



ARIZONA STATE UNIVERSITY

GENERAL STUDIES PROGRAM COURSE PROPOSAL COVER FORM

Courses submitted to the GSC between 2/1 and 4/30 if approved, will be effective the following Spring.

Courses submitted between 5/1 and 1/31 if approved, will be effective the following Fall.

(SUBMISSION VIA ADOBE.PDF FILES IS PREFERRED)

DATE 6/12/2009

1. ACADEMIC UNIT: School of Justice & Social Inquiry
2. COURSE PROPOSED: JUS 438 Human Differences: Dilemmas of Justice 3
3. CONTACT PERSON: Name: Charles Lee Phone: 480-965-5131
Mail Code: 0403 E-Mail: ctl@asu.edu

4. ELIGIBILITY: New courses must be approved by the Tempe Campus Curriculum Subcommittee and must have a regular course number. For the rules governing approval of omnibus courses, contact the General Studies Program Office at 965-0739.

5. AREA(S) PROPOSED COURSE WILL SERVE. A single course may be proposed for more than one core or awareness area. A course may satisfy a core area requirement and more than one awareness area requirements concurrently, but may not satisfy requirements in two core areas simultaneously, even if approved for those areas. With departmental consent, an approved General Studies course may be counted toward both the General Studies requirement and the major program of study. (Please submit one designation per proposal)

Core Areas

Awareness Areas

- Literacy and Critical Inquiry-L
Mathematical Studies-MA CS
Humanities, Fine Arts and Design-HU
Social and Behavioral Sciences-SB
Natural Sciences-SQ SG

- Global Awareness-G
Historical Awareness-H
Cultural Diversity in the United States-C

- 6. DOCUMENTATION REQUIRED.
(1) Course Description
(2) Course Syllabus
(3) Criteria Checklist for the area
(4) Table of Contents from the textbook used, if available

7. In the space provided below (or on a separate sheet), please also provide a description of how the course meets the specific criteria in the area for which the course is being proposed.

This course makes a contribution to understanding of cultural diversity in contemporary US society by investigating how various minority groups -- racial minorities, women, feminists, sex workers, gays/lesbians, transsexuals/transgendered, recently arrived immigrants, and indigenous populations -- challenge and transform conventional political and legal discourse of justice through claims of "difference". It examines the kinds of issues, conflicts, and dilemmas that arise amidst the contending demands of recognition of these groups' racial, gender, sexual, and cultural differences. Students will evaluate competing theoretical analyses and policy propositions on how these diverse human differences should be recognized and incorporated in the US in accordance with democratic ideals of justice.

The course is primarily a study of the political, legal, social, and economic dimensions of relations within, between, and among the various social groups mentioned above. Through the three major modules of the course -- 1) racial difference and identity politics; 2) gendered and sexual differences in democracy; and 3)



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cultural difference and the multiculturalism debate -- critical debates regarding concepts and issues of identity politics, economic inequality, oppression, whiteness, legal remedy and reform, intersectionality, male supremacy, sexual autonomy, strangers vs. citizens, religious/cultural freedom, and cultural rights vs. gender rights are analyzed and examined in relation to the racial, gender, sexual, and cultural minority groups.

It is hoped that by the end of the course, students will have formulated an articulate understanding and vision of the current political, legal, and cultural issues of justice affecting communities marked by racial, gender, sexual, and cultural differences, and that they will have developed a capacity to critically evaluate the strengths and weaknesses of competing theoretical analyses and policy propositions in reconciling human differences and ideas of justice in contemporary US democracy.

CROSS-LISTED COURSES: No Yes; Please identify courses: _____

Is this multisection course?: No Yes; Is it governed by a common syllabus? _____

Margre S Zatz
Chair/Director (Print or Type)

Margre S Zatz
Chair/Director (Signature)

Date: 7/17/05

Arizona State University Criteria Checklist for

CULTURAL DIVERSITY IN THE UNITED STATES [C]

Rationale and Objectives

The contemporary "culture" of the United States involves the complex interplay of many different cultures that exist side by side in various states of harmony and conflict. The history of the United States involves the experiences not only of different groups of European immigrants and their descendants but also of diverse groups of American Indians, Hispanic Americans, African Americans, and Asian Americans--all of whom played significant roles in the development of contemporary culture and together shape the future of the United States. At the same time, the recognition that gender, class, and religious differences cut across all distinctions of race and ethnicity offers an even richer variety of perspectives from which to view ourselves. Awareness of our cultural diversity and its multiple sources can illuminate our collective past, present, and future and can help us to achieve greater mutual understanding and respect.

The objective of the Cultural Diversity requirement is to promote awareness and appreciation of cultural diversity within the contemporary United States through the study of the cultural, social, or scientific contributions of women and minority groups, examination of their experiences in the U.S., or exploration of successful or unsuccessful interactions between and among cultural groups.

Proposer: Please complete the following section and attach appropriate documentation.

ASU--[C] CRITERIA			
CULTURAL DIVERSITY IN THE UNITED STATES			
YES	NO		Identify Documentation Submitted
		1. A Cultural Diversity course must meet the following general criteria:	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	The course must contribute to an understanding of cultural diversity in contemporary U.S. Society.	Please see "Course Description" and "Course Goals and Objectives" on p.1 of the attached syllabus. See also "Course Schedule" on p.5-9 in the syllabus for further descriptions and details.
		2. A Cultural Diversity course must then meet at least one of the following specific criteria:	
<input type="checkbox"/>	<input type="checkbox"/>	a. The course is an in-depth study of culture-specific elements, cultural experiences, or cultural contributions (in areas such as education, history, language, literature, art, music, science, politics, work, religion, and philosophy) of gender*, racial, ethnic and/or linguistic minority groups** within the United States.	
<input type="checkbox"/>	<input type="checkbox"/>	b. The course is primarily a comparative study of the diverse cultural contributions, experiences, or world views of two or more gender*, racial, ethnic and/or linguistic minority groups** within the United States.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c. The course is primarily a study of the social, economic, political, or psychological dimensions of relations between and among gender*, racial, ethnic and/or linguistic minority groups** within the United States. *Gender groups would encompass categories such as the following: women, men, lesbians, gays, bisexuals, transgender individuals, etc. **Cultural, racial, ethnic, and/or linguistic minority groups in the U.S. would include categories such as the following: Hispanics, African Americans, Native Americans/First Peoples, Asian Americans, Jewish Americans, Muslim Americans, members of the deaf community, etc.	Please see "Course Schedule" on p.5-9 of the attached syllabus for descriptions of each topic and module. See also the attached "Tables of Contents of Textbooks".

Course Prefix	Number	Title	Designation
JUS	438	Human Differences: Dilemmas of Justice	CULTURAL

Explain in detail which student activities correspond to the specific designation criteria.
Please use the following organizer to explain how the criteria are being met.

Criteria (from checksheet)	How course meets spirit (contextualize specific examples in next column)	Please provide detailed evidence of how course meets criteria (i.e., where in syllabus)
Example-See 2b. Compares 2 U.S. cultures	Example-Compares Latino & African American Music	Example-See Syllabus Pg. 5
1. The course must contribute to an understanding of cultural diversity in contemporary US society.	The course specifically investigates how various marginal groups (e.g. racial minorities, gender and sexual minorities, and cultural minorities) challenge and transform conventional political and legal discourse through claims of "difference", as well as explore what kinds of issues, conflicts, and dilemmas arise amidst these contending demands of recognition. Students will evaluate competing theoretical analyses and policy propositions on how these diverse human differences should be recognized and incorporated in the US in accordance with democratic ideals of justice.	Please see "Course Description" and "Course Goals and Objectives" on p.1 of the attached syllabus. See also the "Course Schedule" section on p.5-9 in the syllabus for further descriptions and details.
2c. The course is primarily a study of the social, economic, political, or psychological dimensions of relations between and among gender*, racial, ethnic and/or linguistic minority groups** within the United States.	The course is broad in scope and specific in objective. It is broad in scope in the diverse range of social groups that are incorporated into the course readings, class discussions, and films/documentaries: e.g. African Americans, Latinos, Native Americans, Asian Americans, women, minority women, feminists, sex workers, gays/lesbians, transsexuals/transgendered, queer activists, as well as recently arrived immigrants and indigenous populations whose	Please see the "Course Schedule" section on p.5-9 of the attached syllabus for descriptions of each topic and module. The descriptions contain the critical debates and questions that concern specific social groups (racial, gender, sexual, and cultural minorities) which students are expected to analyze and examine throughout the term of the course. The course reading are geared towards this end, featuring a range of scholars, theorists, and

	<p>cultural practices come into conflict with the American law.</p> <p>Despite the broad scope, the course has a specific objective in providing an in-depth investigation of the intricate political, legal, social, and/or economic relations and contentions within, among, and between these communities. The course is divided into three major modules: 1) "racial difference and identity politics"; 2) "gendered and sexual differences in democracy"; and 3) "cultural difference and the multiculturalism debate". Critical debates regarding issues of identity politics, economic inequality, oppression, whiteness, legal remedy and reform, intersectionality, male supremacy, sexual autonomy, strangers vs. citizens, religious/cultural freedom, and cultural rights vs. gender rights are analyzed and examined both within and across these modules in the larger context and institution of US democracy.</p> <p>It is hoped that by the end of the course, students will have formulated an articulate understanding and vision of the current political, legal, and cultural issues of justice affecting communities marked by racial, gender, sexual, and cultural differences, and that they will have developed a capacity to critically evaluate the strengths and weaknesses of competing theoretical analyses and policy propositions in reconciling human differences and democratic ideals of justice.</p> <p>It should also be noted that, while the course primarily fits criterion 2c, it nonetheless contains elements that relate to criteria 2a and 2b, as both the instructor and students often bring their own in-depth stories, narratives, and</p>	<p>writers whose social, political, and legal analyses specifically address the debates and conflicts within, between, and among these diverse communities.</p> <p>For example, in the first module, "Racial Difference and Identity Politics", the readings by Bonacich, Young, Cole, Dyson, Gates, the Comahee River Collective, and Minow address the salient debates and issues on racial relations, identity politics, and social equality and reform. Among them, Young, the Comahee River Collective, and Minow further address the complex identities and social positions of women and sexual minorities within the minority racial/ethnic communities.</p> <p>In the second module, "Gendered and Sexual Differences in Democracy", Crenshaw's reading uses black women's voice to complicate the mainstream feminist project that often ignores the issue of race in their critique of sex dominance (espoused by MacKinnon and Dworkin). Chapkis' work on the sex workers further question the conceptualization of male violence and sexual exploitation within the feminist community. Then, Phelan and Bornstein articulate the dilemmas, desires, and aspirations of gays, lesbians, and transsexuals/transgendered in their quest for equality, justice, and citizenship.</p> <p>In the final module, "Cultural Difference and the Multiculturalism Debate", readings by Taylor, Addis, Kukathas, Appiah, and Kymlicka provide contrasting views on how to engage differences in cultural practices</p>
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	<p>experiences within particular minority communities to bear on class discussions, as well as drawing comparison and contrast of the histories, contributions, world views, and struggles between and among different minority communities. Hence, while the criteria of 2a and 2b may not be formally or visibly evident as course objectives in the syllabus, it does not mean that they are completely absent in the course curriculum, but are informally interwoven into the class lectures and discussions whenever the learning context calls for the introduction of such issues.</p>	<p>in contemporary democracy. Levy and Renteln provide policy propositions of "cultural rights" and "cultural defense in the courtroom" to negotiate the dilemmas between liberal justice and recognition of cultural differences. Lastly, Okin's book addresses the contentions between cultural rights and gender rights from a feminist perspective.</p> <p>For further details, please see the attached "Tables of Contents of Textbooks".</p>
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JUS 438
Human Differences: Dilemmas of Justice

Spring 2008
Manzanita Hall 001
Tuesday and Thursday 12:15-1:30

Professor: Charles Lee
Email: ctl@asu.edu
Office Hours: TuTh 3-4pm or by appointment @ Wilson 260
Office Phone: (480) 965-5131

Teaching Assistant: Denisse Roca Servat
Email: denisse.roca@asu.edu

Course Description

This course investigates issues of justice from the vantage point of “human differences.” We will pay attention to the ways in which human identities and differences are contested in the American democratic system. In particular, we will look at how various marginal groups (e.g. racial minorities, cultural minorities, women, and sexual minorities) challenge and transform conventional political and legal discourse through claims of “differences,” as well as explore what kinds of issues and conflicts arise amidst these contending demands of recognition. By engaging in a series of major debates on how diverse human differences should be recognized and incorporated in American democracy, we will evaluate competing theoretical analyses and policy propositions presented by a range of key commentators and scholars.

As human differences are broad in scope, we will zoom in and focus on racial, cultural, gender, and sexual differences in this class. The course will begin with a general examination of democracy and human differences, then proceed to an in-depth investigation of three major modules of human differences: 1) racial difference and identity politics; 2) gender and sexual difference in democracy; and 3) cultural difference and the multiculturalism debate.

Course Goals and Objective

Upon successful completion of the class, students should be able to:

1. Develop an in-depth understanding of the political, legal and cultural issues of justice affecting communities marked by racial, cultural, gender and sexual differences.
2. Firmly grasp major concepts and critically evaluate the strengths and weaknesses of competing theoretical analyses and policy propositions that seek to reconcile human differences and justice in contemporary democracy.
3. Clearly articulate their own views on the major justice issues relating to human differences through presenting evidence and arguments, and be able to justify their own conclusions.
4. Cultivate and improve upon their critical-thinking, writing, research, and presentation skills in general.

Required Texts

- Martha Minow, *Not Only for Myself: Identity, Politics, and the Law* (New Press, 1999)
- Wendy Chapkis, *Live Sex Acts: Women Performing Erotic Labor* (Routledge, 1997)
- Shane Phelan, *Sexual Strangers: Gays, Lesbians, and Dilemmas of Citizenship* (Temple University Press, 2001)
- Kate Bornstein, *Gender Outlaw: On Men, Women, and the Rest of Us* (Routledge, 1994)
- Susan Okin, *Is Multiculturalism Bad for Women?* (Princeton University Press, 1999)
- Course Reader available for purchase at the Alternative Copy Shop, 715 S. Forest Ave., (480) 829-7992.

Class Format & Requirement:

This class will place a strong emphasis on class discussion and interactive inquiry. While I will lecture from time to time, the objective is to lay out the context and background of the issue, and to point out some key questions to consider in our discussion. For the most part, your enthusiastic participation in class discussions will be essential for this to be a successful experience for all. Therefore, you are expected to keep up on the reading assignments and participate in class discussions. The readings are to be COMPLETED by the dates listed below under "Course Schedule".

A word on conducting class discussion: precisely because there will be ample opportunities for the class to engage in inquiry and debate, each of us should cultivate respect for one another's perspectives and opinions. Respect does not mean that we cannot disagree; rather, it is to develop a capacity to communicate our ideas to others through constructive engagement and dialogue rather than through mockery or jeers.

The course requirements consist of the following assignments that are designed to practice and enhance your writing and critical-thinking skills:

- **Class Participation (15%)**

Your active participation in this class is mandatory and crucial. If you are absent, you cannot participate. Be ready to ask questions and share your opinions with the class. Attendance will be monitored throughout the semester. More than three unexcused absences will drop your participation by one-third of a grade. For each additional absence, it will be lowered an additional one-third. For example, if your performance on participation is an "A-", missing 4 classes will result in a "B+", and missing 5 will result in a "B", so on and so forth.

Absences will be excused if you can provide documentations (e.g. doctor's note or funeral director's note). Also, please inform us in advance if you must leave the class early (with a valid reason), otherwise it will be recorded as an absence. You will be able to track your attendance record on Blackboard.

- **Reflection Pieces (10%)**

You are required to submit a 1-2 pg. reflection piece on the reading assignments each day we begin a new topic. There is a total of ten reflection pieces to be completed, evaluated on the scale of “0” (no credit: you did not turn it in, or work is insufficient), “1” (credit), and “2” (excellent work with bonus credit). They are due at the beginning of the class on the following listed dates:

#1 1/22 (Tues)
#2 1/31 (Thurs)
#3 2/7 (Thurs)
#4 2/19 (Tues)
#5 2/26 (Tues)

#6 3/4 (Tues)
#7 3/18 (Tues)
#8 3/25 (Tues)
#9 4/3 (Thurs)
#10 4/10 (Thurs)

In the reflection pieces, briefly summarize the main arguments of each reading in 2-3 sentences (if it’s a book, in one paragraph), AND present your comments, questions, and criticisms on the analyses given by the authors. Questioning the authors’ arguments or finding their “blind spots” (i.e. perspectives or factors that are overlooked) will be highly valued. You must address all articles for each week unless noted otherwise. The reflection piece should be concise and to the point, no longer than 2 pages. A reflection that merely touches on the surface of the readings and/or offers a general commentary will receive “0”.

- **Three Position Papers (15% each, for a total of 45%):** 6 pgs. each, due on 2/21, 3/27, 4/22

Paper topics will be handed out towards the end of each module:

The first paper on “Racial Difference and Identity Politics” is due on 2/21.

The second paper on “Gendered and Sexual Differences in Democracy” is due on 3/27.

The third paper on “Cultural Difference and the Multiculturalism Debate” is due on 4/22.

The objective of the position papers is for you to practice your arguments on the key issues addressed in class in critical-reasoning form. The paper topics will ask you to take a position on an issue, and you will need to make use of reading materials and lecture/discussion to back up your arguments. Each paper should be 6 pgs. long.

- **Research Paper (20%) and Research Presentation (10%)**

The last requirement of the course is to write a final research paper (10-12 pgs) on the topic of human differences, due on the last day of class on April 29. The research paper is your own individual work. However, you will partner up with others for a group research presentation during the final weeks of the course. Detailed instructions on this research assignment and presentation to be followed.

Grading Scale:

A+	97-100
A	93-96
A-	90-92
B+	87-89
B	83-86
B-	80-82
C+	77-79
C	73-76
C-	70-72
D	60-69
E	Below 60

Your class participation, papers, and presentation will be graded on this scale. All assignments are due on the day of the class meeting as specified. Late reflection pieces will not be accepted. No-show for presentation will receive no credit. Late papers will be marked down by one-third of a grade. For each day a paper is late, the final grade will be lowered an additional one-third. Extension given only in the case of documented medical or family emergency.

*Any student requesting academic accommodations based on a disability must notify me immediately and register with Disability Resource Center (DRC):
Phone: (480) 965-1234
Email: Disability-Q@asu.edu.
Webpage: <http://www.asu.edu/studentaffairs/ed/drc/>

Caveats on Academic Integrity:

It goes without saying, but keep in mind that acts of plagiarism are grounds for assigning you a "failure" on a particular paper or for the entire course according to ASU's Student Code of Conduct. Please also note that while I value a cooperative learning environment and encourage you to help each other out and form study groups in preparation for the papers, the product on these assignments must be your own individual work. Thus, essays that are extremely identical in content will receive no credit. Moreover, submitting the same paper to different courses without express permission of all instructors also constitutes an academic violation. For further information on ASU's academic integrity policy, please consult out the following websites:

- Student Academic Integrity Policy:
http://www.asu.edu/studentaffairs/studentlife/judicial/academic_integrity.htm.
- Student Code of Conduct:
<http://www.asu.edu/studentaffairs/studentlife/judicial>
- Computer, Internet and Electronic Communications Policy:
[https://techbase.asu.edu/wiki/index.php/Computer, Internet and Electronic Communications](https://techbase.asu.edu/wiki/index.php/Computer,_Internet_and_Electronic_Communications)

I reserve the right to modify the syllabus depending on the needs of the class

COURSE SCHEDULE

(CR) = Reading in the Course Reader

Introduction – Democracy and Human Differences

1/15, 1/17 **Democracy and Human Differences: Assimilationism and the Challenge of “Difference”**

We will begin the course by examining two contrasting democratic visions on incorporating human differences: the “assimilationist” model and the “politics of difference” model.

Module I – Racial Difference and Identity Politics

1/22 **Shadows of Democracy: Inequality, Oppression, and Whiteness**

Reflection#1 due on 1/22.

Are people of color more likely to suffer from inequality in America? How should “racial inequality” be measured? What does Iris Young mean by “social group”? What does she mean by “oppression”? Is “oppression” still a useful concept in describing the condition of minority groups in our country today? Why or why not? What is “whiteness”? How does “whiteness” function in society? Has “whiteness” become the implicit standard and norm by which the success and accomplishment of other ethnic/racial groups are judged?

Readings:

-Edna Bonacich, “Inequality in America: The Failure of the American System for People of Color” (CR)

-Iris Young, “Five Faces of Oppression” (CR)

-Laura Pulido, “Race and Political Activism” (CR)

1/24 **Shadows of Democracy (Continued): Film Session**

Film: “The Color of Fear”

You will watch a film in class today that involves eight men of various ethnic and racial identities confronting the issue of racism face-to-face. As you watch the film, think about the following questions:

- 1) What does it mean to be an “American”?
- 2) How do the two opposing democratic models on race/ethnicity—liberal universalism vs. politics of difference—play out in the film?
- 3) Which face(s) of oppression based on Young’s criteria can you identify in the film?

Readings:

-Alyson Cole, “Shaming the Victim: the Anti-Victimist Campaign” (CR)

1/29 Shadows of Democracy (Continued)

Evaluate the merit of claims of “whiteness” in different social arena and institutions.

1/31, 2/5 Identity Politics: Social Movements and the Politics of Difference

Reflection#2 due on 1/31.

Identity politics can be considered as a social movement that resists the “shadows of democracy” (namely: inequality, oppression, and whiteness) on behalf of disadvantaged minority groups. Though a movement in struggle for social justice, identity politics has been plagued by criticisms and antagonisms—the most important of which is the problem of essentialism. In your view, is essentialism a legitimate critique of identity politics? Should claims of common experience and authentic knowledge be considered limitations of identity politics? Why or why not? Lastly, does “intersectionality” constitute an effective way of reforming identity politics?

Readings:

- Iris Young, “Social Movements and the Politics of Difference” (CR)
- Michael Dyson, “Essentialism and the Complexities of Racial Identity” (CR)
- Henry Louis Gates, Jr. “‘Authenticity’, or the Lesson of Little Tree” (CR)
- The Combahee River Collective Statement (CR)

2/7, 2/12, 2/14 Post-Identity Politics

Reflection#3 due on 2/7.

First paper topic given on 2/12. Due on 2/21.

How does Martha Minow suggest that we look at identity in a different light? What are the “paradoxes of identity”? Why does Minow think that identity politics serves an important political function but we also need to move beyond it? What examples does she offer in illustrating the ways in which the law reinforces and essentializes group identities in problematic ways? In the end, do you think Minow succeeds in her endeavor in crafting a “post-identity” vision?

Readings:

- Martha Minow, *Not Only for Myself: Identity, Politics, and the Law*, Ch. 1-4, 6

Module II – Gendered and Sexual Differences in Democracy

2/19, 2/21 Woman’s Difference: the Personal Is Political

Reflection#4 due on 2/19.

Second paper due on 2/21.

Are women oppressed only by “illiberal” patriarchal traditions? To radical feminist thinkers such as Catharine MacKinnon and Andrea Dworkin, our liberal democratic institutions and society are inherently patriarchal and oppressive to women. Are women the “second” sex? How do MacKinnon and Dworkin suggest “woman’s difference” be recognized and incorporated into public policy in the political realm? How can “feminist jurisprudence” achieve justice for women? Does radical feminism re-inscribe the same problems of identity politics? How is Kimberly Crenshaw’s proposition of intersectionality different from the approach of MacKinnon/Dworkin? How would MacKinnon, Dworkin, and Crenshaw each respond to the film, “Hip-Hop: Beyond Beats and Rhymes”?

Film: “Hip-Hop: Beyond Beats and Rhymes”

Readings:

- Catharine MacKinnon, “Difference and Dominance: On Sex Discrimination” (CR)
- Andrea Dworkin, selections from *Life and Death*: “The Third Rape,” “Terror, Torture, and Resistance,” “Pornography Happens,” “Prostitution and Male Supremacy,” “Freedom Now: Ending Violence Against Women” (CR)
- Kimberly Crenshaw, “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color” (CR)

2/26, 2/28 Sex Workers: The Other of the Other

Reflection#5 due on 2/26.

According to Wendy Chapkis, prostitution has functioned as the “landmines” in feminist discourse. What does she mean by that? Should women who perform erotic labor be considered legitimate working professionals, and be accorded the same labor rights and protection like other workers? In which ways does the sex workers’ rights movement undermine or advance the cause of feminism?

Readings:

- Wendy Chapkis, *Live Sex Acts: Women Performing Erotic Labor*, Intro, Section I-III

3/4, 3/6 Sexual Strangers: Gays and Lesbians

Reflection#6 due on 3/4.

Shane Phelan argues that, as of today, gays and lesbians are still “strangers” in democracy. How are “strangers” different from “citizens”? How might we incorporate sexual “strangeness” into public law and policy?

Readings:

- Shane Phelan, *Sexual Strangers: Gays, Lesbians, and Dilemmas of Citizenship*, Intro, Ch.1, 3, 4, 6

3/11, 3/13 Spring Break ☺

3/18, 3/20 Changing Sex: Neither “Man” Nor “Woman”?

Reflection#7 due on 3/18.

Second Paper Topic Given on 3/18, due on 3/27

How are the concerns of transsexuals and transgendered different from gays and lesbians? What does Kate Bornstein mean by a “third space” that is neither man nor woman? In your opinion, is the “third space” an accurate description of individuals who undergo sex change? How might the “third space” be claimed as a strategy of empowerment for transgendered subjects, and for the rest of men and women? In which ways does the notion of “third space” present a problem for transsexuals who claim they are like ordinary men and women, and demand the right to heterosexual marriage? How might we reconcile the needs of “transsexuals” to be like other men and women and the desires of the “transgendered” to move beyond the gender binary?

Readings:

- Kate Bornstein, *Gender Outlaw: On Men, Women, and the Rest of Us*, Part 1-4, 7
- Cossey v. the United Kingdom* (CR)

Module III – Cultural Difference and the Multiculturalism Debate

3/25, 3/27, 4/1 The Multiculturalism Debate I: the Politics of Recognition

Reflection#8 due on 3/25.

Second Paper due on 3/27.

Recent debate on cultural difference has centered on the issue of multiculturalism. This week, we will start off the debate by examining the philosophical exchanges among several multicultural thinkers. One of the most important writings on this subject has been Charles Taylor’s “The Politics of Recognition.” What does “recognition” mean? Why is it important according to Taylor? Adeno Addis makes a distinction between “toleration” and “respect.” What are the differences, and why does Addis think that liberal “toleration” is insufficient in including cultural minorities? According to Addis, what are the connections between public dialogue and pluralism? Both Chandran Kukathas and Kwame Anthony Appiah point out problems with Taylor’s multicultural recognition. Why does Kukathas think multiculturalism is unnecessary in a liberal society? What does he mean by “the politics of indifference”? Do you agree with him? Why does Appiah think multiculturalism pose a tension with individual identity and autonomy? Is that a legitimate concern?

Readings:

- Charles Taylor, “The Politics of Recognition” (CR)
- Adeno Addis, “On Human Diversity and the Limits of Toleration” (CR)
- Chandran Kukathas, “Liberalism and Multiculturalism: The Politics of Indifference” (CR)
- Kwame Anthony Appiah, “Identity, Authenticity, Survival: Multicultural Societies and Social Reproduction” (CR)

4/3, 4/8 The Multiculturalism Debate II: Cultural Rights and Cultural Defense

Reflection#9 due on 4/3.

This week's readings focus on translating the philosophical "politics of recognition" into actual multicultural policy and cultural rights. We will first examine the exchange between Kukathas and Kymlicka on whether there should be any "cultural rights" at all. Why does Kukathas think that there is no need to establish group rights to do justice to minority groups? What do you think of Kukathas' analogy of cultural group being "private voluntary associations"? According to Kymlicka, how might we reconcile group claims within a liberal society? How do Jacob Levy and Alison Dundes Renteln suggest that we incorporate cultural rights and cultural defense into the political and legal arena, respectively? Do you agree with them?

Readings:

- Chandran Kukathas, "Are There Any Cultural Rights?" (CR)
- Will Kymlicka, "The Rights of Minority Cultures: Reply to Kukathas" (CR)
- Jacob Levy, "Classifying Cultural Rights" (CR)
- Alison Dundes Renteln, "Cultural Defense in the Courtroom" (CR)

4/10, 4/15 The Multiculturalism Debate III: Is Multiculturalism Bad for Women?

Reflection#10 due on 4/10.

Third paper topic given on 4/10. Due on 4/22.

While multiculturalists advocate for the recognition of minority group cultures in liberal society, others point out that defense of cultural traditions comes into conflict with the rights of another minority group—women. Susan Okin, a leading liberal feminist thinker, argues that multiculturalism is inherently bad for women. Why does she argue that? What kinds of criticisms have been directed at her argument by various respondents? Is there any way that we may strike a balance between recognizing cultural rights and women's rights?

Film: Womanhood and Circumcision: three Maasai women have their say

Readings:

- Susan Okin and Respondents, *Is Multiculturalism Bad for Women*, Part I, any 6~8 pieces in Part II, and Part III

4/17 Discussion: Research Presentation

4/22, 4/24 Research Presentation

Third paper due on 4/22.

4/29 Research Presentation and Conclusion

Research paper due.

Tables of Contents of Textbooks (JUS438)

The required readings of the course consist of one course reader and four scholarly books. The tables of contents of each are listed below:

COURSE READER:

1. Edna Bonacich, "Inequality in America: The failure of the American System for People of Color," from *U.S. Race Relations in the 1980s and 1990s: Challenges and Alternatives*, ed. Gail E. Thomas (New York: Hemisphere Publishing Corporation, 1990), p. 187-208.
2. Iris Young, "Five Faces of Oppression," from *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), p. 39-65.
3. Alyson M. Cole, "Shaming the Victim: The Anti-Victimist Campaign," from *The Cult of True Victimhood: From the War on Welfare to the War on Terror* (Stanford: Stanford University Press, 2007), p. 20-46.
4. George Lipsitz, "The Possessive Investment in Whiteness," from *The Possessive Investment in Whiteness: How White People Profit from Identity Politics* (Philadelphia: Temple University Press, 1998), p. 1-23.
5. Iris Young, "Social Movements and the Politics of Difference," from *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), p. 156-191.
6. Michael Eric Dyson, "Essentialism and the Complexities of Racial Identity," from *Multiculturalism: A Critical Reader*, ed. David Theo Goldberg (Cambridge: Blackwell, 1994), p. 218-229.
7. Henry Louis Gates, Jr. "'Authenticity', or the Lesson of Little Tree," *The New York Times*, Nov. 24, 1991.
8. The Combahee River Collective, "The Combahee River Collective Statement," from *Home Girls: A Black Feminist Anthology* (New York: Kitchen Table, 1983), p. 272-283.
9. Catharine MacKinnon, "Difference and Dominance: On Sex Discrimination," from *The Moral Foundations of Civil Rights*, eds. Robert K. Fullinwider and Claudia Mills (Totowa: Rowman & Littlefield, 1986), p. 144-158.
10. Andrea Dworkin, "The Third Rape," "Terror, Torture, and Resistance," "Pornography Happens," "Prostitution and Male Supremacy," "Freedom Now: Ending Violence Against Women," from *Life and Death* (New York: The Free Press, 1997).
11. Kimberly Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color," *Stanford Law Review* 43 (1991):

- 1241-1299.
12. *Cossey v. the United Kingdom* (1990 case in the European Court of Human Rights)
 13. Charles Taylor, "The Politics of Recognition," from *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton: Princeton University Press, 1994), p. 25-73.
 14. Adeno Addis, "On Human Diversity and the Limits of Toleration," from *Ethnicity and Group Rights*, eds. Ian Shapiro and Will Kymlicka (New York: New York University Press, 1997), p. 112-153.
 15. Chandran Kukathas, "Liberalism and Multiculturalism: The Politics of Indifference," *Political Theory* 26 (1998): 686-698.
 16. Kwame Anthony Appiah, "Identity, Authenticity, Survival: Multicultural Societies and Social Reproduction," from *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton: Princeton University Press, 1994), p. 149-163.
 17. Chandran Kukathas, "Are There Any Cultural Rights?" *Political Theory* 20 (1992): 105-139.
 18. Will Kymlicka, "The Rights of Minority Cultures: Reply to Kukathas," *Political Theory* 20 (1992): 140-145.
 19. Jacob Levy, "Classifying Cultural Rights," from *Ethnicity and Group Rights*, eds. Ian Shapiro and Will Kymlicka (New York: New York University Press, 1997), p. 22-66.
 20. Alison Renteln, "In Defense of Culture in the Courtroom," from *Engaging Cultural Differences: The Multicultural Challenge in Liberal Democracies*, eds. Richard A. Shweder, Martha Minow, and Hazel Rose Markus (New York: Russell Sage, 2002), p. 194-215.

BOOKS:

1. Martha Minow, *Not Only for Myself: Identity, Politics, and the Law* (New York: New Press, 1999)

Preface

Chapter 1. Knots

Chapter 2. Identities

Chapter 3. Laws

Chapter 4. Remedies

Chapter 5. Generations

Chapter 6. Ties

2. Wendy Chapkis, *Live Sex Acts: Women Performing Erotic Labor* (New York: Routledge, 1997)

Section I: Sex Wars

1. The Meaning of Sex
2. Sexual Slavery

Section II: Working It

3. The Emotional Labor of Sex
4. Locating Difference

Section III: Strategic Responses

5. Prohibition and Informal Tolerance
6. Legalization, Regulation, and Licensing
7. Sex Worker Self-Advocacy
8. Compromising Positions

Afterward: Researcher Goes Bad and Pays for It

3. Shane Phelan, *Sexual Strangers: Gays, Lesbians, and Dilemmas of Citizenship* (Philadelphia: Temple University Press, 2001)

Introduction

Chapter 1. Citizens and Strangers

Chapter 2. Structures of Strangeness: Bodies, Passions, and Citizenship

Chapter 3. Structures of Strangeness: Citizenship and Kinship

Chapter 4. Negotiating Strangeness: Assimilation and Visibility

Chapter 5. Strangers among "Us": Secondary Marginalization and "LGBT" Politics

Chapter 6. Queering Citizenship

4. Kate Bornstein, *Gender Outlaw: On Men, Women, and the Rest of Us* (New York: Routledge, 1994)

Part One. First Things First

Part Two. Sorting Deeds

Part Three. Claiming Power

Part Four. A Gender Interrogatory

Part Five. Creating a Third Space

Part Six. Hidden: A Gender

Part Seven. The Punchline

5. Susan Okin, *Is Multiculturalism Bad for Women* (Princeton: Princeton University Press, 1999)

Introduction: Feminism, Multiculturalism, and Human Equality – Joshua Cohen, Matthew Howard, and Martha C. Nussbaum

PART 1: IS MULTICULTURALISM BAD FOR WOMEN? – Susan Moller Okin

PART 2: RESPONSES

Whose Culture? – Katha Pollitt

Liberal Complacencies – Will Kymlicka

"My Culture Made Me Do It" – Bonnie Honig

Is Western Patriarchal Feminism Good for Third World / Minority Women? – Azizah Y. al-Hibri

Siding With the Underdogs – Yael Tamir

"Barbaric" Rituals? – Sander L. Gilman

Promises We should All Keep in Common Cause – Abdullahi An-Na'im

Between Norms and Choices – Robert Post

A Varied Moral World – Bhikhu Parekh

Culture beyond Gender – Saskia Sassen

Liberalism's Sacred Cow – Homi K. Bhabha

Should Sex Equality Law Apply to Religious Institutions? – Cass R. Sunstein

How Perfect Should One Be? And Whose Culture Is? – Joseph Raz

Culture Constrains – Janet E. Halley

A Plea for Difficulty – Martha C. Nussbaum

PART 3: REPLY – Susan Moller Okin