



sexuality, or other such behavior, is unkind, constitutes academic misconduct, and will not be tolerated.

While everyone must listen attentively, please note that I understand some students are very shy about speaking in class. I will post questions about the readings each week, and students may respond on D2L instead of speaking in class if they are more comfortable with this approach. You may also make comments in the chat function during class discussion and we will include your ideas and questions our debates/reviews.

Participation grades will reflect attendance, willingness to contribute to class discussions, and ability to listen respectfully to others. A full mark out of 20 will be subtracted for each absence from class for which the student does not a) provide explanation in writing or b) provide alternative evidence of reading and participation by posting on D2L. Marks will be delivered twice, in sections of 10%, in order to provide feedback for improvement.

### **Article or Chapter Review**

The purpose of the reading response assignment is to think about the wider implications/importance of an article from the required course materials. This can include chapters from *Petticoats and Prejudice*. The reading response should be approximately 6 typed, double-spaced pages in length. You should summarize the central arguments of the article, critique its shortcomings, praise its strengths, and ask questions about future/further research on the subject.

Content of the Review:

In your introduction:

Identify the article or chapter- do NOT do this just as a list. Include the information in your intro paragraph.

Summarize the content – Briefly outline the central /objective of the article but do not give a detailed description.

State your thesis with regard to the effectiveness of the article.

Clearly set out how your paper will prove this argument. I call this giving the reader a ‘road map’.

In the body of your essay:

Describe the Argument – This should not be lengthy but should provide your reader with a precis of what is argued in the article or chapter.

Evaluate/Critique – This is the most important component of the review and should form the majority of the paper. In this section, you must critically assess (“review”) the article or chapter.

Your critique should be based on issues such as:

- What is the purpose of the article?
- Does the argument engage the reader?
- Are their weaknesses/problems in the argument?
- What was the objective of the author? Is it met?

In your conclusion:

Summarize your arguments. Your conclusion should not introduce new points but should re-state the points you have made in the body of the review.

### **Book Review**

The purpose of the book review is to understand and critique the arguments made in an extended piece of academic work on a single subject: sexual violence, adoption, or intimate partner violence. You must consider the central argument/purpose of the book and assess its effectiveness.

Content of the Review:

In your introduction:

Identify the book - do NOT do this just as a list. Include the information in your intro paragraph. Summarize the content – Briefly outline the central /objective of the book but do not give a detailed description.

State your thesis with regard to the effectiveness of the book.

Clearly set out how your paper will prove this argument. I call this giving the reader a ‘road map’.

In the body of your essay:

Describe the Argument – This should not be lengthy but should provide your reader with a precis of what is argued in the book.

Evaluate/Critique – This is the most important component of the review and should form the majority of the paper. In this section, you must critically assess (“review”) the book.

Your critique should be based on issues such as:

- What is the purpose of the book?
- Does the argument engage the reader?
- Are their weaknesses/problems in the argument or the sources used?
- What was the objective of the author? Is it met?

In your conclusion:

Summarize your arguments. Your conclusion should not introduce new points but should re-state the points you have made in the body of the review.

The book review should be 5-7 double-spaced, typed pages (12 pt Times New Roman with 1-inch margins).

Students must choose one of the following books for the review:

Constance Backhouse, *Carnal Crimes* (Toronto: University of Toronto Press and the Osgoode Society for Legal History, 2008);

Constance Backhouse, *Colour-Coded: A Legal History of Racism in Canada, 1900-1950* (University of Toronto Press/Osgoode Society Press, 1999);

Lori Chambers, *A Legal History of Adoption in Ontario* (University of Toronto Press/Osgoode Society Press, 2016);

Ted McCoy, *Four Unruly Women: Stories of Incarceration and Resistance from Canada's Most Notorious Prison* (UBC Press, 2019);

Pam Palmater, *Beyond Blood: Rethinking Indigenous Identity* (Purich, 2011);

Joan Sangster, *One Hundred Years of Struggle: The History of Women and the Vote in Canada* (UBC Press, 2018); or

Nadia Verrelli and Lori Chambers, *No Legal Way Out: R. v. Ryan, Domestic Abuse and Duress* (Vancouver: University of British Columbia Press, 2021).

### **Film or TV Review**

The purpose of the film review is to critique a fictional representation of one of the legal issues/social problems covered in this course.

Content of the Review:

In your introduction:

Identify the film - do NOT do this just as a list. Include the information in your intro paragraph. Summarize the content – Briefly outline the central /objective of the film but do not give a detailed description.

State your thesis with regard to the effectiveness of the film.

Clearly set out how your paper will prove this argument. I call this giving the reader a 'road map'.

In the body of your essay:

Describe the Argument – This should not be lengthy but should provide your reader with a precis of storyline of the film.

Evaluate/Critique – This is the most important component of the review and should form the majority of the paper. In this section, you must critically assess ("review") the film.

Your critique should be based on issues such as:

- What is the purpose of the film?
- Does the argument engage the viewer?
- Are there weaknesses/problems in the argument, storyline, characters?
- What was the objective of the director/producer? Is it met?

In your conclusion:

Summarize your arguments. Your conclusion should not introduce new points but should re-state the points you have made in the body of the review.

The film review should be 5-7 double-spaced, typed pages (12 pt Times New Roman with 1-inch margins).

Students must choose one of the following films/TV shows for the review:

### **Reproduction**

*If These Walls Could Talk I*, dir. Nancy Savoca and Cher, 1996.

*Revolutionary Road*, dir. Sam Mendes, 2008.

*Never, Rarely, Sometimes, Always*, dir. Eliza Hittman, 2020.

*The Handmaid's Tale: Season 1*, dir. Bruce Miller, 2017.

### **'Family' Life**

*If These Walls Could Talk 2*, dir. Jane Anderson and Martha Coolidge, 2000.

*Marriage Story*, dir. Noah Baumbach, 2019.

*Grace and Frankie: Season 1*, dir. Marta Kaufman and Howard Morris, 2015.

### **Violence Against Women**

*Unbelievable*, Netflix, 2019.

*The Burning Bed*, dir. Robert Greenwald, 1984.

*The Body Remembers When the World Broke Open*, dir. Kathleen Hepburn and Elle-Maija Tailfeathers, 2019.

*Three Billboards Outside Ebbing, Missouri*, dir. Martin McDonagh and Jesse Rosenthal, 2017.

### **Work, Poverty, Incarceration**

*Maid*, Netflix, 2021.

*Orange is the New Black: Season 1*, Netflix, 2013.

*The Florida Project*, dir. Sean Baker, 2017.

**NOTE:** For all written assignments, you will be evaluated on the overall quality of your content (comprehension and depth of engagement with the course materials) and expression (quality of writing, absence of grammatical errors, and originality). I welcome the submission of rough drafts in advance of the due date. I will read, evaluate, and return your papers so that you can complete revisions in advance of final submission. Try to make use of this opportunity, which is available to all students on all assignments. It makes a big difference.

## **Issues for Student Information:**

**Academic dishonesty and plagiarism:** Plagiarism is a serious academic offence. Plagiarism is the unacknowledged use of someone else's words and/or ideas. Not acknowledging your debt to the ideas of a secondary source, failing to use quotation marks when you are quoting directly, buying essays from essay banks, copying another student's work, or working together on an individual assignment, all constitute plagiarism. Resubmitting material you have previously or simultaneously submitted in another course is also academic dishonesty. The minimum penalty for academic misconduct is a 0 on the assignment in question. Students might also be subject to more severe academic penalties, up to and including expulsion for multiple offences. All students are required to know what constitutes plagiarism and how to avoid it. Please review the university guidelines at <https://www.lakeheadu.ca/academics/academic-support/skills-for-success/responsibilities>, or speak with the professor. All cases of plagiarism will be dealt with in accordance with the Code of Student Behaviour and Disciplinary Procedures approved by Senate and the Board of Governors.

**Accommodations:** Lakehead University is committed to achieving full accessibility for persons with disabilities/medical conditions. Part of this commitment includes arranging academic accommodations for students with disabilities/medical conditions to ensure everyone has an equitable opportunity to participate in all their academic activities. I make every effort to meet the varied needs of students. Please feel free to speak to me directly about your needs. If you are a student with a disability/medical condition you are also strongly encouraged to contact Student Accessibility Services (SAS) and to register with them as early as possible. For more information, please email [sas@lakeheadu.ca](mailto:sas@lakeheadu.ca) or view <https://www.lakeheadu.ca/faculty-and-staff/departments/services/sas>.

**Assignment due dates:** All assignments must be handed in at the beginning of class on the due dates. If you have trouble meeting a due date, please discuss it with me at least one week prior to your due date. Missing due dates without prior approval will result in a deduction of 5% per day.

**Expectations and marking:** All written work will be evaluated based on organization, presentation, grammar, and clarity as well as content. Writing is a process and it is only learned through practice and repetition. It is also an important skill you can take into the workplace. Written communication can be very powerful. However, your first draft is unlikely to be the best possible work you can produce. For this reason, I strongly encourage you to submit rough drafts of papers for review. I will mark your paper as many times as you want to submit it, and only the final mark will count towards your grade, but the paper must be ready for review one week before the final due date.

**Student Success Centre:** Both speaking in public and writing are important skills we will develop together in this class. Good writing does not happen the night before an assignment is due. You should expect to spend a significant period of time, well before each due date, preparing your assignments. These are guidelines to assist:

1. Start assignments early.

2. Read the instructions for your assignment carefully and ask questions if there is anything which is unclear.
3. Seek support. I am happy to read rough drafts for all assignments in this course. You can (and should) also get writing support from the Student Success Centre.
4. Put in the time required to write, edit, revise, and re-submit. Writing is a process. And it is a skill which takes time to develop.
5. Visit the Academic Support Zone at <https://www.lakeheadu.ca/students/academic-success/student-success-centre/academic-support-zone> and make an appointment for assistance at [mysuccess@lakeheadu.ca](mailto:mysuccess@lakeheadu.ca).

**Student Health and Counselling Centre:** We will be dealing with difficult material, and self-care is very important. Please monitor your well-being, keep me informed if you need accommodations, and seek help as needed. For assistance and counselling with personal and/or medical issues, please visit the Student Health and Counselling Centre. Phone 343-8361. <http://healthservices.lakeheadu.ca/>.

### **Weekly Schedule for Lectures and Readings**

#### **Week 1 - January 10**

##### **Introduction to Women and the Law**

#### **Week 2 - January 17**

##### **Women and Family Law I – Marriage, Divorce, and Property**

##### **Readings:**

- Constance Backhouse, *Petticoats and Prejudice*, Chapter 1, “The Ceremony of Marriage”.
- Constance Backhouse, *Petticoats and Prejudice*, Chapter 6, “Divorce and Separation”.
- Lori Chambers, “Women’s Work, Relationship Breakdown and the Division of Farm Property”, *Canadian Journal of Law and Society* 25 (10) (2010), 75-96.

#### **Week 3 – January 24**

##### **Women and Family Law II – Child Custody and Child Support**

##### **Readings:**

- Constance Backhouse, *Petticoats and Prejudice*, Chapter 7, “Child Custody”.
- Lori Chambers, “Unwed Mothers, The Children’s Aid Society, Adoption and the Rhetoric of Choice in Ontario, 1921-1969”, *Ontario History* XCVII (2) (fall 2006), 161-182.
- Lori Chambers, “Indigenous Children and Provincial Child Welfare: The Sixties Scoop”, in *Aboriginal History in Canada* eds. Kristin Burnett and Geoff Read. Second edition (Don Mills: Oxford University Press).
- *Stolen*, Amazon Prime, 2016. (8 minutes).

#### **Week 4 – January 31**

##### **Violence Against Women I – Spousal Assault**

**Readings:**

- Lori Chambers and John Weaver, “Alimony and Orders of Protection: Escaping Abuse in Hamilton Wentworth, 1837-1900”. *Ontario History*, (Fall, 2003).
- Nadia Verrelli and Lori Chambers, “R. v. *Whynot (Stafford)*: The Forgotten Predecessor to R. v. *Lavallee*”, in *Rethinking Feminist History and Theory*, ed. Julia Smith and Lisa Paseolli (Toronto: University of Toronto Press, forthcoming 2021).
- Lori Chambers and Nadia Verrelli, “A Missed Opportunity: The Investigation of the RCMP in Matters Related to R. v. *Ryan*”, *Canadian Journal of Law and Society* 32 (1) (2017), 117-136.

**Week 5 – February 7****Violence Against Women II - Rape****Readings:**

- Constance Backhouse, *Petticoats and Prejudice*, Chapter 3, “Rape”.
- Melanie Randall, “Sexual Assault in Spousal Relationships: ‘Continuous Consent’ and the Law”, *Manitoba Law Journal* 32 (2008), 144-181.
- Jody Murphy, Lori Chambers, Karen McQueen, Alexa Hiebert, and Ainsley Miller, “Sexual Assault: Indigenous Women’s Experiences of Being Disbelieved by Police”, *Violence Against Women*: DOI: <https://doi.org.10.1177/10778012211013903>.

**NOTE: Article Review assignment is due today.**

**Week 6 - February 14****READING WEEK****Week 7 – February 21****Control of Sexuality I – Sterilization, Birth Control, and Abortion****Readings:**

- Constance Backhouse, *Petticoats and Prejudice*, Chapter 5, “Abortion”.
- Karen Stote, “The Coercive Sterilization of Aboriginal Women in Canada”, *American Indian Journal of Culture and Research* 36 (3) (2012), 117-150. Online.
- Jocelyn Downie and Carla Nassar, “Barriers to Abortion Through a Legal Lens”, *Health Law Journal* 15 (2007), 143-173.

**Week 8 – February 28****Control of Sexuality II – Regulation of Same-Sex Activity****Readings:**

- Becki Ross and Rachael Sullivan, “Tracing Lines of Horizontal Hostility: How Sex Workers and Gay Liberation Activists Battled for Space, Voice, and Belonging in Vancouver, 1975-1984”, *Sexualities* 15 (5/6) (2012), 604-621.
- Christine Davies, “Canadian Same-Sex Marriage Litigation”, *University of Toronto Faculty Law Review* 66 (2) (2008), 101-134.

**Week 9 – March 7****Women and Work I – Protective Legislation and Employment Equity****Readings:**

- Constance Backhouse, *Petticoats and Prejudice*, Chapter 9, “Protective Legislation”.



- Constance Backhouse, *Petticoats and Prejudice*, Chapter 10. “Lawyering: Clara Brett Martin, Canada’s First Woman Lawyer”.
- Constance Backhouse, “The chilly climate for women judges: Reflections on the backlash from the *Ewanchuk* case”, *Canadian Journal of Women and the Law* 15 (1) (2003), 176-193.

**NOTE: Book Review assignment is due today.**

#### **Week 10 – March 14**

##### **Women and Work II – Sex Work**

###### **Readings:**

- Constance Backhouse, *Petticoats and Prejudice*, Chapter 8, “Prostitution”.
- Chris Bruckert and Colette Parent, “The In-Call Sex Industry: Classed and Gendered Labour on the Margins”, in Gillian Balfour and Elizabeth Comack, eds., *Criminalizing Women* (Halifax: Fernwood Publishing, 2014), 92-112.
- Lauren Sampson, “The Obscenities of this Country: *Canada v. Bedford* and the Reform of Canada’s Prostitution Laws”, *Duke Journal of Gender, Law and Policy* 22 (1) (2014-2015), 137-172.

#### **Week 11 – March 21**

##### **Legalized Racism and its Impact on Women I – Indigenous Women**

###### **Readings:**

- Joan Sangster, “Criminalizing the Colonized: Ontario Native Women Confront the Criminal Justice System, 1920-1960”, *Canadian Historical Review* 80 (1) (March 1999), 32-60.
- Gillian Balfour, “Falling Between the Cracks of Retributive and Restorative Justice: The Victimization and Punishment of Aboriginal Women”, *Feminist Criminology* 3 (2) (2008), 101-120.
- Sherene Razack, “Gendered Violence and Spatialized Justice”, *Canadian Journal of Law and Society* 15 (2) (2000), 91-130.

#### **Week 12 – March 28**

##### **Legalized Racism and its Impact on Women II – The Colour Bar and Immigration Law**

###### **Readings:**

- Agnes Calliste, “Race, Gender and Immigration Policy: Blacks from the Caribbean, 1900-1932), in Joy Parr and Mark Rosenfeld, eds., *Gender and History in Canada* (Toronto: Copp Clark Ltd., 1996), 70-87.
- Constance Backhouse, “Mesalliances and the Menace to White Women’s Virtue: Yee Clun’ Opposition to the White Women’s Labour Law”, *Colour-Coded: A Legal History of Racism in Canada, 1900-1950* (Toronto: University of Toronto Press and the Osgoode Society for Legal History, 1999), 132-172.
- Enid Logan, “The wrong race, committing crime, doing drugs, and maladjusted for motherhood: the nation’s fury over ‘crack babies’”, *Social Justice* 26 (1) (spring 1999), 115-130.

**NOTE: Film Review assignment is due today.**

#### **Week 13 – April 4**

**Poverty, Access to Justice, and Incarcerated Women****Readings:**

- Judith Fingard, “Raised in Rockhead, Died in the Poorhouse”, *The Dark Side of Life in Victorian Halifax* (Halifax: Pottersfield Press, 1989), 31-57.
- Dorothy Chunn and Shelley Gavigan, “From Welfare Fraud to Welfare as Fraud: The Criminalization of Poverty”, Gillian Balfour and Elizabeth Comack, eds., *Criminalizing Women* (Halifax: Fernwood Publishing, 2014), 197-218.
- Kristin Turney and Rebecca Goodsell, “Parental Incarceration and Children’s Well-Being”, *Future of Children* 28 (1) (2018), 147-164.