

HIS 4077: Gender and Law in the U.S.

History & Political Science Department
Point Loma Nazarene University
4 Units
Fall 2022

Meeting days: MWF

Meeting times: 1:30-2:35pm

Meeting location: Colt 120

Final Exam: Friday, 1:30-4:00

Professor: Dr. Kelli McCoy

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Office: Colt 114

Office hours: Tues., 9-11am; Wed. 8:45-10:45am
Other days/times (in person or Zoom) by appt

COURSE DESCRIPTION AND OUTCOMES

This seminar examines 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, gender, and sexuality. The readings for this class will historicize several debates that continue to be significant today. 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.

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.

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.

COURSE REQUIREMENTS AND EXPECTATIONS**Assessment and Grading**

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

Weighted Grades:		Letter grades assigned as follows:	
Participation	15%	A=93-100	C=73-76.99
Discussions and Quizzes	15%	A-=90-92.99	C-=70-72.99
Weekly Responses	15%	B+=87-89.99	D+=67-69.99
Lit Review Paper	15%	B=83-86.99	D=63-66.99
Presentation	15%	B-=80-82.99	D-=60-62.99
Final Exam:	25%	C+=77-79.99	F=0-59.99

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.

Participation: This is a seminar-style course, which means it is discussion based.

Your engagement with the class is a huge component of your success in this course, and also enhances the learning of your classmates. Your participation is therefore evaluated throughout the semester. Since you cannot participate if you do not attend class, attendance will be taken at the start of each class. **You get two completely free absences—no need to tell me why!** If you miss three or more classes, you will lose 15 points (out of 100 possible) for each absence, beginning with the third one. Arriving late or leaving early will be considered $\frac{1}{2}$ an absence. (As stated in the Undergraduate Catalog, there are no excused absences other than in the case of certain university-sponsored

events. If this applies to you, it is your responsibility to provide me with the appropriate documentation no later than one week after the missed class.)

Your participation grade will also include the **quality** of your engagement in class discussions. It may also include some assignments and discussions that will be posted on Canvas. These will be graded as credit/ no credit, so you can get the full participation grade just by participating in these! **Online discussions cannot be turned in late, since by their nature, they require timely interaction with your classmates.**

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*, 9th edition.

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

COURSE POLICIES

Incompletes and Late Assignments

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. Incompletes will only be assigned in extremely unusual circumstances. There are no make-up quizzes/ online discussions, since those are to help you come prepared to class. 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. If papers, projects, or activities are turned in late, they will be subjected to a 10% penalty per day. Please ask me for more information if you believe you will need to turn in an assignment late.

Laptops, Cell Phones, and Recording Devices: In order to create the most conducive learning environment, all phones should be silenced and not used during class. Please do not use laptops or other technological devices during our face-to-face class sessions, as these are often a distraction to neighboring students. Exceptions may be granted under certain circumstances. Please speak with me as soon as possible if you believe you have a specific need for an exception. 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

PLNU is committed to providing equal opportunity for participation in all its programs, services, and activities. Students with disabilities may request course-related accommodations by contacting the Educational Access Center (EAC), located in the Bond Academic Center (EAC@pointloma.edu or 619-849-2486). Once a student's eligibility for an accommodation has been determined, the EAC will issue an academic accommodation plan ("AP") to all faculty who teach courses in which the student is enrolled each semester.

PLNU highly recommends that students speak with their professors during the first two weeks of each semester/term about the implementation of their AP in that particular course and/or if they do not wish to utilize some or all of the elements of their AP in that course.

Students who need accommodations for a disability should contact the EAC as early as possible (i.e., ideally before the beginning of the semester) to assure appropriate accommodations can be provided. It is the student's responsibility to make the first contact with the EAC.

PLNU Attendance and Participation Policy

Regular and punctual attendance at all class sessions is considered essential to optimum academic achievement. If the student is absent for more than 10 percent of class sessions, the faculty member will issue a written warning of 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.

As it says in the Catalog, students are expected to do two hours of preparation for each hour spent in class. I have designed the readings and assignments with this in mind.

State Authorization

State authorization is a formal determination by a state that Point Loma Nazarene University is approved to conduct activities regulated by that state. In certain states outside California, Point Loma Nazarene University is not authorized to enroll online (distance education) students. If a student moves to another state after admission to the program and/or enrollment in an online course, continuation within the program and/or course will depend on whether Point Loma Nazarene University is authorized to offer distance education courses in that state. It is the student's responsibility to notify the institution of any change in his or her physical location. Refer to the map on [State Authorization](#) to view which states allow online (distance education) outside of California.

Sexual Misconduct and Discrimination

Point Loma Nazarene University faculty are committed to helping create a safe learning environment for all students. If you (or someone you know) have experienced any form of sexual discrimination or misconduct, including sexual assault, dating or domestic violence, or stalking, know that help and support are available through the Title IX Office at pointloma.edu/Title-IX. Please be aware that under Title IX of the Education Amendments of 1972, it is required to disclose information about such misconduct to the Title IX Office.

If you wish to speak to a confidential employee who does not have this reporting responsibility, you can contact Counseling Services at counselingservices@pointloma.edu or find a list of campus pastors at pointloma.edu/title-ix

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, while also seriously engaging in studying and understanding these significant topics in women's history. If anyone feels that it would be exceptionally difficult for you to read about or talk about something in this course, please discuss it with me as soon as possible. (You don't have to tell me any details.)

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 potentially use a different edition.

COURSE OUTLINE

Introduction to Women's and Gender History

Week 1	Aug 30	Introduction to Course
	Aug 31	Sign up on Canvas for leading a discussion
	Sep 2	Kerber & De Hart, "Introduction" Nancy Cott, "Divorce and the Changing Status of Women in Eighteenth-Century Massachusetts"—link to JSTOR on Canvas

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

Week 2	Sep 5	No Class- Labor Day
	Sep 7	Mary Beth Norton, "An Indentured Servant Identifies as 'Both Man and Woeman'" [formerly titled "Searchers again Assembled"] Document: "European Women and the Law: Examples from Colonial Connecticut" [formerly titled "The Law of Domestic Relations"] Carol Karlsen, "The Devil in the Shape of a Woman"
	Sep 9	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"] Weekly Response Due Lit Review Part I Due

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

Week 3	Sep 12	Start reading Kerber, <i>No Constitutional Right</i> , xix- 46 (Preface and Chapter 1)
	Sep 14	Finish reading Kerber, <i>No Constitutional Right</i> , xix- 46 (Preface and Chapter 1)
	Sep 16 *Discussion Leader today	Documents: The Grimke Sisters (formerly Sarah and Angelina Grimke) Keziah Kendall Declaration of Sentiments, 1848 Married Women's Property Acts Sojourner Truth Weekly Response Due

Race, Gender, Slavery, and Miscegenation

Week 4	Sep 19	Annette Gordon-Reed, "The Hemings-Jefferson Treaty" Sharon Block, "Lines of Color, Sex, and Service" Document: Maria Perkins
	Sep 21	Rose Stremmler, "I Know What an Indian Woman Can Do" Peggy Pascoe, "Ophelia Paquet"
	Sep 23 *Discussion Leader today	On Canvas: Link to Celia, A Slave (from Linder website) 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. Weekly Response Due

The Civil War, Reconstruction, and the Meanings of Citizenship

Week 5	Sep 26	Tera Hunter, "Reconstruction and the Meanings of Freedom"
	Sep 28	Start reading Kerber, <i>No Constitutional Right</i> , 47-80 (Ch. 2)
	Sep 30 *Discussion Leader today	Finish reading Kerber, <i>No Constitutional Right</i> , 47-80 (Ch. 2) Weekly Response Due

The Fight for Suffrage and Equal Rights

Week 6	Oct 3	View the film <i>The Vote</i> on PBS (link on Canvas)
	Oct 5	View the film <i>The Vote</i> on PBS (link on Canvas)
	Oct 7 *Discussion Leader today	Finish the film <i>The Vote</i> on PBS (link on Canvas) Documents: Mackenzie v. Hare Equal Suffrage (Nineteenth) Amendment Weekly Response Due

Reform Movements in the Early 20th Century

Week 7	Oct 10	Documents: Ida B. Wells, "Southern Horrors" [formerly Patricia A. Schechter, "Ida B. Wells and Southern Horrors"] Mary McLeod Bethune Links to podcasts/videos on Canvas Weekly Response Due
	Oct 12	Work on your Lit Review
	Oct 14	Work on your Lit Review

Week 8	Oct 17	Work on your Lit Review
	Oct 19	Lit Review Part II Due
	Oct 21	No class- Fall Break

Women and Politics

Week 9	Oct 24	Today's class will be ONLINE on Canvas. Follow links/instructions on Canvas
	Oct 26	Follow links/instructions on Canvas
	Oct 28	Follow links/instructions on Canvas Weekly Response Due

Women's Bodies and Reproduction

Week 10	Oct 31	Cornelia Hughes Dayton, "Taking the Trade: Abortion and Gender Relations in an Eighteenth-Century New England Village"—link to JSTOR on Canvas James C. Mohr, "Abortion in America" Document: Margaret Sanger
	Nov 2	Leslie Reagan, "When Abortion Was a Crime" Beth L. Bailey, "Prescribing the Pill"
	Nov 4 *Discussion Leader today	Documents: Roe v. Wade, 1973; Planned Parenthood of Southeastern Pennsylvania v. Casey, 1992; Carhart v. Gonzales, 2007 Links to articles on Canvas Weekly Response Due

The Rise of Feminism and the Civil Rights Movement

Week 11	Nov 7	Documents: Rethinking Marriage: Loving v. Virginia; Griswold v. Connecticut; Defense of Marriage Act; Goodridge v. Massachusetts Equal Rights Amendment
	Nov 9	Documents: Civil Rights Act, Title VII, 1964 Title IX Betty Friedan Phyllis Schlafly Kay Weiss
	Nov 11	Documents: Carol Hanisch Jennie V. Chavez Combahee River Collective Editorial Staff of Rodan (formerly "Women in the Asian movement... pg 705 in 7 th ed.) Lit Review Paper Due

Week 12	Nov 14	Read Kerber, <i>No Constitutional Right</i> , 124-220 (Ch4)
	Nov 16	Read Kerber, <i>No Constitutional Right</i> , 124-220 (Ch4)
	Nov 18	Documents: Frontiero v. Richardson Meritor Savings Bank

	*Discussion Leader today	Violence Against Women Act Weekly Response Due
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Legal and Cultural Changes in the Late Twentieth Century

Week 13	Nov 21	View classmates' presentations
	Nov 23	Thanksgiving- No class
	Nov 25	Thanksgiving- No class

Women and Military Service

Week 14	Nov 28	Start reading Kerber, <i>No Constitutional Right</i> , Ch 5
	Nov 30	Continue reading Kerber, <i>No Constitutional Right</i> , Ch 5
	Dec 2	Finish reading Kerber, <i>No Constitutional Right</i> , Ch 5 and Epilogue
	*Discussion Leader today	Weekly Response Due

The Movement for LGBTQIA+ Rights

Week 15	Dec 5	Susan K. Cahn, " 'Mannishness,' Lesbianism and Homophobia" Joanna Meyerowitz, "Christine Jorgensen the Story of How Sex Changed"
	Dec 7	Article links on Canvas
	Dec 9	Article Links on Canvas
	*Discussion Leader today	Weekly Response Due

Final Exam: Friday, 1:30-4:00pm