



NYU

**ROBERT F. WAGNER GRADUATE
SCHOOL OF PUBLIC SERVICE**

PADM-GP 2444

GENDER & SEXUALITY IN U.S. POLICY FORMATION

FALL 2022

COURSE INFORMATION

- Class Meeting Times: Thursdays, 6:45 pm – 8:25 pm
- Class Location: GCASL, Room 379; Loc: Washington Square
- Instructor's Name & Email: **Cyril Ghosh**; cg96@nyu.edu
- Office Hours: By appointment

COURSE DESCRIPTION

This course investigates the major gender- and sexuality-based rights claims that have structured public policy in the United States, particularly, but not exclusively, in the post-Civil Rights Era. We will study, among other things, legislation, jurisprudence, and public opinion related to abortion, same-sex intimacy/sodomy, marriage equality, antidiscrimination, and the rights claims of transgender persons in the areas of access to single-sex colleges, bathrooms, athletics, and so on. We will also critically examine the rights gains that have so far been made by gender and sexuality minorities with an eye toward developing future policy responses that might avoid the pitfalls and negative externalities that have accompanied what has been achieved. Finally, two recurrent themes will animate the discussions throughout the course: (1) the intersections of the rights-claims of gender and sexual minorities with other identities, such as national origin, race, and socioeconomic status; and (2) the tension between the claims, on the one hand, of those who might be said to belong to the mainstream, and, on the other, of those who might be said to be the radical/queer.

COURSE AND LEARNING OBJECTIVES

By the end of this course, students should be able to:

- Formulate a clear understanding of the evolution of some major public policy issues related to gender and sexuality in the United States; e.g., abortion, same-sex intimate conduct, marriage equality;
- Fine-tune their critical thinking skills re: gender- and sexuality-based rights claims;
- Think analytically and strategically about appropriate policy responses related to gender and sexuality minorities;
- Develop the competence to identify key stakeholders on public policy issues related to gender & sexuality; and
- Develop the capacity to orally communicate policy recommendations.

REQUIRED TEXTS

Brettschneider, Marla, Susan Burgess, Christine Keating. 2017. *LGBTQ Politics: A Critical Reader*. New York: NYU Press.

WRITING

Writing is an important part of being a policy analyst and advocate. For some useful thoughts on how to approach policy writing, see Michael O'Hare's memo to his students in the spring 2004 issue of the *Journal of Policy Analysis and Management*. In addition, see Catherine F. Smith, *Writing Public Policy: A Practical Guide to Communicating in the Policy Making Process* (New York: Oxford University Press, 2005). For an enjoyable and valuable (although not uncontested) critique of PowerPoint presentations as disastrous to effective communication, see Edward Tufte, *The Cognitive Style of PowerPoint*, and an excellent book *Better Presentations* by Jonathan Schwabish. You can also email me or meet with me during office hours for feedback. If you would like additional feedback or training on policy writing, please visit the [Wagner Writing Center](#) or the [NYU Writing Center](#).

ACADEMIC INTEGRITY

Academic integrity is a vital component of Wagner and NYU. All students enrolled in this class are required to read and abide by [Wagner's Academic Code](#). All Wagner students have already read and signed the [Wagner Academic Oath](#). Plagiarism of any form will not be tolerated. If any student in this class is unsure about what is expected of you and how to abide by the academic code, you should consult with me.

HENRY AND LUCY MOSES CENTER FOR STUDENTS WITH DISABILITIES AT NYU

Academic accommodations are available for students with disabilities. Please visit the [Moses Center for Students with Disabilities](#) (CSD) website and click on the Reasonable Accommodations and How to Register tab or call or email CSD at (212-998-4980 or mosescsd@nyu.edu) for information. Students who are requesting academic accommodations are strongly advised to reach out to the Moses Center as early as possible in the semester for assistance.

NYU'S CALENDAR POLICY ON RELIGIOUS HOLIDAYS

[NYU's Calendar Policy on Religious Holidays](#) states that members of any religious group may, without penalty, absent themselves from classes when required in compliance with their religious obligations. Please notify me in advance of religious holidays that might coincide with exams/assignment deadlines or other obligations in order to schedule mutually acceptable alternatives.

COURSE REQUIREMENTS & OVERVIEW OF ASSIGNMENTS/GRADED COMPONENTS:

Class Participation (25 points)

Students are expected to actively participate in class. You should be prepared to demonstrate a willingness to offer your comments, draw attention to insights from the readings, and ask questions related to the topic of the day. Discussion of current events, popular culture, and media reports that relate to the topics relevant to the course is strongly encouraged. As a matter of professional courtesy, you should inform me if you will miss lecture. I do not “give permission” for missing lecture. You either have a university-sanctioned reason for being absent (e.g., illness, death in the family, religious observance, or work) or you are choosing to be absent. You are adults and I trust you to evaluate the best use of your time.

Note: Take this seriously. Make sure you read the materials assigned carefully and speak up in class. You will periodically receive updates about your participation grade. If you are unable or unwilling to speak up in class and participate in traditional ways, you are welcome to let me know this and email me your thoughts on the readings instead.

Op-Ed: (25 points)

You will be writing an op-ed on a topic of your choosing but one that relates to the course. More instructions will be given out in class. A useful set of guidelines for writing an op-ed is available in: Pennock, Andrew. 2018. “Op-Ed.” In *The CQ Press Writing Guide for Public Policy*. Washington D.C.: CQ Press. This reading is available on Brightspace under Resources. **On September 1, you will be able to select your op-ed submission date.**

Final – I: Options/Decision Memo (25 points)

For your final written project, you will work in pairs or small groups and write an options or decision memo for a client of your choosing. More instructions will be given out in class. A useful set of guidelines for writing an options or decision memo is available in: Pennock, Andrew. 2018. “The Decision Memo.” In *The CQ Press Writing Guide for Public Policy*. Washington D.C.: CQ Press. This reading is available on Brightspace under Resources. **The memo is due on December 10 – two days after class.**

Final – II: Classroom Presentation (25 points)

At the end of the semester, each pair or group will present the recommendations from their memo in class. More instructions will be given out in class. Each presentation should last 10 minutes, including a brief Q&A. The ideal set-up would be 6 minutes (presentation) + 4 minutes (Q&A + feedback). The presentation should also be accompanied by some slides but no video or audio recordings (unless it is absolutely vital to the issue under discussion). Use your discretion re: the number of slides you will use. I recommend about 5-6 slides. But, of course, a lot depends on what is on them. **Each pair/group will pick the date for their final presentation from among two options on September 8. The options are: December 1 & December 8. Your peers will determine your grade for 10 points out of the 25 allotted here.**

COURSE SCHEDULE

Week 1 - 9/1 - Introductions & Background

- [Civics 101 Podcast](#). 19th Amendment: Part 1 & Part 2.
- [Civics 101 Podcast](#). Equal Rights Amendment.
- Traister, Rebecca. 2018. *Good and Mad: The Revolutionary Power of Women's Anger*. New York: Simon & Schuster. Selections.
- Mansbridge, Jane. 1986. *Why We Lost the ERA*. Chicago. University of Chicago Press. Selections.

Week 2 - 9/8 - Gender, Sexuality, and Antidiscrimination Doctrine

- Crenshaw, Kimberlé. 1989. "[Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Policies](#)." *University of Chicago Law Forum* 1989(1): 139-167.
- Valdes. Francisco. 1995. "Queers, Sissies, Dykes, and Tomboys: Deconstructing the Conflation of "Sex," Gender," and "Sexual Orientation," in Euro-American Law and Society." *California Law Review*. 83(1): 1-377. Selections.
- Colker, Ruth. 2017. *Sexual Orientation, Gender Identity, and the Law in a Nutshell*. St. Paul, MN: West Academic Publishing. Selections.
- *Price Waterhouse v. Hopkins* (1989)

Week 3 - 9/15 - Work, Welfare, and Caregiving

- Collins, Gail. 2010. *When Everything Changed: The Amazing Journey of American Women From 1960 to the Present*. Boston: Back Bay Books. Selections.
- Markovits, Elizabeth K., and Susan Bickford. 2014. "Constructing Freedom: Institutional Pathways to Changing the Gender Division of Labor." *Perspectives on Politics* 12(1): 81– 99.
- Mettler, Suzanne. 2018. "[The Welfare Boogeyman](#)." *The New York Times*. July 23.
- Hirschmann, Nancy. 2012. "[Mothers Who Care Too Much: Stay-at-Home Mothering is Bad for Mothers, Their Kids, and Women's Equality](#)." *Boston Review*. June 26.

Week 4 - 9/22 - Caregiving, Domesticity, Patriotism, and Normativity

- Puar, Jasbir K. 2006. "Mapping US Homonormativities." *Gender, Place & Culture: A Journal of Feminist Geography* 13(1): 67-88.
- Warner, Michael. 1999. "Beyond Gay Marriage." In *The Trouble with Normal: Sex, Politics, and the Ethics of Queer Life*. New York: The Free Press. Selections.
- Ghosh, Cyril. 2018. "Marriage Equality and the Injunction to Assimilate: Romantic Love, Children, Monogamy, and Parenting in *Obergefell v Hodges*." *Polity* 50(2): 275-299.
- Metz, Tamara. *Untying the Knot*. Princeton, NJ: Princeton University Press. Selections.
- Macedo, Steven. 2015. *Just Married*. Princeton, NJ: Princeton University Press. Selections.

Week 5 - 9/29 - Gender, Sexuality, the State & Citizenship

- Canaday, Margot. 2009. *The Straight State: Sexuality and Citizenship in 20th Century America*. Princeton: Princeton University Press. Selections.
- Duggan, Lisa. 1994. "Queering the State" *Social Text* 39: 1-14.
- Lister, Ruth. 2017. *Citizenship: Feminist Perspectives*. 2nd Edition. New York: Bloomsbury. Selections.
- Josephson, Jyl. 2016. *Rethinking Sexual Citizenship*. Albany, NY: SUNY Press. Selections.

Week 6 - 10/6 - Gender & Sexuality – Case Law – I

- *Griswold v. CT* (1965)
- *Roe v. Wade* (1973)
- *Planned Parenthood of Southeastern Pennsylvania v. Casey* (1992)
- *Lawrence v. Texas* (2003)
- *Gonzales v. Carhart* (2007)

Week 7 - 10/13 - Gender & Sexuality – Case Law – II

- *United States v. Windsor* (2013)
- *Obergefell v. Hodges* (2015)
- *Masterpiece Cakeshop v. Colorado Civil Rights Commission* (2018)
- *Bostock v. Clayton County* (2020)
- *Dobbs v. Jackson Women's Health Organization* (2021)

Week 8 - 10/20 - #metoo, Slutwalks, Carceral Feminism, and Cruising

- Cole, Alyson and Sumru Atuk. 2019. "What's in a Hashtag? Feminist Terms for Tweeting in Alliance." *philoSOPHIA* 9(1): 26-52.
- Amnesty International. 2018. "[Tarana Burke: The Woman Behind Me Too](#)." Amnesty International.
- Teachout, Zephyr. 2017. "[I'm Not Convinced Franken Should Quit](#)." *The New York Times*. Dec 11.
- Kipnis, Laura. 2018. "[Has #MeToo Gone Too Far, Or Not Far Enough?](#)" *The Guardian*. Jan 13.
- Bracewell, Lorna. 2019. "Sex Wars, SlutWalks, and Carceral Feminism." *Contemporary Political Theory* 19(1): 61-82.
- Kornhaber, Spencer. 2019. "Cruising in the Age of Consent." *The Atlantic*.

Week 9 - 10/27 - Reproductive Justice

- Price, Kimala. "Queering Reproductive Justice: Toward a Theory and Praxis for Building Intersectional Political Alliances." In *LGBTQ Politics: A Critical Reader*. Eds Marla Brettschneider, et. al. New York: NYU Press.
- Dworkin, Richard. 1993. "What is Sacred?" In *Life's Dominion*. New York: Alfred Knopf.
- Beisel, Nicola and Tamara Kay. "Abortion, Race, and Gender in Nineteenth-Century America." *American Sociological Review* 69: 498-518.
- Goodwin, Michele. 2022. "[No, Justice Alito, Reproductive Justice is in the Constitution](#)." *The New York Times*. June 26.

Week 10 - 11/3 - Whither BTQ+? - I

- Smith, Charles Anthony, Shawn Schulenberg, and Eric A. Baldwin. 2017. "The "B" Isn't Silent: Bisexual Communities and Political Activism." In *LGBTQ Politics: A Critical Reader*. Eds Marla Brettschneider, et. al. New York: NYU Press.
- Colker, Ruth. *Hybrid: Bisexuals, Multiracials, and Other Misfits Under American Law*. New York: NYU Press. Selections.
- Mayo-Adam, Erin. 2020. "Introduction" & "Chapter 4: Thwarting Division Through Intersectional Translation." In *Queer Alliances: How Power Shapes Political Movement Formation*. Palo Alto, CA: Stanford University Press.
- Stodolka, Jason. "You Don't Belong Here, Either: Same-Sex Marriage Politics and LGBT/Q Youth Homelessness Activism in Chicago." In *LGBTQ Politics: A Critical Reader*. Eds Marla Brettschneider, et. al. New York: NYU Press.
- Burkett, Elinor. 2015. "[What Makes a Woman?](#)" *The New York Times*. June 5.

Week 11 - 11/10 - Whither BTQ+? - II

- Young, Neil. 2018. "[How the Bathroom Wars Shaped America.](#)" *Politico*. May 18.
- Edwards-Leeper, Laura and Erica Anderson. 2021. "[The Mental Health Establishment is Failing Trans Kids.](#)" *The Washington Post*. November 24.
- Davis, Heath Fogg. 2017. "Single-Sex Colleges and Transgender Discrimination: The Politics of Checking a "Male" or "Female" Box to Get into College." In *LGBTQ Politics: A Critical Reader*. Eds Marla Brettschneider, et. al. New York: NYU Press.
- Sharrow, Elizabeth A. 2021. "Sports, Transgender Rights and the Bodily Politics of Cisgender Supremacy." *Laws* 10(3): 63.

Week 12 - 11/17 - Gender, Sexuality, and Political Participation

- Bernhard, R.; Shames, S.; and Teele, D. 2021. "To Emerge? Breadwinning, Motherhood, and Women's Decisions to Run for Office." *American Political Science Review* 115(2): 379-394.
- Garretson, Jeremiah. 2017. "The How, Why, and Who of LGBTQ "Victory": A Critical Examination of Change in Public Attitudes Involving LGBTQ People." In *LGBTQ Politics: A Critical Reader*. Eds Marla Brettschneider, et. al. New York: NYU Press.
- Perry, Ravi, K. and X. Loudon Manley. 2017. "Case Studies of Black Lesbian and Gay Candidates: Winning Identity Politics in the Obama Era." In *LGBTQ Politics: A Critical Reader*. Eds Marla Brettschneider, et. al. New York: NYU Press.
- Strolovitch, Dara Z., Janelle S. Wong, and Andrew Proctor. 2017. "A Possessive Investment in White Heteropatriarchy? The 2016 Election and the Politics of Race, Gender, and Sexuality." *Politics, Groups, and Identities* 5(2):353-363.
- Herndon, Astead W. 2020. "[Georgia Was a Big Win for Democrats: Black Women Did the Groundwork.](#)" December 3.

Weeks 13 & 14 – 12/1 & 12/8

- Presentations.