

COURSE SYLLABUS
POLI 3426 – Sex, Race, and the State
Winter 2023

Department of Political Science
Dalhousie University

Instructor: Dr. Margaret Denike

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Class Time: Wednesday and Friday 11:35-12:55
McCain 1116

Office: Rm 326 Henry Hicks Bldg
Office Hours: Wednesdays 1:15-2:45; and by appointment
[please feel free to email me to request alternative meeting time]

COURSE DESCRIPTION

This course will be conducted primarily as a **seminar**, with each class being framed by general lecture remarks on the assigned readings, to clarify the topic and orient the focus of the ensuing discussion. As the professor/seminar leader, I will provide the class with an overview of the topic and/or debates that are covered in the assigned reading and elucidate the significant points or key arguments made in/by them; however, the nature and quality of the learning experience will turn your active participation and respectful contribution to the discussions about them.

The general focus of the course concerns the social construction of ‘sex’ and ‘race’, and the role of the state [including laws, policies, and court decisions] and other institutions and disciplines [such as medicine, psychiatry and social sciences] in the historical and structural formations of racism and sexual oppression in western states, and largely in Canada and the US. Of particular interest are intersections and interrelations between sex, sexuality, race and racism, and the various ways they are implicated and imbricated in each other.

As a course that is cross-listed in both POLI [Political Theory] and GWST [Gender Studies], the topics and readings are include critical theoretical perspectives and analytic frameworks that are foundational to both of these disciplines: they draw on the work of leading scholars in these different fields to explore topics such as sexual identity, heterosexism, structural racism, the strategic use of marriage regulations, the legacies of colonization, and the challenges brought against them.

Central to the course is Michel Foucault's seminal work – the first volume of *History of Sexuality*, and particularly its analytics of biopower. After reviewing this book, we will go on to consider several productive applications and critical engagements by leading scholars in critical gender and race studies, and how they have been – or might be used-- to address historical and contemporary sexual and racial politics.

REQUIRED TEXTS:

The course materials are available electronically, either through web links to library or internet resources (provided on the syllabus), and/or in PDF format through Brightspace, and/or as titles of journal articles for which you would use your library access.

Please make sure to check the syllabus for the required readings for each class.

In addition to the required readings, I have provided a host of further recommended resources, including, for example, additional writing by the same author, or productive applications or --or critical engagements with-- them. These additional resources are also provided for you to use for written assignments, the requirements of which include drawing on --and showing your mastery of-- a wide selection of the materials that are listed on the syllabus for this course.

Grading Profile

90-100 = A+	77-79.9 = B+	65-69.9 = C+	50-55.9 = D
85-89.9 = A	73-76.9 = B	59-64.9 = C	50 > F
80-84.9 = A-	70-72.9 = B-	56-58.9 = C-	

Evaluation Profile

'Discussion' Submissions/Remarks on Readings: 20%

- **Due on each Wednesday and Friday by 11:00 every week, beginning Week 2: Jan 18**
- **Minimum of 150 words per entry**

The aim is to incentivize your preparation for the class, and specifically, to have you read the required reading for each week, *before* the class is held.

Beginning in the 2nd week of classes, you are asked to submit a minimum of 150 words on the Wednesday readings, and, again a minimum of 150 words on the Friday reading, by 11:00 am, before each class, for each week of the term [excluding the reading week, and week 12, during which we will the final test is scheduled

Each of these submissions shall include your remarks, reflections, thoughts, considerations, ideas, assessments [or whatever term could be for you a productive and useful characterization]—on a) the ‘required’ weekly readings **and/or** b) the recommended materials, with a view to the anticipated topic or focus of the discussion that class, as set by the required reading.

These remarks do **not** need to be part of a ‘discussion’; you do not need to have your comments viewed by others nor do you need to respond to others. You can submit them independently, **and any time up until the morning [11:00 am] of the class.**

While the window for your submissions for every week is open as of the first week of classes, for each class, this window will close by 11:00 AM on Wednesday morning for the materials covered in Wednesday’s class, and by 11:00 AM on Friday for that Friday’s class.

In short, and for example: a minimum of 150 words on the readings for the class held on Wednesday Jan. 18, need to be submitted by 11:00 on that day; the remarks for the class held on Friday, Jan 20, need to be provided by 11:00 am that day.

Please feel free to read ahead, and submit the 150 word minimum any time in advance, for each class, beginning now.

Feel free to comment on more than one of the readings or resources.

You will not be able to view other’s comments until have you submitted you own; yours and others’ comments will not be visible after the deadline of 11:00 am.

Short Essay: 15%

- **4-5 pages; maximum 1250 words, excluding bibliography**
- **Due: Thurs Feb 9**

This paper will be based on the topics and materials covered in the first 5 weeks of the class, [i.e., those relating to the social, construction of sex and gender; the social construction of race; intersectionality; Michel Foucault’s *History of Sexuality*; engagements and/or applications of Foucault’.

The objective of this paper will be to show your mastery of the course materials listed on the syllabus for Weeks 1-5; to this end it will require you to draw on a minimum of four of any of the readings and/or videos listed as either required or recommended resources for these weeks.

A second aim of this assignment: to enable you to have input on your writing, and to receive corrections and suggestions to inform your second, longer paper, and enable you to improve your writing for this and any other academic course.

You are welcome to draw on other materials on the syllabus for this course, and you are welcome to bring in external resources, but you are asked to focus on those requested in the assignment, with a view to showing your familiarity with – and mastery of—a wide range of the course resources.

Additional guidelines, including a list of the elements of your writing that will be assessed, and a suggested topic and/or guiding questions[s], will be posted on Brightspace by Jan 21.

Both this essay your Research Essay must abide by MLA Style Guidelines, including for the information included on the title page; [double] spacing; page numbering; 12 point font size; 1-inch margins; quotation formatting; in-text citations/references and bibliography or list of ‘works cited.’ Please make sure to look up these guidelines, as your accuracy in applying these will be among the elements of your writing that is evaluated.

There will be a penalty of 2% per day for late papers.

Research Paper: 35%

- **8-10 pages; maximum 2500 words, excluding bibliography**
- **Due: Thurs Mar 16**

Additional guidelines, including the topic and/or guiding questions[s] will be posted on Brightspace

This essay must abide by MLA Style Guidelines, including for the information included on the title page; [double] spacing; page numbering; 12 point font size; 1-inch margins; quotation formatting; in-text citations/references and bibliography or list of ‘works cited.’ Please make sure to look up these guidelines, as your accuracy in applying these will be among the elements of your writing that is evaluated.

There will be a penalty of 2% per day for late papers.

**Final Test: 25% of
In-class; Fri Mar 31**

The test will be comprised of short answer questions on the main arguments and key contributions to the course topics and themes that made in/by the required readings, as well as in/by other resources that are presented or covered in the classed.

Attendance: 5%

Based on class attendance. While this mark is intended as an incentive for you to come to class, the *real incentive* for your attendance will ideally be:

- 1) how exciting, fascinating, respectfully engaging, and thoroughly enjoyable we will collectively work to ensure that our classes always are; and
- 2) how seriously you wish to take acquiring a mastery of the course materials a) in preparation for the final test; and b) for the purpose of the writing assignments, which are based on the materials listed in the syllabus.

Schedule of Weekly Topics and Readings

The following lists the readings:

- a) The readings that you are ‘Required’ to have read for the class, and that will be discussed in the class on that day; and
- b) **Additional Recommended Resources:** these are provided as further recommended reading or viewing that are NOT required for you to complete for the class, but that may i) help you understand the required materials; ii) be used to inform your weekly ‘discussion’ submission in Brightspace; and iii) serve as the materials for you to use in both of your writing assignments

WEEK 1

Jan. 11

Introduction and Overview of Course Topics and Themes

Required Reading:

- The course syllabus [available on Brightspace]

Jan. 13

The Social Construction of Sex and Gender

The Tyranny of Binaries and Forces of Resistance

Required reading:

- Anne Fausto Sterling, “Dueling Dualisms,” reprinted Abby Ferber, Kimberly Holcomb, and Tre Wentling, eds. *Sex, Gender, Sexuality*. New York: Oxford UP, 2013, pp. 6-20.

Additional Recommended Resources:

- Nina Dragicevic, “Canada’s Gender Identity Rights Bill C-16 Explained, CBC Docs POV, Nov. 22, 2018. Available at: <https://www.cbc.ca/cbcdocspov/features/canadas-gender-identity-rights-bill-c-16-explained>
 - Includes summary of the specific changes [adding ‘gender identity or expression’ to the CHRA; additions to criminal] and links to the legislative summary and overview of the status in each province
 - Also included is a link to CBC Docs POV [S2 E6] on “the firestorm sparked by professor Jordan Peterson’s dismissal of gender neutral pronouns and his meteoric rise to global fame for denouncing political correctness.”

- [VIDEO] Makerere Institute of Social Research, “Judith Butler - Who is Afraid of Gender ?” June 11, 2020. Available at: <https://www.youtube.com/watch?v=cqc3uCold08> [2:07:59]
 - The idea of the social construction of gender – as freedom to choose it; Opposition of religious institutions, the Vatican, to proposition that ‘gender is a social construct’; as threat to family, society, and civilization itself.
 - Conversation / Questions with Discussants following and discussion by Butler

- “Postposttranssexual: Key Concepts for a Twenty-First Century Transgender Studies,” *Transgender Studies Quarterly*, 2014, Vol. 1, no 1-2. This is a collection of very brief, mini-essays, each of which defines a concept that is relevant to trans* studies and is written by different author. Recommended concepts to review. This journal [TSQ] and issue is available through your Dal library access. Here are a selection of terms:

biologics, **biopolitics**, capital, depathologization, feminism, **gender self-determination**, identity, International Statistical Classification, intersex, Islamophobia, microaggressions, monster, nature, normal, performativity, queer, somatomorph, the state, subaltern, transgender, transphobia, **whiteness**.

WEEK 2

Jan. 18

The Social Construction of Race

Required:

- Ian F. Haney Lopez, “The Social Construction of Race,” in Richard Delgado, ed. *Critical Race Theory: The Cutting Edge*. Philadelphia: Temple University Press, 2013, pp. 191-203. Available at: <https://blogs.brown.edu/chscholars/files/2018/07/HaneyLopez-SocialConstructionOfRace.pdf>
 - Clear, short concise article elucidating a social constructionist definition of race, racial difference – including for white people

Additional Recommended resources:

- [VIDEO] World Channel, “How America Invented Race” July 2020. Available at: https://www.wgbh.org/programs/2020/07/06/the-history-of-white-people-in-america-episode-one-how-america-invented-race?fbclid=IwAR3RRr46H8rMPBXd5ndUrkmBEut49_Iaf-H4waXP_mfDbREil23jwhfyvLo
 - Note: A student from my last class shared this link/resource with me. It is a video version of a graphic novel/spoken word presentation, which in three 8-10 minute segments recounts the invention of the black-white race distinction, and the ascendance of white power.

- [VIDEO] Duke University Law School, “Ian Haney Lopez, Race and The Law.” May 7, 2021. [1:07:08]. Available at: <https://www.youtube.com/watch?v=conBLMDpiM0&t=1686s>
 - Interview Q&A begins with the social construction of Race
 - Colour blindness; Obama as ‘post racial’; Trump as a strategic racist
 - Dog whistle: triggering racist stereotypes while getting people to think they are not racist; the overarching threat of plutocracy; racial division

- Gross, Ariela J. "Litigating Whiteness: Trials of Racial Determination in the Nineteenth-Century South." *Yale Law Journal*, vol. 108, no. 1, October 1998, p. 109-188. HeinOnline. [Complements and elaborates on Ian Haney Lopez’s “The Social Construction of Race”]

- [VIDEO] *Racism: A History* (Part 1)
An amazing 3-part documentary on the history of Racism, featuring a series of leading scholars, including those inspired by Foucault’s genealogical method. Available on YouTube [in both shorter and full versions. the longer of which at: <https://www.youtube.com/watch?v=dVHifzpQ920>

- [VIDEO] Trisha Rose, “How Structural Racism Works” 1:00:00 Available at: <https://www.youtube.com/watch?v=bC3TWx9IOUE>
 - An excellent, extensive yet concise overview on [primarily anti-black] *structural racism* in the U.S., and how it is reinforced through ideas and policies -- which will provide one of the theoretical, practical and political contexts of the course
 - Defining Structural Racism; normalization of disadvantage via everyday processes; legitimation through institutions and policies; Inter-dependence of various inequalities- -employment, education; ‘Redlining’: and dis-investing in black communities; segregation; asset reduction

- Alana Lentin (2016) Racism in public or public racism: doing anti-racism in ‘post-racial’ times, *Ethnic and Racial Studies*, 39:1, 33-48

- On the problem of focusing on individual racist actions and statements at the expense of structural racism
- Cites Ahmed's argument and chapter "Speaking about Racism," in her book, *On Being Included: Racism and Diversity in Institutional Life*
- [VIDEO] Barnor Hess, "Raceocracy: How the Racial Exception Proves the Racial Rule" [1:21:21] [March 7, 2013. Available at: <https://www.youtube.com/watch?v=QCAyQNWteUA>]

Jan 20

Intersectionality

Thinking outside and between the boxes of Race and Sex

Required:

- Abby L. Ferber, "Keeping Sex in Bounds," from Abby L. Ferber, Kimberly Holcomb and Tre Wentling, eds. *Sex, Gender and Sexuality: The New Basics*. NY: Oxford University Press, 2013. Pp. 92-99.
- Catharine MacKinnon, "Intersectionality as Method" *Signs*, Vol. 38, No. 4, Intersectionality: Theorizing Power, Empowering Theory (Summer 2013), pp. 1019-1030

Additional Recommended Resources

- Kimberle Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." *University of Chicago Legal Forum*, 1989, pp. 139-168. HeinOnline. [required reading includes only pages 139 – 152]
- Catherine Powell, "Race, Gender, and Nation in an Age of Shifting Borders: The Unstable Prisms of Motherhood and Masculinity," *UCLA Journal of International Law and Foreign Affairs* 24, no. 1 (Spring 2020): 133-162
 - "Theorizes how gender intersects with race in the legal construction of nation and borders; "analyzes two common tropes in the current immigration debate-the "welfare cheat" and the "criminal"-to demonstrate how these narratives shape legal constructs of nationhood and borders as both raced and gendered."
- Crenshaw, Kimberle. "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color." *Stanford Law Review*, vol. 43, no. 6, July 1991, p. 1241-1300. HeinOnline.

- exploring the race and gender dimensions of violence against women of colour
- [VIDEO] Southbank Centre, “Kimberle Crenshaw – On Intersectionality – Keynote – WOW 2016’ [30 mins]. Available at: <https://www.youtube.com/watch?v=-DW4HLgYPIA&t=342s>
 - Review of the meaning of the term – employment context and courts [the need to combine causes of action]
- Houh, Emily, A Genealogy of Intersectionality (October 15, 2021). Oxford University Press Handbook on Law and Feminism, Forthcoming, Available at SSRN: <https://ssrn.com/abstract=3951893>

WEEK 3

Jan 25 Mobilizing Intersectionality: Activism, Trans Rights

Required:

- Dean Spade, “Theorizing Power, Empowering Theory,” *Signs*. Vol. 38, no. 4 (Summer 2013) pp. 1031-1055.

Additional recommended Resources:

- [VIDEO] Kimberle Crenshaw, in conversation with Laura Saunders, “What Intersectionality Really Means to Movements” (26 mins) <https://www.youtube.com/watch?v=9dcj5tegl7I>
 - #sayhername campaign: how state violence impacts black women
- [VIDEO] Judith Butler, interviewed by Owen Jones. “Feminist Icon Judith Butler on JK Rowling, trans rights, feminism, and intersectionality, January 1, 2021. [59 mins]. Interview with Judith Butler. Available at: <https://www.youtube.com/watch?v=tXJb2eLNJZE>

Jan 27

Michel Foucault: Power, Knowledge, Genealogical Inquiry Introducing The History of Sexuality

Required:

- Michel Foucault, Part I: “We Other Victorians,” *History of Sexuality: An Introduction*. Trans. Robert Hurley, NY: Vintage, 1990. pp. 3-13.

- Michel Foucault, Part II, “The Repressive Hypothesis,” *History of Sexuality*, pp. 17-49.

Additional Recommended Resources:

- [VIDEO] Christina Hendricks, Michel Foucault, The History of Sexuality: An Introduction (1:39:00). Available at: <https://www.youtube.com/watch?v=v0tfJl1NKDk&t=440s>
 - A very inspiring educator in the Arts One program at the University of British Columbia
 - A clear overview and discussion on what Foucault is attempting to accomplish; of attempts to think about sexuality differently [especially in relation to power]: our ideas about sex are historically constructed, emerging in time, and thus how we can think differently about it.
- Michel Foucault, Part III, “*Scientia Sexualis*,” *History of Sexuality*, pp. 53-73.
- [VIDEO] Mark Thornsby, “Introduction to Foucault” (1:17:26) [first 20 mins] Available at: <https://www.youtube.com/watch?v=Ua4wrcS9u3A>
 - Foucault’s international status (Chair, History of Systems of Thought; A well-informed, comprehensive academic overview of MF’s work
 - Archeology, genealogy; history of concepts
 - *Discipline & Punish*: critical reflection on the concept of punishment
 - Governmentality [departure from Classical liberalism of Hobbes, Locke and social contract theory, which have limited applications to how ‘government’ works today [i.e., in the early 1970s-80s when Foucault was writing]
 - Systems of control; power – not as located in government, but as dispersed through institutions and practices
- [VIDEO] Michel Foucault, *Beyond Good and Evil* (1993):
 - <https://www.youtube.com/watch?v=xQHm-mbsCwk&t=542s>
 - A biographical documentary featuring his biographers, theorists, historians that contextualize the development of his work – beginning with the distinction between madness and reason
 - 40 mins. (see especially the first 10 mins)
 - Roy Porter (15:00 ...) turning on its head the idea that we have improved in our understanding and treatment of madness
 - Discipline and punish; The prison as model for society
 - Lynn Hunt, Camille Paglia, Paul Rabinow, Jeffrey Weeks....
- Krafft-Ebing, R. Von. *Psychopathia Sexualis*. 1892. Trans. Charles Gilbert Chaddock. See in particular Section III General Pathology. [available on line]
 - Exemplary of the ‘*scientia sexualis*’ discussed by Foucault
 - Categorizations of ‘sexual pathologies,’ such as fetishism, sadism, masochism, variations of homosexuality, etc.

- Intro is illustrative of presumptions re the intersections of sex, race and religion
- Leah De Vrun. Columbia UP 2021. Selections, including Introduction., pp. xx-xx; and Ch. 2: “The Monstrous Races”. Available through Dal library access: <https://ebookcentral-proquest-com.ezproxy.library.dal.ca/lib/dal/reader.action?docID=5763858&ppg=57>
[Intro: overview of intersex vs transgender studies; conceptualizations of ‘hermaphrodites’; Ch. 2: links the history representations of ‘monstrous races’ – and particularly non-Christian / Muslim ‘others’ religion to sexual anomalies’]

WEEK 4

Feb 1

Michel Foucault on Biopolitics: Power and the Politics of Life Re-Thinking Biopolitics

Required:

- Michel Foucault, Part V, “The Right to Death and Power Over Life,” *History of Sexuality*, pp. 135-159.

Additional Recommended Readings:

- Thomas Lemke, “The Government of Living Beings,” chapter 3 of his book, *Biopolitics*. N.Y.: New York University Press, 2011, pp. 33-52.
 - provides a brief and succinct description of the concept of ‘biopolitics,’ as employed by Foucault
- Giorgio Agamben, “Introduction,” *Homo Sacer: Sovereign Power and Bare Life*. Trans. Daniel Heller Roazen. Stanford: Stanford UP, 1989, pp. 1-12.
- Judith Butler, “Sexual Inversions,” *Domna Stanton, Discourses of Sexuality* (1991); reprinted in Susan Heckman, ed., *Feminist Interpretations of Michel Foucault* (1996)
- Michel Foucault, Lectures for March 17, 1976, from *Society Must be Defended* (this is similar to Chapter 5 of the *History of Sexuality*, but it is in lecture format)

- Michel Foucault, Lectures from “7 January 1976,” in Mauro Bertani and Alessandro Fontano, eds., *‘Society Must Be Defended’: Lectures at the College de France 1975-1976*. Translated by David Macey. NY: Picador, pp. 1-19.
 - on power becoming less juridical

Feb 3: No Class: Munro Day

WEEK 5

Feb 8

**Working with Foucault: Sex, Race and Biopower
Beyond Intersectionality?**

Required:

- Ladelle McWhorter, “Introduction: Two Great Dangers,” from her book, *Racism and Sexual Oppression in Anglo-America*. Bloomington: Indiana UP, 2009, pp. 1-16.
- Robert Bernasconi, “The Policing of Race-Mixing: The Place of Biopower within the History of Racisms,” *Bioethical Inquiry* (2010) Vol. 7, pp. 205-216.

Additional Recommended Reading:

- Ladelle McWhorter, “Racism, Race and Race War: In Search of Conceptual Clarity,” chapter 1 from her book, *Racism and Sexual Oppression in Anglo-America*. Pp 18-62
- Paul Rabinow and Nikolas Rose, “Biopower Today” *Biosocieties* (2006) pp. 195-217.
- [VIDEO] Conversation with Dorothy Roberts: “The biopolitics of black women’s bodies:” (at 25-30 mins – on how black women’s bodies are instrumental/condition of racial hierarchy) Available at: <https://www.youtube.com/watch?v=KIPKfHAX03s>
- Ladelle McWhorter, “Sex, Race, and Biopower: A Foucauldian Genealogy,” *Hypatia* Summer, 2004, Vol. 19, No. 3 (Summer, 2004), pp. 38-62
- Achille Mbembe, “Necropolitics” ...

- Elizabeth Maddock Dillon, “Zombie Biopolitics,” *American Quarterly*, Vol 71, Issue 3 (Sept 2019), pp. 625-652. [selections]
 - A critical extension of Mbembe’s ‘necropolitics’ that provides a corrective to the Euro-centric focus of Foucault’s idea of biopower; posits a ‘plantation’ biopolitics
- Hortense J. Spillers, Mama’s Baby, Papa’s Maybe: An American Grammar Book,” *Diacritics*, Vol 17, No. 2 (Summer 1987), pp. 64-81. Available at: https://www.sas.upenn.edu/~cavitch/pdf-library/Spillers_amas_Baby.pdf [complements Dillon’s *Zombie Biopolitics*, or Achille Mbembe, *Necropolitics*’]
 - Alana Lentin, “Thinking Blackly Beyond Biopolitics and Bare Life,” a blog, theoretical discussion and review on Alexander Weheliye’s book, *Habeus Viscus* – which provides a critical race assessment of Foucault’s ‘biopolitics’ and Agamben’s ‘bare life’. Available at: <https://www.alanalentin.net/2017/03/22/thinking-blackly-beyond-bio-politics-and-bare-life/>

Feb 10

Law and Race-Making: The Invention of the White Race

Required:

- Ashton Wesley Welch, “Law and the Making of Slavery in Colonial Virginia,” *Ethnic Studies Review* (2004) 27:1, pp 1-22. Available via google at: <https://scholarscompass.vcu.edu/cgi/viewcontent.cgi?article=1210&context=esr>
 - Note: there are some issues with the [unrefined] quality of this article, but its content and organization will none the less enable a fruitful discussion

Additional Recommended Resources

- Cheryl Harris, “Whiteness as Property,” *Harvard Law Review* 106:8 (June 1993). Pp. 1710-1793.
 - A detailed historical, legal analysis of the convergence of the concepts of whiteness and property
 - Law’s relation to racial power in the construction of whiteness
- Historical Documents: Colonial laws. Available at: <https://www.pbs.org/wgbh/aia/part1/1h315.html>
 - The shift from indentured servitude to racial slavery in the British colonies is evident in the development of the colonies' laws.
 - Virginia, 1639: The first law to exclude "Negroes" from normal

protections by the government was enacted.

- Maryland, 1664: The first colonial "anti-amalgamation" law is enacted (amalgamation referred to "race-mixing"). Other colonies soon followed Maryland's example. A 1691 Virginia law declared that any white man or woman who married a "Negro, mulatto, or Indian" would be banished from the colony forever.

- Virginia, 1667: Christian baptisms would no longer affect the bondage of blacks or Indians, preventing enslaved workers from improving their legal status by changing their religion.

- Virginia, 1682: A law establishing the racial distinction between servants and slaves was enacted.

- [VIDEO] Jacqueline Battalora, Birth of a White Nation: <https://www.youtube.com/watch?v=TM6ehzu3p4c>
 - Here is a fabulous lecture on the invention of 'whiteness' in colonial US; the division of race and the laws that helped enforce patriarchal white supremacy. Consider this as an extension of the idea that informs the 'invention' of sexuality (according to Foucault). Conditions of the Emergence of 'white people' after 1681; refutes any claims to the 'biological' roots of white people; "white supremacy has been embedded in US as a matter of [foundational] law."
 - Basic argument: the invention of 'white' was a way of dividing the working class and poor, to create a new bottom.
- [VIDEO] Harvard Law School, Annette Gordon-Reed, Law and Race-Making in Early America [50:54]. Available at: <https://www.youtube.com/watch?v=1O7gYCd-spQ>
 - Author of the Hemingses of Monticello
 - Tracking from the arrival of first group of 'enslaved' in Virginia
 - Rules relating to blacks;
 - Post American Revolution: increasing sense of Blacks of potentially dangerous/actors [and not just property]
 - The role of Revolution in changing laws: each States' emancipation statutes [NY, New England, Massachusetts; ...]
- [VIDEO] Critical Race Studies, "Keynote: Cheryl I Harris" [October 2, 2014] [1:16:25]. At: <https://www.youtube.com/watch?v=cRV1417e0R0>
 - Keynote Lecture by Harris at a symposium on the impact of this work ['Whiteness as Property'] by her. Held at UCLA Law School.
 - The Introduction, overview, and celebration of Harris takes the first 15 minutes.
- Theodore Allen, *The Invention of the White Race. Vol 2: The Origin of Racial Oppression in Anglo-America*. Part I, pp. 5-45. Available online [although

marked/highlighted] at: <http://ouleft.org/wp-content/uploads/Invention-White-Race-Vol2-Allen.pdf>

- Relates the invention of the ‘white race’ [and the category of ‘white’ as a racial category to the labor crises [and dependence on indentured servants as ‘chattel’ / property] in 17th century Virginia, and specifically to the plantation elite
- [VIDEO] The New School, *The Story of American Slavery: Documentary on How Slavery Dominated America* [2015] [1:22:49]. Available at: <https://www.youtube.com/watch?v=shm3CtkmNig>
 - The ‘American Institution’; formed of divisions imposed among indentured labour; the legal basis for the tyranny of white domination; construction of slave identity
- Ladelle McWhorter, “Where Do White People Come From? A Foucauldian Critique of Whiteness Studies,” *Philosophy & Social Criticism*, Vol., 31, nos 5-6, pp 533-556. [newly added]

WEEK 6: Reading Week – No Classes

WEEK 7

Feb 22

Legacies of Slavery and Racial Colonization in Canada

Required:

- Harvey Amani Whitfield, “The Struggle over Slavery in the Maritime Colonies” *Acadiensis* Vol 41, No. 2 (Summer/Autumn 2012) pp. 17-44. Available through your library access.

Recommended

- Afua Cooper et al. *Report on Lord Dalhousie’s History of Slavery and Race*. Halifax: Dalhousie University, 2019. Available at: https://cdn.dal.ca/content/dam/dalhousie/pdf/dept/ldp/Lord%20Dal%20Panel%20Final%20Report_web.pdf
- Rai Reece, “Carceral Redlining: White Supremacy is a Weapon of Mass Incarceration for Indigenous and Black Peoples in Canada,” *Policy Brief*. Yellowhead Institute. Issue 68

- (June 25, 2020). Available at Canada Commons:
<https://canadacommons.ca/artifacts/2132177/carceral-redlining/2887475/>
- UN General Assembly Human Rights Council, *Report of the Working Group of Experts on People of African Descent on its Mission to Canada*. Human Rights Council 36th Session, September 2017. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/239/60/PDF/G1723960.pdf?OpenElement>
 - Pamela Palmater. (2020). “Overincarceration of Indigenous peoples is nothing short of genocide” *Indigenous Nationhood*, Available at: <https://indigenousnationhood.blogspot.com/2020/02/overincarceration-of-indigenous-peoples.html>
 - Jean-Denis David, & Megan Mitchell (2021). “Contacts with The Police and the Over-Representation of Indigenous Peoples in The Canadian Criminal Justice System.” *Canadian Journal of Criminology and Criminal Justice*, 63(2), 23–45. <https://doi.org/10.3138/cjccj.2020-0004>
 - CBC News, “Indigenous Women Make Up almost half of the Prison Population, Ombudsman says,” December 18, 2021. Available at: [https://www.cbc.ca/news/politics/indigenous-women-half-inmate-population-canada-1.6289674#:~:text=Fred%20Thornhill%2FReuters\),.Indigenous%20women%20now%20account%20for%20almost%20half%20of%20the%20female,cent%20of%20the%20total%20population](https://www.cbc.ca/news/politics/indigenous-women-half-inmate-population-canada-1.6289674#:~:text=Fred%20Thornhill%2FReuters),.Indigenous%20women%20now%20account%20for%20almost%20half%20of%20the%20female,cent%20of%20the%20total%20population)
 - Tina Loo, “Savage Mercy: Native Culture and the Modification of Capital Punishment in 19th Century British Columbia,” from Carolyn Strange, ed. *Qualities of Mercy: Justice, Punishment and Discretion*. Vancouver: UBC Press, 1996, pp. 104-123.

Feb 24

Displacing Blackness: The Fate of Africville The Colouring of Halifax

- Ted Rutland, “Planning the Town White: Comprehensive Planning, Scientific Racism, and the Destruction of Africville,” Chapter 3 from his book, *Displacing Blackness: Planning, Power and Race in 20th Century Halifax*. Toronto: University of Toronto Press, 2018, pp. 75-115
 - On the literal city planning to destroy and eliminate Africville
 - Applies Foucault on biopolitics

Additional Recommended Resources:

- [VIDEO] Africville. A 30-min 1991 NFB documentary, available at: <https://www.youtube.com/watch?v=BE0FoVCZjzM&t=44s>
- Charles Mills, *The Racial Contract*. [chapter 1]
 - Considerations for a theoretical framework

WEEK 8

Mar 1

Ideologies of Marriage and the Colonization of Relationship Recognition Monogamy in Canadian History

- Sarah Carter, “Creating, Challenging, Imposing, and Defending the Marriage “Fortress,” Ch. 1 of her book, *The Importance of Being Monogamous: Marriage and Nation building in Western Canada*. Edmonton: Athabasca University Press. 2008. Pp. 2-16 [available online through Dal Library; also available through OpenAccess]
- Sarah Carter, “Customs Not in Common: The Monogamous Ideal and Diverse Marital Landscape in Canada,” Chapter 2 from her book, *The Importance of Being Monogamous: Marriage and Nation building in Western Canada*. Edmonton: Athabasca University Press. 2008, pp. 18-60.
- [available online through Dal Library; also available through OpenAccess]

Additional Recommended Resources:

- Nancy Cott, “An Archeology of Modern Monogamy,” in *Public Vows: A History of Marriage and Nation*. Cambridge: Harvard UP: 2000, pp. 9-23.
- [VIDEO] Colombia Learns, *History of Marriage with Nancy Cott* [11:34 mins]. July 2017. Available at: <https://www.youtube.com/watch?v=7e0Rh7d08-A>
- Martha M. Ertman, “They Ain’t Whites, They’re Mormons: An Illustrated History of Polygamy as Race Treason,” University of Maryland School of Law Legal Studies Research paper No. 2008-37 (October 2008). Available at: <http://ssrn.com/abstract=1270023>
- [VIDEO] Hall Centre, *Grooming Citizens: Marriage and Civic Status in U.S. History, Nancy Cott*. [1:25:45 Note: Cott begins speaking at 10:35]. April 14, 2017. Available at: <https://www.youtube.com/watch?v=f7MU5PetLJw>

- M. Denike, “The Racialization of White Man’s Polygamy,” *Hypatia* 25:4 (Fall 2010), pp. 852-874.
- Amy Kaufman, “Polygamous Marriages in Canada,” *Canadian Journal of Family Law*, Vol. 21 (2005), p. 213.

Mar 3

The [Re]- Criminalization of Polygamy in Canada

Required:

- Statement of the BC Attorney General. 2010.
<http://stoppolygamyincanada.files.wordpress.com/2010/11/statement-of-agbc.pdf>
- Government of Canada, Bill S -7: Zero Tolerance on Barbaric Cultural Practices Act [2015] <https://www.parl.ca/DocumentViewer/en/41-2/bill/S-7/royal-assent/page-30#2>
- Canadian Bar Association, *Bill S-7 – Zero Tolerance for Barbaric Cultural Practices Act*. Ottawa. April 2015. (7 pages). Available at:
<https://www.cba.org/CMSPages/GetFile.aspx?guid=bda08254-2841-4eaf-87e8-1a9df192c4a7>
- METRAC, *Submission by METRAC: Action on Violence to the House of Commons Standing Committee on Citizenship and Immigration Re: Bill S-7*. Ottawa. May 2015. Available at: <http://owjn.org/wp-content/uploads/2016/10/metrac-submission-commons-bill-s-7.pdf>

Additional Recommended Resources

- [VIDEO] The Fifth Estate, Winston Blackmore and Polygamy:
<https://www.youtube.com/watch?v=F474fXIyuls&t=815s>
- Global News, Timeline of Polygamy in Canada:
<https://globalnews.ca/news/181257/timeline-polygamy-in-canada/>
- National Post, Timeline of Polygamy in Canada (includes a few different details):
<https://nationalpost.com/pmnn/news-pmnn/canada-news-pmnn/a-timeline-of-polygamy-in-canada>
- Government of Canada Justice Laws Website, *Zero Tolerance on Barbaric Cultural Practices (2015)* Available at:
https://laws-lois.justice.gc.ca/eng/annualstatutes/2015_29/page-1.html

- Decision of the BC Supreme Court (Nov. 2011): <http://www.courts.gov.bc.ca/jdb-txt/SC/11/15/2011BCSC1588.htm>: if interested, this very long decision includes a LOT of information, including on the history of polygamy. It will also give get a sense of what a reference case might look like.

WEEK 9

March 8

Chinese Exclusion and National Identity The Chinese Head Tax in Canada

- Peter Li, “Reconciling with History: The Chinese-Canadian Head Tax Redress,” *Journal of Chinese Overseas*, Volume 4, Number 1, May 2008, pp. 127-140.

If time permits, read the ‘historical background’ [up to p. 405]:

- Chu, Sandra Ka Hon, “Reparation as Narrative Resistance: Displacing Orientalism and Recoding Harm for Chinese Women of the Exclusion Era,” *Canadian Journal of Women and the Law*. Vol. 18, no. 2 (2006), pp. 387-437 [Read only pages 387-405: Intro and Historical background]
 - A lengthy very detailed and extensively documented article, based on a graduate thesis by the author, engaging a vast selection of feminist and critical theorists
 - A great resource, including a few hundred references, for further exploration on this topic
 - Recounts the history of Chinese exclusion, with attention to its impact on Chinese women
 - application of intersectionality; gendered analyses of ‘redress’

Additional Recommended Resources

- Sunera Thobani, “Closing Ranks: Racism and Sexism in Canada’s Immigration Policy,” *Race and Class*, Vol. 42, no. 1, (2000), pp., 35-55.
- [VIDEO] The Activist Network, ACCESS: Hanson Lau with Sid Tan – Chinese Head Tax Exclusion Redress [11:19] May 21, 2016. Available at: https://www.youtube.com/watch?v=Gu_Zz3rqHu0
- Johnson, Kevin R. "Race, the Immigration Laws, and Domestic Race Relations: A Magic Mirror into the Heart of Darkness." *Indiana Law Journal*, vol. 73, no. 4, Fall 1998, p. 1111-1160. HeinOnline.
 - Chinese exclusion, Japanese internment, ‘illegal aliens’
 - Reinforcing the subordinated status of immigrants

- Why immigrants of colour are social scapegoats
- [VIDEO] Canadian Apartheid: The Chinese Head Tax and Racism's Legacy Mar. 24 2018 [5 mins]. Available at: <https://www.youtube.com/watch?v=gkkpHpFV6oE>
 - An uncomfortable history of racism in British Columbia and Canada needs to be confronted if we are to truly grasp the way our past has shaped us, and to move past prejudices.
- [VIDEO] American Experience PBS, *The Chinese Exclusion Act* [9:15]. May 29, 2018. Available at: <https://www.youtube.com/watch?v=FbBatK7JWYc&t=82s>
 - On the Exclusion in the US.
- [VIDEO] Committee 100, *Chinese Exclusion and the U.S. Congress: A Legislative History* [2014] [34:26] Available at: <https://www.youtube.com/watch?v=Zmse6QwI5EU>
 - As a legislative history of the Chinese Exclusion Act of 1882, Martin Gould provides a fabulously informative, though rather dense, and detailed overview of the severe anti-Chinese political movements and initiatives and political positioning, that sought and extended the exclusion of Chinese from naturalization
 - Tracks the economic context; positions of individual congressmen; with democrats FOR exclusion, and Republicans opposing it.
 - While rushed through the House, when the *Act* was before the Senate only [Hoar] one of the 77 Senators opposed 'as fundamentally against the principles of this nation.
 - Not just exclusion from immigration, but from naturalization; voting.
 - It is not until 1943, when US is in alliance with China against Japan, that the *Act* is repealed.]
 - 2012: House of Reps Resolution 683 [initiated by Congressman Judy Chu] Expressing regret, across party lines, for the first time in 130 years, expressing regret for the *Act*, approved unanimously.
 - Closes on a reflection on the **monument** /statue to Senator Hannibal Hamlin [Rep-Maine 1879 who opposed the *Act*] outside the US Hall of Representatives in Maine

Mar 10
Chinese Exclusion through an Intersectional Lens
The Biopolitics of Chinese Exclusion

Required

- Laura Madokoro, “Exclusion by Other Means: Medical testing and Chinese Migration to Canada, 1947-1967,” *Histoire sociale / Social History*, Volume 52, Numéro/Number 105, Mai/May 2019, pp. 155-170.
- Cont’d from last week:
Chu, Sandra Ka Hon, “Reparation as Narrative Resistance: Displacing Orientalism and Recoding Harm for Chinese Women of the Exclusion Era,” *Canadian Journal of Women and the Law*. Vol. 18, no. 2 (2006), pp. 387-437 [selections]

Additional Recommended Resources:

- Kerry Abrams, “Polygamy, Prostitution, and the Federalization of Immigration Law,” *Columbia Law Review* 105:3 (2005), pp. 641-716.
- [for the US equivalent of legislated Chinese exclusion]: Congress’s banned the immigration of Chinese prostitutes under the Page Law of 1875: the first restrictive federal immigration statute.
- Highlights the significance of the Page Law, over the Chinese Exclusion Act, which is typically treated as the crucial landmark in the federalization of immigration law.
- argues that the Page Law was not a minor statute targeting a narrow class of criminals, but rather an attempt to prevent Chinese women in general from immigrating to the United States.
- By identifying and excluding Chinese women as prostitutes, the law prevented the birth of Chinese American children and stunted the growth of Chinese American communities.

WEEK 10

Mar. 15

**The Indian Act and Sex Discrimination:
Targeting Aboriginal Populations through the Status of Women**

Required:

- Gwen Brodsky, “Indian Act Sex Discrimination: Enough Inquiry, Just Fix it Already,” *Canadian Journal of Women and the Law*, Volume 28, No.2, 2016, pp. 314-320.
- Shelagh Day, “Equal Status for Indigenous Women – Sometime, Not Now,” *Canadian Woman Studies*. Vol 33, Issue 1-2 (2018-19), pp. 174-85.

Additional Recommended Resources:

- [VIDEO] Canada is an Outlaw: Sex Discrimination continues in the Indian Act. Pam Palmater June 13, 2019 [18:21] Available at: <https://www.youtube.com/watch?v=eOuLsGhMRh4>
 - The goal of the Act: to legislate Indians out of existence, by targeting Indian women
 - Loss of First Nations' women's status
 - Jeanette Lavelle and Yvonne Bedard, suing Canada under the Bill of Rights
 - Sandra Lovelace: case before the UN International Human Rights Committee, who built on Lavelle and Bedard's loss
 - Bill C-31 as effort to revise Indian Act. However, those who had loss status had not been reinstated, and if reinstated, still subject to a hierarchy of recognition
 - Sharon McIvor challenged this, denied leave to appeal to the SCC; appealed to the UN, which decides in her favor: that there is ongoing discrimination; required Canada to bring revisions into force.

- [VIDEO] BearPaw Media and Education, Reclaiming Indian Status. Available at:
 - <https://www.youtube.com/watch?v=hvtBprodmo> [May 4, 2020] 31:57
 - Overview of changes to the Indian Act's discriminatory provisions
 - Changes made to the IA in 1985 [under Bill C-31]

- [VIDEO] The *Indian Act* Explained. The Agenda with Steve Palkin [25 mins] Available at: <https://www.youtube.com/watch?v=OhBrq7Ez-rQ>
 - Interview with Bob Joseph, author *21 Things You May Not Know About the Indian Act*
 - Assimilation policy
 - Bill C-31: removed the discriminatory provisions of the Act that had stripped Indian women of status, if marry white men
 - Establishment of reserves; assignment of European names by 'Indian Agents'; Restriction on Mobility [off reserve, over 30 days resulting in penalties of loss of status]
 - Expropriation of land; loss of status for those pursuing university education; prohibition of participation in the economy; prohibition on political organization

- [VIDEO] Canada's State of Emergency – Pamela Palmater. Available at: <https://www.youtube.com/watch?v=lrd4848Q064>
 - Under Harper, the government is at war with its people.
 - Missing and murdered aboriginal women
 - Environmental health crises impact communities
 - Climate change, contaminated word; life and death impact of policies
 - Human rights under attack; critical assessments by International Rights bodies
 - Urging activism, the necessity collective action -- Idle no More movement;

- [VIDEO] The *Indian Act* and What to do with it. The Agenda with Steve Paikin May 30, 2019 [32 mins] Available at: <https://www.youtube.com/watch?v=OC9fRBk7rZk>
 - Panel of four Canadian Aboriginal speakers/advocates/leaders
 - Discussion of specific sections of the Act and its fundamental purpose [of assimilation]
 - Need for options first nations-led alternatives
- FAFIA, “The Government Must End Sex Discrimination in the Indian Act Now,” Campaign ‘Any Given Tuesday’ to pass Bill S-3. Available at: <http://fafia-afai.org/en/solidarity-campaign/#tab-3>
- FAFIA, Letter to Prime Minister and Ministers to Implement UN HR Committee’s Ruling to End Sex Discrimination in the Indian Act (March 27, 2019). Available at: <http://fafia-afai.org/wp-content/uploads/2019/03/Letter-to-Trudeau-re-Indian-Act-March-27-2019FINAL.pdf>
- Jennifer Greens, “Indian Status could be extended to Hundreds of Thousands as Bill S-3 Provisions come into Force,” CBC News. August 15, 2019. Available at: <https://www.cbc.ca/news/indigenous/bill-s-3-indian-act-sex-discrimination-1.5249008>
 - Sharon McIvor pleased with passage of Bill S-3; concern re delays in implementation
 - Crown-Indigenous Relations and Northern Affairs Canada, “Statement,” First Anniversary of the Elimination of Sex-based inequalities in the Indian Act (August 14, 2020). [google]
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Mar 17 : NO In-Person Class

Engaging International Human Rights Law

The UN Declaration on the Rights of Indigenous Peoples – and why it matters

Required Video/Lecture: to be viewed ON YOUR OWN TIME

- [VIDEO] Pam Palmater, Understanding UNDRIP & Bill C-15: Warrior Life Podcast [1:10:23]. April 29, 202. Available at: <https://www.youtube.com/watch?v=VuWtRmGIrro&t=1341s>

- Podcast featuring Professor Brenda Gunn and **Senator Murray Sinclair**, on Bill C-15 – the Canadian Bill to Support the UNDRIP.
- For a concise overview of the importance of UNDRIP: see 12:20-22:20 [Murray Sinclair]
- Sinclair: on the impact of colonization, residential schools; the need for active assistance to accomplish reparations and support for Indigenous peoples

Additional recommended resources

- UN Declaration on the Rights of Indigenous Persons. Available at: https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf
- This is the UN Declaration itself
- United Nations Department of Economic and Social Affairs – Indigenous Persons Available at <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>
 - Provides information on history of the Declaration; state’s voting practices; ratification
- Brenda Gunn, Understanding and Implementing the UN Declaration on the Rights of Indigenous Persons: An Introductory Handbook (Winnipeg Faculty of Law, 2011) Available at: https://www.indigenousbar.ca/pdf/undrip_handbook.pdf
 - Accessible overview, context, and elucidation of the articles of the UNDRIP
- [VIDEO] CCEPA, Racism - Indigenous Perspectives with Senator Murray Sinclair [1:30:55]. November 9, 2016. Available at: https://www.youtube.com/watch?v=Vj_YBOIHtFM
 - Murray Sinclair: former chair of the Truth and Reconciliation Commission
 - What racism has done to aboriginal peoples
 - Residential schools as acts genocide: forcible removal of children
 - Series of laws enacted to force this on families [under John A. MacDonald]
- Province of British Columbia, Declaration Action Plan: <https://www2.gov.bc.ca/gov/content/governments/indigenous-people/new-relationship/united-nations-declaration-on-the-rights-of-indigenous-peoples/implementation>
 - On BC’s implementation of an Act [the Declaration of the Rights of Indigenous Peoples Act], which is about using and affirming UNDRIP as a guide for an action plan (March 2022) for strategies of reconciliation; recognition of indigenous people’s self-governance and self-determination

- [VIDEO] B.C. Premier John Horgan makes an announcement on UNDRIP implementation – March 30, 2022. Available at: <https://www.youtube.com/watch?v=W1G5RDCwPd0>
 - Summarizes BC’s implementation of the Declaration Act – the “first dedicated Action plan in the world” to advance the implementation of the UNDRIP in many areas and throughout various ministries.
 - With mechanisms of accountability for assessing the effectiveness of implementation

WEEK 11

Mar 22

Sexual Orientation, LGBTQ Rights, and Legal Reform in Canada Sexual Self-Determination

Required:

- CBC News: Timeline: Same Sex Rights in Canada. May 25, 2015. Available at: <https://www.cbc.ca/news/canada/timeline-same-sex-rights-in-canada-1.1147516>
- Walker, Kristen. 2000. “International Law Weekend Proceedings: Evolving Human Rights Norms around Sexuality,” 6 *ILSA Journal of International and Comparative Law*, pp. 342-353. Available at: <http://www.heinonline.org/HOL/Page?handle=hein.journals/ilsaic6&id=353&type=text&collection=journals>

Additional Recommended Resources:

- Miriam Smith. (2020). Homophobia and Homonationalism: LGBTQ Law Reform in Canada. *Social & Legal Studies*, 29(1), 65–84.
- Christy M. Glass & Nancy Kubasek, The Evolution of Same-Sex Marriage in Canada: Lessons the U.S. Can Learn from Their Northern Neighbor Regarding Same-Sex Marriage Rights, *Michigan Journal of Gender & the Law*, 15, p. 143 (2008). Available at: <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=1077&context=mjgl>
 - Resourceful detailed comparative study of the history of the legalization of same sex marriage in Canada, and separately the US; Backlash, DOMAs
- Chris Geidner, ‘The Court Cases that Changed LGBTQ Rights,’ *New York Times*, June 19, 2019. Available at: <https://www.nytimes.com/2019/06/19/us/legal-history-lgbtq-rights-timeline.html>

- For an overview of LGBTQ Law Reform in the United States
- Lucas Ramon Mendos, Kellyn Botha, Rafael Carrano Lelis, Enrique López de la Peña, Iliia Savelev and Daron Tan, *State-Sponsored Homophobia 2020: Global Legislation Overview Update* (Geneva: ILGA, December 2020). Available at: https://ilga.org/downloads/ILGA_World_State_Sponsored_Homophobia_report_global_legislation_overview_update_December_2020.pdf
 - The situation of LGBTQ rights -- internationally
 - Complements the ILGA world map of sexual orientation laws
 - Focus on legal issues, providing data and tools for advocacy via international human rights bodies and case law in UN member states, international human rights bodies
 - Summaries of the state of affairs in countries where homosexuality is criminalized
 - Footnotes provide an excellent resource for current research and data

Mar. 24

**Gender Identity, Gender Expression
Trans Resistance and Law Reform**

Required:

- Kyle Kirkup, “The Origins of Gender Identity and Gender Expression in Anglo-American Legal Discourse,” *University of Toronto Law Journal*, Vol 68, Issue 1 (Winter 2018), pp. 80-117.

Additional Recommended Resources:

- Brenda Cossman, “Gender Identity, Gender Pronouns, and Freedom of Expression: Bill C-16 and the Traction of Specious Legal Claims,” *University of Toronto Law Journal*, vol. 68, issue 1 (Winter 2018), pp. 37-79.
- Bettcher, T. M. (2014). “Trapped in the wrong theory: Rethinking trans oppression and resistance,” *Signs: Journal of Women in Culture and Society*, 39(2), 383–406.
- Dean Spade, “Trans Law and Politics on a Neoliberal Landscape,” Chapter 1 from his book, *Normal Life Administrative Violence, Critical Trans Politics, and the Limits of Law*. Brooklyn: Southend Press, 2011, pp. 49-78.
- Kathryn J. Perkins, “Willful lives: Self-determination in lesbian and trans feminisms,” *Journal of lesbian studies*, 2022, Vol.26 (2), p.194-198.

- The International Commission of Jurists, *Sexual Orientation, Gender Identity, and Justice*, Introduction, pp. 1-14. Report available at:
<http://www.icj.org/dwn/database/Sexual%20Orientation,%20Gender%20Identity%20and%20Justice-%20A%20Comparative%20Law%20Casebook%5B1%5D.pdf>

WEEK 12

Mar 29 / Catch up Review

Mar 31 [Test] no readings

WEEK 13

April 5: Outrage: and the Politics of Outing

Note: the only place I could find free access to this incredible U.S.-based documentary was through this international/German site. Here's hoping it remains accessible....

- [VIDEO] *Outrage* (2009). Documentary directed by Kirby Dick. Available at:
<https://www.youtube.com/watch?v=gj0OpgAs2rE> (1:27:00)
 - An excellent documentary that tracks closeted gay politicians that consistently vote against gay rights.
 - Blogger Michael Rogers outing of gay politicians who lead 'double lives' as gay men who publicly oppose gay rights
 - Barney Frank, Charlie Crist