

Course Outline

COURSE: Sexuality Labour and Law LAWS 4904-B

TERM: Winter 2013

PREREQUISITES: Please see Calendar.

CLASS: **Day & Time:** Tuesday 11:35 am-2:25 pm
 Room: PA 101

INSTRUCTOR: Dr. Ummni Khan

CONTACT: **Office:** Loeb C572
 Office Hrs: Wednesday 2:45-3:45pm OR by appointment
 Telephone: Extension 1547
 Email: Use WebCT mail and allow 48 hours for a response (not including weekends).
 If WebCT is down, use your Carleton email address and contact me at:
 ummni_khan@carleton.ca

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

COURSE DESCRIPTION

Dominant cultural narratives sentimentalize sexuality as something that should be private, emotional, monogamous and noncommercial. At the same time, prostitution has been dubbed 'the oldest profession in the world', which posits a transcendental permanence to the exchange of sex for resources. How do we account for this tension in our social imaginary?

How does it impact those who sell, buy or manage sexual services? What legal regime and which theoretical frames will best address the challenges that those in the sex industry face? To explore these questions, this advanced seminar focuses on the intersection between sexuality, labour and law from a critical and interdisciplinary perspective. Drawing upon multiple theories, including feminism, queer theory, Marxism and post-structuralism, we will address how 'sex work' knowledge is produced. Academic, experiential and activist research as well as texts that draw on multiple epistemologies will be analyzed. We will further consider the competing frameworks that interpret the sex industry. Anti-prostitution frameworks tend to draw upon either a deviant or a victim framework. In contrast, we will investigate how labour, human rights and migrant studies' frameworks challenge the deviant-victim paradigm and consider which legal, policy and attitudinal approaches would best improve the lives of those who do sexual labour. We will further consider the role that clients and customers play in the legal and labour issues. In order to de-exceptionalize the sex industries, activities that do not normally fall within the official rubric of 'sex work', but that nonetheless have parallel dynamics, will also be addressed. For example, marriage can be considered a site of sex trading; in some cases, wives provide sex in exchange for financial security, social standing, and immigration status. In addition, we could also call academics and activists who focus on the area of sexual labour/trafficking as 'living off the avails' of prostitution, as they build careers out of researching - or attempting to 'rescue' - sex workers and/or 'trafficked' women. Finally, the state is implicated in the sex industry as both licensing systems and criminalizing approaches impact the lived reality and working conditions of those who engage in sexualized labour.

CLASS OBJECTIVES

- To become knowledgeable about the different theories and frameworks that interpret sexual labour
- To become familiar with different regional contexts of sexual labour
- To analyze and critically explore different legal approaches to sexual labour
- To self-reflect on how ideology may impact knowledge of sexual labour
- To think, debate and write critically about sexual labour

REQUIRED TEXTS

- *Sex work matters*. Zed Books, 2010
Available at Octopus Books: 116 Third Ave (613) 233-2589
www.octopusbooks.ca
- Articles and Excerpts available electronically through your Carleton University Electronic library. See WebCt for the full list.
- Portions of videos will be watched in class

EVALUATION

(All components must be completed in order to get a passing grade)

10% Attendance & Participation

The seminar format relies on students taking an active role in learning and sharing knowledge. Attendance is taken for every class, and your participation is evaluated at the end of each seminar. You are allowed to miss one class without repercussion. After this, a penalty applies for every class missed unless a doctor's note is provided that specifically attests to your inability to attend class.

16% Weekly Critical Summaries (2% per week) are due at the beginning of every class that has assigned readings. For the last two weeks, no summaries are required as these classes will be taken up by student presentations. You are allowed to miss *one week* of summaries without penalty. You should write 400-700 words for all of the summaries combined per week. (See the end of the document for more detailed instructions for completing the weekly critical summaries).

10% Outline, bibliography and 4 paragraph summary of your Research Paper due February 12 at the beginning of class

14% Presentation and class facilitation for one reading

In the first 2 weeks of class, you will need to sign up to present one reading (or set of readings) and facilitate the class discussion. Your presentation should not take more than 7 minutes and should give a brief overview of the material and draw attention to the most salient parts. You may also include any original analysis you might have of the reading and how it connects to larger issues. The facilitation should take between 25-40 minutes. Facilitation exercises can include brainstorming, small group discussions, imaginative exercises, structured debates, comparative analyses with a current event or video, etc. Please feel free to discuss with me any ideas you might want to try out.

10% Final Presentation & Comments on other students' presentations

A five minute presentation on your final paper followed by 5 minutes of student questions and feedback. 5% of the grade is based on your presentation and 5% of your grade is based on the quality of feedback you offer to other students.

40% Final Research Paper (4000-5000 words) due **APRIL 9th 4pm** on a topic that addresses the interconnection of sexuality, labour and law. The paper *must* draw upon at least 4 of the readings in class as well as at least 6 other readings or materials not studied in class. The paper should be handed in on WebCT and as a hard copy. I need *both* an electronic and a paper copy.

SCHEDULE

Week 1 JANUARY 8 INTRODUCTION

- Ice-breaker
- Diagnostic of your own attitude towards sexuality, labour & law
- Highlights of the Syllabus
- Class conduct dialogue
- Short reading and Group exercise

Week 2 JANUARY 15 INTRODUCTION TO SEX WORK RESEARCH AND METHODOLOGIES

- Willman, Alys and Levy, Antonia. "Introduction: Beyond the Sex in Sex Work" in *Sex work matters*.
- Brents, Barbara G. and Hausbeck, Kathryn. "Sex Work Now: What the Blurring of Boundaries around the Sex Industry Means for Sex Work, Research, and Activism" Chapter 1 in *Sex work matters*.
- Augustin, Laura. "The (Crying) Need for Different Kinds of Research" Chapter 2 in *Sex work matters*.

Week 3 JANUARY 22 INTRODUCTION TO SEX WORK RESEARCH AND METHODOLOGIES continued

- Koken, Juline A. "The Meaning of the 'Whore': How Feminist Theories on Prostitution Shape Research on Female Sex Workers" Chapter 3 in *Sex work matters*.
- O'Neill, Maggie and Pitcher, Jane. "Sex Work, Communities, and Public Policy in the UK" Chapter 12 in *Sex work matters*.
- Ditmore, Melissa Hope. "Conclusion: Pushing Boundaries in Sex Work Activism and Research" Chapter 14 in *Sex work matters*.

Week 4 JANUARY 29 MONEY, LABOUR AND RISK ISSUES

- Jeffrey, Leslie Ann, and Gayle MacDonald. "'It's the Money, Honey': The Economy of Sex Work in the Maritimes*." *Canadian Review of Sociology/Revue canadienne de sociologie* 43.3 (2006): 313-327.
- Van der Meulen, Emily. "When Sex is Work: Organizing for Labour Rights and Protections." *Labour/Le Travail* 69.1 (2012): 147-169.
- Lewis, Jacqueline, et al. "Managing Risk and Safety on the Job: The Experience of Canadian Sex Workers" *Journal of psychology & human sexuality* 17.1-2 (2005): 147-167.

Week 5 FEBRUARY 5 THE STATE, LAW AND LABOUR ISSUES

- Bruckhert, Chris, Colette Parent, and Pascale Robitaille. "Erotic Service/erotic dance establishments: two types of marginalized labour." (2003).
- Kelly, Patty. "Pimping the Pueblo: State Regulated Commercial Sex in Neoliberal Mexico" in Chapter 10 in *Sex work matters*.
- Video: Live Nude Girls Unite

Week 6 FEBRUARY 12 CLASS AND GENDER DIFFERENCES

- Bernstein, Elizabeth. "Sex work for the middle classes." *Sexualities* 10.4 (2007): 473-488.
- Kaye, Kerwin. "Sex and the Unspoken in Male Street Prostitution" Chapter 5 in in *Sex work matters*.
- Dölemeyer, Anne, Rebecca Pates, and Daniel Schmidt. "Deviant girls, small-scale entrepreneurs, and the regulation of German sex workers." Chapter 11 in *Sex Work Matters*.

Week 7 FEBRUARY 26 RIGHTS AND ADVOCACY

- Hernandez-Truyol, Berta E., and Jane E. Larson. "Sexual labor and human rights." *Colum. Hum. Rts. L. Rev.* 37 (2005): 391.
- Garofalo, Giulia. "Sex Workers' Rights Activism in Europe: Orientations from Brussels." Chapter 13 in *Sex Work Matters*.

❖ *Sex Workers in Europe Manifesto*

- ❖ International Committee on the Rights of Sex Workers in Europe: *Declaration on the Rights of Sex Workers*.

Week 8 **MARCH 5** HUMAN TRAFFICKING, LABOUR AND 'THE RESCUE INDUSTRY'

- Shamir, Hila. "A Labor Paradigm for Human Trafficking." *UCLA L. Rev.* 60 (2012): 76.
- Agustín, Laura María. "Questioning solidarity: outreach with migrants who sell sex." *Sexualities* 10.4 (2007): 519-534.

Week 9 **MARCH 12** THE RELATION OF SEX WORK TO SEXUALIZED & REPRODUCTIVE WORK

- Constable, Nicole. "The commodification of intimacy: Marriage, sex, and reproductive labor." *Annual Review of Anthropology* 38 (2009): 49-64.
- Kotiswaran, Prabha. "Wives and Whores: Prospects for a Feminist Theory of Redistribution." In Munro, Vanessa. *Sexuality and the Law*. Routledge Cavendish, 2007.
- O'Rourke, Kate. "To have and to hold: a postmodern feminist response to the mail-order bride industry." *Denv. J. Int'l L. & Pol'y* 30 (2001): 476.
- Damelio, Jennifer, and Kelly Sorensen. "Enhancing autonomy in paid surrogacy." *Bioethics* 22.5 (2008): 269-277. (This reading is supplemental and not required. You are not required to do a summary of this reading).

Week 10 **MARCH 19** DISABILITY AND SEX TRADE CLIENTS

- Sanders, Teela. "The politics of sexual citizenship: commercial sex and disability." *Disability & Society* 22.5 (2007): 439-455.
- Excerpt from Brown, Chester (2011). *Paying For It*. Drawn and Quarterly.
- Ross, Mirha-Soleil, "Dear John" in Oakley, Annie, ed. *Working sex: sex workers write about a changing industry*. Seal Press, 2007 pages 211-218.
- Video: *Scarlet Road*. Paradigm Pictures, Director: Catherine Scott.

Week 11 and Week 12: MARCH 26 AND APRIL 2

- **Student Presentations AND Peer Feedback**

Week 13: Final Paper due on WEBCT and as a Hard Copy.

Critical Summaries Instructions

Summarizing helps you to fully engage and understand the original text, and your summary will demonstrate your comprehension of the issues and complexities addressed by text. My experience has been that students who write summaries of the reading material are better able to analyze and use the texts in their own research paper. The summaries will also form the basis of your oral participation. You must write a summary for *every* article or text that is assigned. The word count for all the summaries each week should be between 400-700 words for *all* of the texts combined. You must hand in your summary to me at the end of every class. Late summaries will not be accepted. Each week is worth 2% of your final grade. You may miss one week of summaries without penalty.

Steps to Writing the Summary:

1. Identify the type of text you are summarizing. For example, is it an empirical study, government report, review article, theoretical article, an advocacy text, a

fictional text, a personal text or some other kind of text? You might also want to consider the expertise and the disciplinary background of the author(s). For example, is it a legal scholar whose research area focuses on sexual labour or a person who has worked in the sex industry and suffered legal repression?

2. What is the main goal of the text?

3. What are the methods and theoretical frames used to achieve this goal? Remember that while empirical scholars will draw upon empirical studies, other frameworks can include theoretical arguments or experiential knowledge.

4. What is the conclusion or “take home message” of the text?

5. How does the text relate to the other materials addressed in class?

6. What are the implications of the article for *your* understanding of sexual labour and the law?

7. Come up with 1 question per article that you would like to discuss with the class.