

THE UNIVERSITY OF WESTERN ONTARIO
DEPARTMENT OF WOMEN'S STUDIES AND FEMINIST RESEARCH
Outline Winter Term 2014
Women's Studies 2270B: Women, Law, and Social Change

Winter Term 2014
Mon 11:30 – 2:30
Room: VAC-100

Instructor: Gillian Demeyere
Office Hours: Thursdays 12:00-1:30 or by
appointment
661-2111 x81242
gdemeyer@uwo.ca

DESCRIPTION

This course is an introduction to feminist legal theory, with a focus on feminist engagement with the law for social change in Canada. We will examine three generations of feminist legal theory (Equality, Difference, and Complex Identities) in addition to allied intellectual movements (*e.g.*, Critical Race and LGBT Theories) before turning to a series of examples of applied feminist legal theory and the feminist effort for social change. Topics may include: equality under the *Charter*, equality at work, sexual harassment, motherhood, reproduction, sexual assault, domestic violence, pornography and prostitution.

MATERIALS

- Martha Chamallas, *Introduction to Feminist Legal Theory*, 3d ed. (New York: Wolters Kluwer, 2013) available for purchase at the campus bookstore and on reserve at Weldon.
- Additional readings (cases) are posted on OWL.

OBJECTIVES

The goal of this course is to introduce students to feminist legal theory and feminist engagement with the law. Students will be introduced to the basic legal principles and doctrine in the relevant areas and will learn how to read case law and statute law critically. Through the examination of a number of legal issues and subject areas, students will be invited to reflect upon questions of feminist legal strategy and the nature of law and the Canadian legal system.

REQUIREMENTS

- 2 short essays (approx. 5 pages each): 20% each (3 essays will be assigned; students must complete at least 2. If a student chooses to complete all 3, the highest 2 grades will be used in the calculation of the final grade.)
- Midterm test: 20%
- Final exam: 40%

POLICIES

LATE SUBMISSION: Late essays will be subject to a penalty of 2% per day to a maximum of 20%. Essays will not be accepted after the last day of classes, except in exceptional circumstances.

PLAGIARISM: Essays may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of

plagiarism. All papers submitted will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licencing agreement currently between the University and Turnitin.com

SCHOLASTIC OFFENCES: Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, in the Handbook of Academic Scholarship and Policy, available at <http://www.uwo.ca/univsec/handbook/>

SUPPORT SERVICES: Students who are in emotional/mental distress should refer to Mental Health@Western <http://www.uwo.ca/uwocom/mentalhealth/> for a complete list of options about how to obtain help.

Schedule of Topics and Readings

January 13	Introduction to the course No readings.
January 20	Thinking Like a Feminist / Thinking Like a Lawyer Readings: Chamallas 1-16
January 27	Three Generations of Feminist Legal Theory Readings: Chamallas 17-32
February 3	Allied Intellectual Movements: Critical Race Theory and LGBT Scholarship Readings: Chamallas 167-232
February 10	Midterm Test
~Reading Week~	
February 24	Discrimination in Employment: Gender and Family Status Readings: Chamallas 233-261 and <i>British Columbia v. BCGSEU</i> ("Meiorin")
March 3	Sexual Harassment Readings: Chamallas 309-333 and <i>Janzen v. Platy Enterprises</i> Essay #1 due
March 10	Sexual Assault Readings: Chamallas 285-309 and <i>R. v. J.A.</i>
March 17	Domestic Violence Readings: Chamallas 333-353 and <i>R. v. Lavallee</i> Essay #2 due
March 24	Abortion Readings: Chamallas 386-395 and <i>R. v. Morgentaler</i> (1988)
March 31	Prostitution Readings: Chamallas 354-361 and <i>Canada (Attorney General) v. Bedford</i> Essay #3 due
April 7	Conclusion / Review Readings: Chamallas 403-411