman Citizen" [formerly "The Republican Mother and the Woman Citizen"]<br><br><b>Weekly Response Due</b><br><br>*Discussion Leader today  |

### The American Revolution and the Early Struggle for Women's Rights

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|--------|--------|---|
| Week 3 | Sep 10 | Start reading Kerber, <i>No Constitutional Right</i> , xix- 46 (Preface and Chapter 1)  |
|        | Sep 12 | Finish reading Kerber, <i>No Constitutional Right</i> , xix- 46 (Preface and Chapter 1) |

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|  | Sep 14 | <p>Documents:<br/> The Grimke Sisters (formerly Sarah and Angelina Grimke)<br/> Keziah Kendall<br/> Declaration of Sentiments, 1848<br/> Married Women's Property Acts<br/> Sojourner Truth</p> <p><b>Weekly Response Due</b></p> <p>*Discussion Leader today</p> |
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### **Race, Gender, Slavery, and Miscegenation**

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| Week 4 | Sep 17 | <p>Annette Gordon-Reed, "The Hemings-Jefferson Treaty"<br/> Sharon Block, "Lines of Color, Sex, and Service"<br/> Document: Maria Perkins</p>   |
|        | Sep 19 | <p>Rose Stremmlau, "I Know What an Indian Woman Can Do"<br/> Peggy Pascoe, "Ophelia Paquet"</p>   |
|        | Sep 21 | <p>On Canvas: Link to Celia, A Slave (from Linder website)<br/> On Canvas: Link to Peggy Pascoe, "Miscegenation Law, Court Cases, and Ideologies of 'Race' in Twentieth-Century America," <i>The Journal of American History</i>, Vol 83, No 1 (Jun 1996), 44-69.</p> <p><b>Weekly Response Due</b></p> <p>*Discussion Leader today</p> |

### **The Civil War, Reconstruction, and the Meanings of Citizenship**

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| Week 5 | Sep 24 | Tera Hunter, "Reconstruction and the Meanings of Freedom"   |
|        | Sep 26 | Start reading Kerber, <i>No Constitutional Right</i> , 47-80 (Ch. 2)  |
|        | Sep 28 | <p>Finish reading Kerber, <i>No Constitutional Right</i>, 47-80 (Ch. 2)</p> <p><b>Weekly Response Due</b></p> <p>*Discussion Leader today</p> |

### **The Fight for Suffrage and Equal Rights**

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| Week 6 | Oct 1 | <p>On Canvas: Link to Emma Goldman, "Woman Suffrage"</p> <p>Nancy F. Cott, "Equal Rights and Economic Roles"</p> |
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|  | Oct 3 | Dr. McCoy is at a conference— an alternate assignment will be announced, but we will not be meeting face-to-face<br><br>Documents:<br>Mackenzie v. Hare<br>Equal Suffrage (Nineteenth) Amendment |
|  | Oct 5 | Dr. McCoy is at a conference— an alternate assignment will be announced, but we will not be meeting face-to-face<br><br><b>Weekly Response Due</b>   |

### Women's Reform Movements

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| Week 7 | Oct 8  | Documents:<br>Ida B. Wells, "Southern Horrors" [formerly Patricia A. Schechter, "Ida B. Wells and Southern Horrors"]<br>Mary McLeod Bethune<br>Zitkala-Sa (Gertrude Simmons Bonnin) |
|        | Oct 10 | Kathryn Kish Sklar, "Florence Kelley and Women's Activism"<br>Document: Pauline Newman  |
|        | Oct 12 | Alice Kessler-Harris: "Designing Women and Old Fools"<br><br><b>Weekly Response Due</b><br><br>*Discussion Leader today   |

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| Week 8 | Oct 15 | Study for Midterm    |
|        | Oct 17 | <b>MIDTERM EXAM</b>  |
|        | Oct 19 | No class- Fall Break |

### Women's Bodies and Reproduction

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| Week 9 | Oct 22 | Cornelia Hughes Dayton, "Taking the Trade" (May not be in the 8 <sup>th</sup> edition??)<br>James C. Mohr, "Abortion in America"<br>Document: Margaret Sanger |
|        | Oct 24 | Leslie Reagan, "When Abortion Was a Crime"<br>Beth L. Bailey, "Prescribing the Pill"  |

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|  | Oct 26 | Document: Roe v. Wade, 1973; Planned Parenthood of Southeastern Pennsylvania v. Casey, 1992; Carhart v. Gonzales, 2007<br><br><b>Weekly Response Due</b><br><br>*Discussion Leader today |
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### Marriage and Citizenship in the Twentieth Century

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| Week<br>10 | Oct 29 | Start reading Kerber, <i>No Constitutional Right</i> , 124-220 (Ch4)  |
|            | Oct 31 | Continue reading Kerber, <i>No Constitutional Right</i> , 124-220 (Ch4)   |
|            | Nov 2  | Finish reading Kerber, <i>No Constitutional Right</i> , 124-220 (Ch4)<br><br><b>Weekly Response Due</b><br><br>*Discussion Leader today |

### The Rise of Feminism and the Civil Rights Movement

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| Week<br>11 | Nov 5 | Daniel Horowitz, "Betty Friedan"<br>Susan K. Cahn, " 'Mannishness,' Lesbianism and Homophobia"  |
|            | Nov 7 | Documents:<br>Civil Rights Act, Title VII, 1964<br>Betty Friedan<br>Phyllis Schlafly<br>Kay Weiss   |
|            | Nov 9 | Documents:<br>Carol Hanisch<br>Jennie V. Chavez<br>Combahee River Collective<br>Editorial Staff of Rodan (formerly "Women in the Asian movement... pg 705 in 7 <sup>th</sup> ed.)<br><br><b>Weekly Response Due</b><br><br>*Discussion Leader today |

### Legal and Cultural Changes in the Late Twentieth Century

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| Week<br>12 | Nov 12 | Documents:<br>Rethinking Marriage: Loving v. Virginia; Griswold v. Connecticut;<br>Defense of Marriage Act; Goodridge v. Massachusetts<br>Equal Rights Amendment<br>Title IX |
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|  | Nov 14        | Documents:<br>Frontiero v. Richardson<br>Meritor Savings Bank<br>Violence Against Women Act<br>Hilary Clinton<br><br><b>Weekly Response Due</b><br><br>*Discussion Leader today |
|  | <b>Nov 16</b> | No reading—finish papers.   |

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| Week<br>13 | Nov 19 | <b>PAPER DUE</b>       |
|            | Nov 21 | Thanksgiving- No class |
|            | Nov 23 | Thanksgiving- No class |

### Women & Military Service

|            |        |   |
|------------|--------|---|
| Week<br>14 | Nov 26 | Start reading Kerber, <i>No Constitutional Right</i> , Ch 5   |
|            | Nov 28 | Continue reading Kerber, <i>No Constitutional Right</i> , Ch 5  |
|            | Nov 30 | Finish reading Kerber, <i>No Constitutional Right</i> , Ch 5 and Epilogue<br><br><b>Weekly Response Due</b><br><br>*Discussion Leader today |

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| Week<br>15 | Dec 3 | Presentations |
|            | Dec 5 | Presentations |
|            | Dec 7 | Presentations |

**Final Exam: Wednesday, 1:30-4:00pm**