SOCI X416-001: GENDER, LAW, AND SOCIAL CONTROL
(Common Curriculum: Behavioral/Social Sciences - Modern)

Dr. Marcus M. Kondkar
Monroe Hall 537C
865-2572
kondkar@loyno.edu
Office hours: M: 5.15 – 6.15, T/TH: 10.00 - 11.00 & by appt.

Course Description
This advanced common curriculum course offers a critical examination of the relationships between law, social control, and gender inequality in the U.S. We begin with a discussion of core concepts of law, legal systems, crime, social control, and the social construction of gender. Following an overview of feminist theory and feminist jurisprudence, we examine gendered patterns of criminal offending and victimization, with particular attention to intimate partner violence, rape, and child sex abuse. After the midterm we will focus on various issues in family law and reproduction, and then discuss gendered patterns of sentencing and punishment in U.S. correctional institutions. We will then examine global patterns of human trafficking and in the last session, we will analyze the connections between the various substantive issues covered in the course. While a number of theoretical approaches are discussed in the course, we primarily examine the various substantive issues of law and gender from a feminist perspective. Additionally, while gender is the primary organizing variable for the course materials, at each stage we will consider the intersections between gender, class, and race.

Required Readings
All the required readings and course related materials can be accessed via Blackboard on the WWW. The readings are listed by author and title the same order as they appear on the reading schedule. All readings should be completed by the assigned dates.

Course Requirements
Regular and timely attendance at lectures is expected and required. The course will be examined by a midterm, final, and a paper.

The midterm and final exams will consist of short answer and essay formats. The final will be partially comprehensive. Guidelines for the paper are posted on Blackboard and are also attached to this syllabus.

The exam schedule and grade distribution is as follows:

- Midterm (10/12): 30%
- Paper (due 12/16): 30%
- Final Exam (12/16): 40%

At the end of the semester your final grade corresponds to the following numerical points:


Note regarding participation: Active and thoughtful participation in class discussions is an important part of the learning experience for everyone in the class. Your participation will be taken into
account in determining your final grade. Specifically, in cases where a student’s grade is borderline between one letter grade and the next (e.g., a score of 79 is just short of a B), the instructor may award the student the higher grade if that student has a strong record of participation in class discussions.

A Reminder About the Office of Academic Enrichment
A number of useful services such as academic counseling, special needs assessment, and peer tutoring are offered by the Office of Academic Enrichment in Monroe Hall 405 (865-2990). Additionally, if you require any particular accommodations or assistance relating to a learning disability, please speak with me at the start of the term so that arrangements can be made.

Policies Regarding Attendance and Missed Exams
Regular attendance at lectures is critical to doing well in this course. At the risk of appearing to be a little authoritarian, here is an added incentive to come to class: every unexcused absence over two will result in your course grade being reduced by one point. Make-up exams will be given to students who experience a serious illness or a sudden family emergency. If you know that you will miss an exam please get in touch with me before the time of the exam.

Learning Objectives
The learning objectives of this course contribute to the following broader learning objectives of the common curriculum and those developed by the department of Sociology:

Common Curriculum

- Effective skills in research, writing, speaking, reading, and listening.
- Critical and analytical reasoning skills required to solve abstract and concrete problems.
- Comprehension of the great historical, economic, political, social, and technological forces that shape societies.
- A commitment to social justice.
- The ability to reflect on and critique the presupposed values latent within our world, our commitments, our beliefs, our methodologies, our institutions, and our courses of study.

Department of Sociology:

- Appreciation for the discipline of Sociology and its role in contributing to our understanding of social reality.
- Knowledge of basic concepts in sociology.
- Understanding of the role of theory in sociology and an ability to apply theory to social phenomenon.
- Ability to apply and evaluate various theoretical paradigms to particular social phenomena.
- Ability to think critically about the social world.
- Appreciation for the social diversity of U.S. society and an understanding of the position of the U.S. in the global system.
- Ability to identify and think critically about one’s own position and the positions of others on social justice issues and the ways in which they are pursued in the community through social action.
Course Schedule

8/31 T & 9/2 TH  
Introduction and administrative issues
No readings assigned
Film: My Feminism

9/7 T & 9/9 TH  
Core Concepts
Readings:
- Erikson, Wayward Puritans: A Study in the Sociology of Deviance.

9/14 T, 9/16 TH, & 9/21 T  
Theoretical Perspectives and Feminist Jurisprudence
Readings:
- Holmes, The Path of the Law.
- Bender, A Lawyer’s Primer on Feminist Theory and Tort
- Crenshaw, A Black Feminist Critique of Anti-discrimination Law and Politics.
- Taub & Schneider, Women’s Subordination and the Role of Law.

9/23 TH, 9/28 T, & 9/30 TH  
Gender and Criminal Offending
Readings:
- Simon & Landis, Women and crime in review.
- Messerschmidt, Masculinities and Crime: Critique and Reconceptualization of Theory.
Film: Tough Guise

10/5 T & 10/7 TH  
Gender and Criminal Victimization: Rape and Sexual Assault
Readings:
- Griffin, Rape: The All-American Crime
- Estrich, Rape
- MacKinnon, Rape: On Coercion and Consent
- Wriggins, Rape, Racism and Law

10/12 T  
Midterm Exam

10/14 TH  
No class

10/19 T  
No class: Fall Break

10/21 TH, 10/26 T, & 10/28 TH  
Gender and Criminal Victimization: Intimate Partner Violence and Child Abuse
Readings:
- Mahoney, *Legal Images of Battered Women*.
- Crenshaw, *Violence Against Women of Color*.
- Hooper, *Child Sexual Abuse and the Regulation of Women: Variations on a Theme*

11/2 T & 11/4 TH  Gender and Family Law

**Guest Speaker**

Readings:
- Meier, *Domestic Violence, Child Custody, and Child Protection: Understanding Judicial Resistance and Imagining the Solutions. Domestic Violence*
- Bruch, *Parental Alienation Syndrome and Parental Alienation: Getting it Wrong in Child Custody Cases*

**Film:** *Small Justice*

11/9 T  Reproduction, Law, and Social Control

Readings:
- Heise, *Reproductive Freedom and Violence Against Women: Where are the Interactions?*
- Ehrenreich, *The Colonization of the Womb*.
- Colker, *An Equal Protection Analysis of U.S. Reproductive Health Policy: Gender, Race, Age, and Class*.

11/11 TH & 11/16 T  Gender and Correctional Institutions

Readings:

11/18 TH  **Global Patterns of Human Trafficking**

Readings: TBA

11/23 T & 11/25 TH  **No class: Thanksgiving Break**

11/30 T  Global Patterns of Human Trafficking

Readings: TBA

12/2 TH  Paper meetings 2.00 – 5.00pm

12/7 T & 12/9 TH  Connecting the Dots

Readings:
- Frazee et al. *Why Empirical Data Must Inform Practice*
DALTON, WHERE WE STAND: OBSERVATIONS ON THE SITUATION OF FEMINIST LEGAL THOUGHT.

12/16 TH
Final Exam 2.00 – 4.00pm
Papers due in class

SOCI X416-001: GENDER, LAW, AND SOCIAL CONTROL
PAPER GUIDELINES
DUE DATE
12/16 in class
You must turn in your paper both in hardcopy and as a WORD document attachment to my email address: kondkar@loyno.edu. Your paper will be considered late until I receive both versions.

LENGTH
Papers should be between 12 and 15 typed pages.

CITATIONS
You will be required to use and cite at least five scholarly (peer-reviewed / academic press) sources beyond the assigned readings. Sources must be properly cited (see the ASA CITATION GUIDE link on the course web page).

TOPICS / RESEARCH QUESTIONS
I would like to keep the options for your paper topics as broad as possible and I want you to have a great deal of autonomy with regard to your research question(s) (within the parameters of the course). If this is to be a valuable experience for you, you should pick a topic or research question that interests you. Feel free to discuss any ideas / interests you may have with me.

Having said this, it may be helpful to you at this stage to think about a few possible approaches to the paper: In class we cover a number of specific areas with regard to gender, law, and social control (e.g.: the social construction of gender roles, feminist theory and jurisprudence, gender inequality, gendered patterns of criminal offending and victimization, rape, rape law reform, intimate partner violence, child abuse, reproduction, correctional institutions, human trafficking and so on…). One possible approach might be to take one of these areas and explore the topic in more detail. You could, for example, examine any one of these issues in contemporary, historical, or cross-cultural contexts. You could also address one specific issue within these broad topics; for example you could examine one aspect of rape law reform, or explore the effects of mandatory arrest policies in cases of domestic violence, or the handling of child sex abuse allegations in child custody disputes, or you could explore empirical data to support or refute theories of female/male criminality.

Alternatively, you could explore a topic relevant to the course material that we have not covered in great detail in class. Examples of possible topics here might include, stalking, prostitution, medicine as social control, gendered patterns of social control in the media, the legal and social consequences of welfare reform for men and women respectively, the social control of sexuality, specific legal and social control issues concerning juveniles, gendered patterns of social control in high schools, etc. just to name a few. Your paper can be (perhaps should be) informed by personal observation and/or experience, but this alone is not a substitute for research and empirical data. The possibilities are numerous, but not
endless. Remember the title of the course. Be creative.

RECOMMENDATIONS / PENALTIES / WARNINGS
I expect you to be able to write clearly and avoid excessive spelling / grammatical errors. If you need help in this regard, or if you think your paper would benefit from editing assistance please make use of the WAC resources on campus (Bobet 100).

Late papers will be penalized by 5 points after 9.00pm on 12/16, and 5 points for each additional day they are late. No papers will be accepted after 12/19.

If you turn in a paper that is partially or wholly plagiarized, you will get an F for the course. Ignorance of what constitutes plagiarism is not an acceptable excuse for it. If you have any questions about what constitutes plagiarism, ask me, or consult the relevant pages of the Loyola Undergraduate Bulletin.