

New York University
Robert F. Wagner Graduate School of Public Service

PADM-GP 2444: Gender & Sexuality in U.S. Policy Formation
Location: West 4th St, Rm B06, Washington Square
Fall 2021

Thursdays: 6:45-8:25pm
Classroom: 45 West 4th St, Rm B06
Loc: Washington Square
Office hours: Fridays by apt

Instructor: Katherine Grainger
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COURSE DESCRIPTION

This graduate level course will provide an in-depth analysis of gender and sexuality policy in the United States. We will focus on the role that criminalization has played in this area, examining topics such as abortion and regulation of intimate partner behavior, including sodomy. Practical application on how policy is made will be intertwined throughout the course and we will use case studies to examine why certain policies efforts, including marriage equality was successful, while, for example, the Equal Rights Amendment failed. Focus will also include the impact that the current political climate is having on women, LGBTQ and gender nonconforming individuals and an effort will be made to weave in current events, as well as pop culture throughout our learning. Finally, we will study the impact existent and nonexistent policy protections have on people of color, the economically disadvantaged, immigrants, transgender and gender nonconforming individuals. Incorporated into our analysis will be readings from queer liberation scholars and feminist theorists to help us evaluate the pros and cons of existing policy gains. The course will explore what full equality might look like in the United States with an examination of what can and cannot be achieved through policy advancements.

COURSE OBJECTIVES

Upon completion of Gender & Sexuality in U.S. Policy Formation, students should be able to:

1. Understand the evolution of gender and sexuality policy in the United States;
2. Think analytically and strategically about policy formation and opportunities for pragmatic and transformational change;
3. Articulate how social justice policy is created, including the individual, contextual, and environmental factors that influence policy shifts;
4. Be a step closer to becoming reflective practitioners, i.e. professionals endowed with a sophisticated grasp of the art, science, opportunities, and limits of crafting public policy

Required Textbook

Faderman, Lillian (2015). *The Gay Revolution: The Story of the Struggle*

Additional readings as assigned, distributed and embedded in syllabus.

Additional readings are available electronically and/or will be distributed in class. As the course progresses, we may identify additional readings or news articles relevant to the discussion. This means that the reading list is a living document and will evolve over time. If you run into articles or blogs that are relevant, feel free to circulate them to the members of the class through NYU Classes.

Guest speakers will also contribute to our learning experience.

EXPECTATIONS

1. This course requires graduate level reading, writing, and analytical skills. Students are to come to each class prepared to actively participate in discussions about reading assignments and previous lecture materials. The papers will be graded both on substance and on the ability of the student to write succinctly and clearly.
2. Students are expected to attend class (and be on time), which is essential for learning from lecture and class discussions. Attendance and participation will affect 30% of the course grade. Students who miss more than a total of 3 classes will not receive a passing grade for the class. Absences because of religious holidays are allowed with prior notification to the instructor. Please inform the professor in advance if you are not able to attend. Absences for documented illnesses may be excused.
3. Language should be used that recognizes diversity and is respectful of others. It is also imperative, as we struggle with complex political, personal and social issues, that we not silence others by assuming that there are “politically correct” lines of thought that cannot be challenged. The bottom-line: it is our shared responsibility to struggle for intellectual growth and mutual respect as we endeavor in this process.
4. The use of cell phones (including text messaging) is not permitted in class. Please put them away prior to class. If there is an emergency and you need to leave your cell phone on, please turn it to vibrate and attend to the call in the hallway so that you will not disturb your colleagues.
5. The professor adheres to University and School policies regarding accommodations for students with disabilities, religious holidays, incompletes, plagiarism, and student evaluation of the course and its instruction as stated in Wagner’s Student Handbook: <http://wagner.nyu.edu/students>.

FINAL GRADING SYSTEM

- **Class Participation** (30%; this includes participation in pop culture/news of the day assignments)
- **Take Home Midterm Exam** (25%)
- **Final Paper** (45%: 15% oral presentation, 30% individual final paper)

Active Class Participation: Means coming to class prepared to engage in a thoughtful and reflective discussion and being able to ask good questions at least as much as being able to answer them. Students should also be able to speak analytically about reading and tie it to

previous reading assignments and class discussion. The class discussion is how we will bring the materials to life and everyone is expected to actively engage in this process. Since this class is virtual, your screens are required to be on for the entire course.

The Midterm Exam: Take-home exam. The exam will be distributed during class on October 21 and time will be allotted for review and questions. The midterm is due by Friday, October 29 not later than 12pm, submitted through the NYU Classes site.

Final Exam: For your final exam you will write an op-ed arguing for a policy change or advocacy strategy to advance/protect gender and sexuality in the United States. Your op-ed topic must be pre-approved by the professor and you are required to set up time during office hours to discuss it with her. Students will also prepare one in-class presentation to accompany the op-ed.

Assignment Format and Submission: All assignments should be written on Times New Roman size 12, doubled-spaced lines with one-inch margins all around. Please submit them as docx or pdf.

Please submit exams and papers, via the **Assignments** tab on **NYU Brightspace**.

Grading Policy: There is no curve in this course. This course will abide by the Wagner School's academic code and general policy guidelines on grading and incomplete grades. It is the student's responsibility to become familiar with these policies, which are post on the NYU Wagner website:

Academic Code: <https://wagner.nyu.edu/portal/students/policies/code>

Grading: <https://wagner.nyu.edu/portal/students/policies/grading>

Incomplete Grades: <https://wagner.nyu.edu/portal/students/policies/incompletes>

Late Assignments: Students are expected to complete all course assignments on time. In certain, rare circumstances, late assignments will be accepted with approval from the Professor.

Incomplete Grades: Students who are unable to complete all of the assignments for a course by the time the course has ended must request an incomplete grade from the Professor by submitting a Request for Incomplete Grade form. The Professor is under no obligation to grant a request for an incomplete grade. If the instructor grants the request for an incomplete, the student will receive a grade of IP (Incomplete Pass) or IF (Incomplete Fail) as determined by the Professor. If the student does not submit a request for an incomplete or if the Professor denies the request, the student will receive a grade of N (no credit) or F (Fail) as determined by the instructor. Under no circumstances will the Professor delay the submission of grades to accommodate a late assignment from a student. It is the obligation of the student who has received a grade of IP or IF for a course to fulfill the requirements agreed to in the Request for Incomplete Grade form. Once the requirements are fulfilled, the instructor will issue a change of grade for the student. Students who do not fulfill the agreed upon requirements of the incomplete grade will have their grades automatically convert at the end of one semester in the following manner: an IP will convert to an N (No credit) and an IF will convert to an F (Fail).

Course and Faculty Instructors Evaluations: Student feedback regarding the course and the faculty advisement instruction is strongly encouraged throughout the semester. Students will be asked to complete a formal on-line evaluation at semester's end, consistent with the policy of Wagner Graduate School of Public Service.

WEEKLY ASSIGNMENTS

September 2: NO CLASS

Note: We will be making up this class later in the semester

September 9: Introduction/Overview

In this session, we will focus on:

- Course themes and direction
- Assignments, including pop culture/news of the day assignments, midterm, oral presentation, and final paper
- The study of policy formation
- An examination of identity politics

Required Reading

Fukuyama, Francis, Against Identity Politics, The New Tribalism and the Crisis of Democracy, <https://www.foreignaffairs.com/articles/americas/2018-08-14/against-identity-politics-tribalism-francis-fukuyama>

Abrams, Stacey, Identity Politics Strengthens Democracy, <https://www.foreignaffairs.com/articles/2019-02-01/stacey-abrams-response-to-francis-fukuyama-identity-politics-article>

Tesler, Michael, How The Rise Of White Identity Politics Explains The Fight Over Critical Race Theory <https://fivethirtyeight.com/features/how-the-rise-of-white-identity-politics-explains-the-fight-over-critical-race-theory/>

Beauchamp, Zack, Identity politics isn't hurting liberalism. It's saving it, <https://www.vox.com/2020/2/20/20954059/liberalism-identity-politics-defense>

SOCIETAL CREATIONS

September 16: Policy, Sexuality, and Control

In this session, we will examine:

- The societal creation of sexuality
- The public and private sphere
- Patriarchy, misogyny and sexism
- White supremacy and the idea of caste systems
- How all these constructs inform policy formation

Required Reading

Seidman, Steven (2015). The Social Construction of Sexuality, chps. 2-3.

Manne, Kate (2018). Down Girl: The Logic of Misogyny, chps. 2-3.

Wilkerson, Isabelle (2020). America's Enduring Caste System
<https://www.nytimes.com/2020/07/01/magazine/isabel-wilkerson-caste.html>

September 23: Title VII and Discrimination Because of Sex

In this session, we will examine:

- Title VII jurisprudence
- The legal creation of sex and gender

Colker, Ruth (2017). Sexual Orientation, Gender Identity, and the Law in a nutshell, chp 3

Epps, Garrett (2020). What 'Because of Sex' Really Means
<https://www.theatlantic.com/ideas/archive/2020/06/what-because-of-sex-really-means/613099/>

Optional Reading:

[Bostock v. Clayton County](#)

[Price Waterhouse v. Hopkins](#)

September 30: Governor Andrew Cuomo Case Study

In this session, we will examine:

- How societal manifestations are normalized and play out in everyday life

Optional Background Reading: Andrew Cuomo Resigns, Justin Miller
<https://nymag.com/intelligencer/2021/08/andrew-cuomo-resigns.html>

Abuse and Power, Rebecca Traister
<https://nymag.com/intelligencer/article/andrew-cuomo-misconduct-allegations.html>

Ezra Klein Show: Andrew Cuomo and the Performance of Power
<https://www.nytimes.com/2021/03/19/opinion/ezra-klein-podcast-rebecca-traister.html>

Governor Andrew Cuomo Statement on Sexual Harassment Investigation Findings
<https://www.c-span.org/video/?513912-1/ny-governor-cuomo-denies-sexual-harassment-allegations-detailed-independent-report>

BUILDING POWER

Oct 7: Visibility: Uprisings, Marches and Protest

In this session, we will examine:

- The importance of visibility in policy making
- The impact of the Stonewall Uprising and ACTUP on policy formation
- The beginning foundations of assimilationist and liberationist theory

Required Viewing

American Experience: Stonewall Uprising <https://www.youtube.com/watch?v=DbmGN0iLZ1k>

Required Reading

The Real Story of ACT UP, Natalie Adler

<https://lux-magazine.com/article/the-real-story-of-act-up-sarah-schulman/>

Further Reading TBA

October 14: Visibility: Uprisings, Marches and Protest

In this session, we will continue our examination of:

- Visibility in policy making focusing on recent resurgence of the women's rights movement and Black Lives Matter
- Topics will include: The Women's March, #metoo, BLM

Required Reading

1970s

She's Beautiful When She's Angry (Film) - Available via NYU Libraries as well as [this link](#) (shows streaming options)

[Combahee River Collective Statement](#)

Women's March

[The Women's Marches are shrinking. Their influence isn't.](#) - Anna North, Vox

2021

[At the March for Abortion Rights, a New Generation of Activists Takes Center Stage](#) – Amy Littlefield, *the Nation*

[Women's March for Reproductive Rights Is Great — But We Need a Strike](#) – Kaylen Ralph, *Teen Vogue*

October 21: Visibility: Accessing Institutions

In this session, we will examine:

- How a seat at the table impacts policy
- The ways political leadership influences policy results
- The pros and cons of moving from the margins into the mainstream
- Continued discussion on liberationist vs assimilationist theory

Required Reading

Faderman, Lillian (2015). The Gay Revolution: The Story of the Struggle, chps. 15-17.

Ambinder, Marc, (2013). "Bush Campaign Chief and Former RNC Chair Ken Mehlman: I'm Gay," *The Atlantic* <https://www.theatlantic.com/politics/archive/2010/08/bush-campaign-chief-and-former-rnc-chair-ken-mehlman-im-gay/62065/>

Goldmacher, Confessore, Lerer and Hsu, (2021). “Turmoil Was Brewing at Time’s Up Long Before Cuomo,” The New York Times <https://www.nytimes.com/2021/08/21/us/times-up-metoo-sexual-harassment.html>

FEAR AND CONTROL

October 28: Criminalization

In this session, we will examine:

- How the state uses criminalization as a tool to discriminate on the basis of gender and sexuality
- Ways criminalization serves to maintain the status quo

Required Reading

Faderman, Lillian (2015). The Gay Revolution: The Story of the Struggle, chps. 1-4.

Mogul, Ritchie, Whitlock (2011). Queer (In)Justice: The Criminalization of LGBT People in the United States, chps 3, 6.

Young, Neil, How the Bathroom Wars Shaped America, (Politico, 2016).

<http://www.politico.com/magazine/story/2016/05/2016-bathroom-bills-politics-northcarolina-lgbt-transgender-history-restrooms-era-civil-rights-213902>

Midterm Distributed

November 4: Criminalization

In this session, we will examine:

- Continue to examine the states use of criminalization this time focusing specifically on reproductive health

Required Reading

Goodwin, Michele (2020). Policing the Womb, Chp. 5.

Roberts, Dorothy, (1997). Killing the Black Body: Race, Reproduction, and the Meaning of Liberty, chps. Introduction, 7.

Further Reading TBA

CASE STUDIES

Case Study: Marriage Equality

In this session, we will examine:

- The fight for marriage equality in the United States, focusing on the courts, state legislatures, and public opinion
- The impact on marriage equality after nearly 10 years
- What made the marriage fight victorious and why other civil rights issues stay stalled

Required Viewing

The Freedom to Marry <https://www.youtube.com/watch?v=kNGJ1qfcWhI>

Required Reading

Further Reading TBA

Case Study: Equal Rights Amendment

In this session, we will examine:

- The long fight to ratify the Equal Rights Amendment
- How ERA lost and compare it to the victorious fight for marriage equality

Required Listening

The Civics 101 Podcast, Equal Rights Amendment <https://www.civics101podcast.org/civics-101-episodes/equal-rights-amendment>

Required Reading

We The Women: The Unstoppable Mothers of the Equal Rights Amendment, Julie Suk (2020), Ch6–Ch 9; Epilogue

Further Reading TBA

Limitations: Where Policy Falls Short

In this session, we will examine:

- The limits of the law and who is left out when policy is created
- How policy fails to protect our intersections
- What it would take to create multi-dimensional policies and laws

Required Reading

Dean Spade (2015), “What’s Wrong with Rights?” and “Administrating Gender” from Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of Law, pp. 38- 49, 73-93

Crenshaw, Kimberle (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics <http://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1052&context=uclf>.

November 25: Thanksgiving NO CLASS

December 2: CLASS PRESENTATIONS

December 9: CLASS PRESENTATIONS and Closing Reflections

In this session, we will:

- Finish class presentations
- Draw conclusions on semester’s readings
- Discuss how true equality might be obtained, what that might look like and whether that should be the goal

Final Exams due by Friday, December 17 at 11:59pmET, submitted through the NYU Classes site.

