This course is an advanced undergraduate seminar on the legal history of gender and sexuality in the United States. On one level, the course explores law as a distinct realm of social, cultural, and political experience and a critical arena for the regulation and production of gender and sexuality. On another level, the course uses legal sources to consider the broader history of gender, sexuality, and power in the United States.

After an introductory week that addresses key concepts and theories, the course is organized chronologically in six two-week units. For each class, students read secondary sources (journal essays or book chapters) that examine an aspect of the history of gender, sexuality, and law. The readings provide students with opportunities for learning about the history of gender, sexuality, and law and thinking about the ways in which historians conduct research, develop arguments, and present their work. The readings have been selected to teach students about history and historiography, but also to provide models for students to use as they work on their research papers. The final two weeks are devoted to student presentations.

Course Eligibility and Rules

Students must successfully complete ENG 214 and History 300 before taking this course. Upper division or graduate status is required. Priority is given to senior history majors and history graduate students. The seminar meets twice a week. The readings are central to the course and must be completed before each class. Drinking and eating during class is fine, as long as this is not disruptive for other students. Electronic devices such as laptops may be used during class, but only for class-related purposes. When using electronic devices, students should make every effort to minimize disruptive sounds, including rings, beeps, vibrations, and loud typing.

Readings

All of the assigned readings are available via the SFSU library, the course website, and/or internet links. Students are responsible for making sure that they have the assigned readings available in class, either in printed or electronic format. The readings will serve as the basis for class discussion, so they must be accessible during seminar discussions.

Grading

Grades will be based on the following:

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<tr>
<th>Component</th>
<th>Period</th>
<th>Percentage</th>
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<tr>
<td>Class Participation</td>
<td>Aug.-Dec.</td>
<td>25%</td>
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<tr>
<td>Reading Quizzes and Writing Exercises</td>
<td>Aug.-Dec.</td>
<td>20%</td>
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Class participation is critically important since the seminar will not feature lectures and much of the learning will happen in discussion and dialogue. Students are expected to attend every class meeting (except in cases of serious illnesses and emergencies), make up missed work, come to class on time, remain present until the end of class, complete all readings assigned before class, come to class prepared to discuss the readings, respond constructively and respectfully to the comments and presentations of other seminar participants, and help create a positive learning environment for the class as a whole.

In preparing your written work, students are expected to read and follow the guidelines set forth in Marc Stein, “Writing History,” which will be distributed in class.

Reading Quizzes and Writing Exercises: There will be a minimum of four short reading quizzes and writing exercises that will be based on the assigned course readings. The quizzes and exercises are meant to strengthen reading and writing skills and help prepare students to succeed on the major research paper assignment.

Paper Proposal and Bibliography: During the semester, students will pursue independent primary and secondary research on a topic related to the course. We will devote class time each week to a discussion of primary and secondary sources that are available for research papers. Consultations with the instructor at every stage of the research and writing process are strongly encouraged and topics must be approved in advance. In late October, students will submit a research paper proposal (maximum 750 words for undergraduates and 1250 words for graduate students) and a bibliography of primary and secondary sources. The proposal will present an original research question that will be (1) addressed with the use of primary sources, and (2) situated in relation to relevant scholarly debates and discussions. The proposal should also address the significance and importance of the research project, the research methods that will be used, and, if possible, the structure of the essay.

Seminar Presentation: In the final two weeks of the term, students will present a preliminary version of their research papers to the seminar. Each student will have approximately ten minutes for their oral presentations, which will be followed by approximately five minutes for questions and comments. Students may read their papers or present their work extemporaneously, but either way they should consider the most effective ways to communicate with their audience. Students should be mindful of the fact that written prose does not always translate effectively into spoken performance, so it is important to reflect on the most effective means of communication for your seminar presentation.

Research Paper: Students will present a well-researched essay based on primary sources, with appropriate references to relevant debates and discussions in the secondary literature. In other words, the research paper will present an original and interesting historical argument about the past and the thesis will be situated in relation to recent scholarly interpretations. The
maximum length for undergraduates is 5000 words (including notes); the maximum length for graduate students is 7500 words (including notes).

**Academic Honesty**

Academic integrity is a fundamental principle of the university. Academic dishonesty, in the form of cheating or plagiarism, represents an attempt to gain an unfair advantage and it is expressly prohibited by the SFSU Student Code of Conduct. Cheating includes, but is not limited to, gaining unfair access to answers to exams, fabrication of work, helping other students to cheat, etc. Plagiarism can be defined as using another person’s words or work without proper acknowledgment (see also http://conduct.sfsu.edu/plagiarism for more information on avoiding plagiarism). Students who are found to have cheated or plagiarized will be subject to discipline ranging from receiving a failing grade for the specific assignment to referral to the Office of Judicial Affairs and Student Discipline to possible suspension or expulsion. All instances of academic dishonesty are reported to the Department Chair and College Dean. Students are responsible for knowing the SFSU regulations concerning cheating and plagiarism, found in the University Bulletin and online at: http://conduct.sfsu.edu/standards.

**Accommodations**

Students with disabilities who need reasonable accommodations are encouraged to contact the instructor. The Disability Programs and Resource Center (DPRC) is available to facilitate the reasonable accommodations process. The DPRC is located in the Student Service Building and can be reached by telephone (voice/TTY 415-338-2472) or by email dprc@sfsu.edu.

**Sexual Violence, Sex Discrimination, and Gender Discrimination**

SFSU fosters a campus free of sexual violence including sexual harassment, domestic violence, dating violence, stalking, and/or any form of sex or gender discrimination. If you disclose a personal experience as an SF State student, the course instructor is required to notify the Dean of Students. To disclose any such violence confidentially, contact: The SAFE Place - (415) 338-2208; http://www.sfsu.edu/~safe_plc/ Counseling and Psychological Services Center - (415) 338-2208; http://psyservs.sfsu.edu/ For more information on your rights and available resources: http://titleix.sfsu.edu.

**Student Learning Objectives**

This course is designed to promote various student learning objectives. After successfully completing the course, students should be able to:

--demonstrate an advanced understanding of historical ways of knowing, historical methods of research and writing, and the concept of historiography
--identify, read, interpret, and discuss primary and secondary historical sources
--design, complete, and present an advanced undergraduate or graduate historical research essay
have a broad and critical understanding of the history of gender, sexuality, and law in the United States
articulate the relevance of historical research on gender, sexuality, and law for today’s society

Schedule

Introduction

25 Aug. Introduction to the Course
27 Aug. Concepts and Sources

Colonial America

1 Sep. Witchcraft and Sodomy in Colonial New England

3 Sep. Abortion in Colonial New England

8 Sep. Interracial Sex and Gender Transgression in Colonial Virginia

10 Sep. Comparative Colonialisms

Revolutionary and Republican America

15 Sep. Gender and Citizenship

17 Sep.  **Marriage and Divorce**

17 Sep.: 2:00p.m.-7:00p.m.
18 Sep.: 9:00a.m.-7:00p.m.
http://history.sfsu.edu/content/constitution-day

22 Sep.  **Slavery and Freedom**

24 Sep.  **Sexual Violence**

**Emancipation, Citizenship, and Suffrage**

29 Sep.  **Suffrage, Marriage, and Citizenship**

1 Oct.  **Slavery, Emancipation and Marriage**

6 Oct.  **Reconstruction, Sex, and Gender**

8 Oct.  **Library Tutorial**

**The West**

13 Oct.  **Policing Gender**  

15 Oct.  **Policing Sex**  

20 Oct.  **Policing Borders**  

22 Oct.  **Policing Families**  

**Progressive America**

27 Oct.  **Prostitution, Vice, and White Slavery**  

29 Oct.  **Gender at Work**  
3 Nov.  **Same-Sex Sex and Desire**

5 Nov.  **Abortion and Sterilization**

**Gender and Sexual Revolutions?**

10 Nov.  **Women’s Rights**

12 Nov.  **Interracial Marriage**

17 Nov.  **Sexuality and Immigration**

19 Nov.  **The Supreme Court’s Sexual Revolution?**
## Research Presentations

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<th>Date</th>
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<tbody>
<tr>
<td>1 Dec.</td>
<td>Student Presentations</td>
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<td>3 Dec.</td>
<td>Student Presentations</td>
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<tr>
<td>8 Dec.</td>
<td>Student Presentations</td>
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<tr>
<td>10 Dec.</td>
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