SYLLABUS
Race, Class & Reproductive Rights
Spring Semester, 2010
Professor Nancy Ehrenreich
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Assistants: Anne Beblavi x16303 office hrs: T/Th 1:15-2:15pm
Diane Bales x16580 (or by appointment)

Course Materials:
Nancy Ehrenreich (ed.), The Reproductive Rights Reader: Law, Medicine, & the
Cases Supplement – photocopied materials – to be handed out in class (“Supp”)

Course Requirements:
Class participation – 20% of grade
Thought paper (Paper No.1) (not to exceed 6pp)
• 30% of grade; due March 23 (your choice among several topic options
to be provided)
• Paper content: (a) clear engagement with and answering of the chosen
question (as a whole, not by answering seriatum each of the individual
interrogatory sentences that comprise the question); (b) demonstration
of clear and accurate understanding of the reading material and class
discussions relevant to the question; (c) personal opinion if desired or
if solicited (see Grading Criteria, below). (NB: The paper should be
organized as appropriate to the material – not necessarily according to
the three areas listed here.)

Research paper (Paper No.2) (not to exceed: 18pp)
• 50% of grade; due last day of exam period (your choice of topic; prior
approval required if the topic is not on the list of pre-approved
topics)

NOTE: I will be out of the country (organizing and attending a conference) from
approximately May 4 to May 14, so you are strongly advised to work on this paper
early so that you can get any help you might need from me before I leave on the 5th.

• Mandatory rewrite if student elects to use to satisfy upper class writing
requirement
• Paper content: (a) succinct and accurate description of the state of law
and policy on the chosen topic; (b) critical assessment of current law
and policy on the topic, drawing on course reading materials and
insights gained from those materials; and (c) personal opinion on the
issues raised in the discussion of the topic. (NB: The paper should be
organized as appropriate to the material – not necessarily according to
the three areas listed here.)
**Paper Format:** Papers should be *double-spaced*, with a *reasonable-sized font* (eg, 12), and *reasonable margins*. Additionally, papers should comply with the attached “Writing Guidelines” sheet.

**Grading Criteria:**
- Papers will be graded for responsiveness to the question, demonstrated comprehension of the material, clarity, and writing quality. While originality of ideas will also be valued (as long as those ideas are relevant to the paper topic), originality is less important than in-depth comprehension of the material, and unless specifically solicited by the paper topic is *not* a prerequisite to a high-level performance.
- Class participation will be assessed based on frequency of *quality* contributions, not on mere *quantity* of comments.

**Communication:** Web- and e-mail based. The course Blackboard page is available at: [http://blackboard.du.edu/](http://blackboard.du.edu/). The syllabus, paper topics, & occasional announcements or other materials will be posted there. Most announcements will also be e-mailed. Of course, feel free to e-mail me with questions, concerns, or appointment requests (see e-mail address above).

# # #

1/14 Introduction to Course
   Introduction to Reproductive Rights – Text, 2-19

**Unit I: Questioning Science: Feminist Critiques of Medical Knowledge and Practice**

1/19 Medicine as a Social Practice – Text, 23-41, 57 (notes 1-3) (Ehrenreich & English; Todd)

1/21 The Social Construction of Medical Knowledge – Text, 42-57 (notes 4-5) (Martin, Chase)

**Unit II: Forced Motherhood?: Legal Regulation of Pregnancy Termination**

**Part A: Abortion: The Legal Framework**

1/26 “The Pill” – film
   Social & Historical Context – Text, 63-95 (Luker, Reagan, Davis)
   **Sign up for mtgs to discuss research paper (Paper No.2) topics (required if not doing topic from list of pre-approved topics; optional for everyone else)**

1/28 (cont’d)

2/4 Privacy and the Abortion-Funding Issue – Text, 111-24 (Harris v. McRae, Ehrenreich), Supp., 12-15 (Webster)

Research paper proposals due (for anyone not doing a topic from the list of pre-approved topics): Please submit one paragraph describing both the proposed topic and the research plan (including discussion of preliminary research suggesting that the topic is viable (no pun intended).

2/9 The “Undue Burden” Test – Text, 127-44 (Planned Parenthood v. Casey, Gibbs et al.)

2/11 The Equality Approach – Text, 147-65 (Siegel, Sullivan & Estrich)

Part B: Abortion – Special Topics

2/16 Late-Term Abortion – Text, 169-98 (Stenberg v. Carhart, Oliveri, Gonzales v. Carhart)

2/18 Teen Pregnancy: Minors’ Access to Abortion and Sex Education
(a) Context and Policy – Text, 201-220 (Rhode, Dailard); Supp, 16-20 (Zavala)
   shd move Zavala to next class

2/23 (b) Law – Supp, 21-49 (explanatory text, Hodgson, Lambert, Heed, Ayotte)

2/25 Wrongful Birth and Selective Abortion – Text, 223-39, 253 (notes 1-4) (Kowitz, Saxton)

3/2 Reproductive Rights of Women in Prison – Text, 243-54 (note 5) (Roth); Supp, 50-58 (Roe v. Crawford)
Paper No.1 Assigned (due 3/23)

3/4 Catchup class

Unit III: Motherhood Denied – Legal Regulation of Conception

3/9 Punitive Policies – Regulation of Conception by Low-Income Women & Women of Color
   (a) Social and historical context – Text, 257-74, 296 (note 1) (Solinger)
   “La Operación” – film

3/11 Open Discussion/Q&A re Paper No.1 Topics; Discussion of Writing Skills

   [Spring Break: March 15-19]

3/23 (b) Norplant – Text, 275-87, 296 (note 3) (Albiston), Supp, 59-75 (Skinner v. Okla., Oakley v. Wisconsin)

* Note: This class has particularly heavy reading.
Paper No. 1 Due (at start of class)

3/25  (c) Family caps – Text, 288-96 (notes 2, 4, & 5) (Williams), Supp., 76-81
      37-42 (C.K. v. Shalala)

3/30  Assisted Reproduction: Regulation of “Surrogacy” & Cloning
      (a) Contract Parenthood (“Surrogacy”) – Text, 299-319, 331 (notes 1-4)
          (Ertman, Roberts)

4/1*  (b) Clonin – Text, 320-31 (note 5)

Unit IV: The Disciplining of Mothers – Legal Regulation of Behavior During
Pregnancy and Birthing (and Beyond)

4/6*  Discrimination Against Mothers in the Workplace – Text, 335-60 (Troupe
      v. May Dept. Stores, Colker, Austin); Supp, 82-92 (Hansen)
      [NOTE: pp 93 & 94 have been omitted from the Supp.]

4/8*  (cont’d)
      Tort & Criminal Liability for Prenatal Behavior – Text, 363-88 (Stallman v.
      Youquist, Roberts), Supp., 95-97, 102-12 (Robertson (part III only), Whitner v.
      So. Car.)

4/13  (cont’d)

4/15*  Regulation of Birthing
      (a) Court-Ordered Cesarean Sections – Supp, 114-25, 97-101 (Sullivan & Weitz,
          Robertson (part IV only)); Text, 391-402 (Ehrenreich), Supp, 126-35 (In re
          Baby Doe)

4/20  (b) Vaginal birth after Cesarean (VBAC) – Supp, 136-136-45 (Pemberton)
      (c) Feticide and “Fetal Personhood” Statutes – Supp, 146-60 (NAPW report)

Draft of Research Paper due at 4 pm (only for those doing the upperclass
writing requirement)

4/22  Catchup Class
      Wrapup/Q&A/Discussion of Writing Skills -- Research Papers

4/27  No Class—research & writing day

[Research Paper Due Last Day of Exam Period – May 20, 4pm]
      (including final draft for those doing upperclass writing requirement)
      NOTE: I will be out of the country (organizing and attending a conference) from
      approximately May 4 to May 14, so you are strongly advised to work on this paper early
      so that you can get any help you might need from me before I leave on the 5th.]

* Note: This class has particularly heavy reading.