

Course Outline

COURSE: CRCJ 4200A Policing Sex

TERM: Fall 2023

PREREQUISITES: CRCJ 1000, CRCJ 2100, fourth-year standing, and enrollment in a B.A. or Minor in Criminology and Criminal Justice, or by permission of the Institute.

CLASS: Day & Time: Wed. 11:35 am - 2:25 pm
Room: Please check with Carleton Central for current room location.

PROFESSOR: Lara Karaian

CONTACT: Office Hrs: By appointment (via zoom, phone, or in person at 2017 Dunton Tower). Please email me to set up an appointment.

*Email: lara.karaian@carleton.ca

*You must use your Carleton email address in all correspondence with the instructor.

Link to Brightspace page: <https://brightspace.carleton.ca/d2l/home/208277>

ACKNOWLEDGEMENT & AFFIRMATION

ANISHNABE

Ni manàdjiyànànìg Màmìwìwinì Anishinàbeg, ogog kà nàgadawàbandadjìg iyo akì eko weshkad. Ako nongom ega wìkàd kì mìgiwewàdj.

Ni manàdjiyànànìg kakìna Anishinàbeg ondajè kayè ogog kakìna eniyagìzìdjìg enìgokamìgàg Kanadàng ejì ondàpinangìg endàwàdjìn Odàwàng.

Nìnisìdawìnawànànìg kenawendamòdjìg kìjè kìkenìndamàwìn; weshkìnìgìdjìg kayè kejèyàdìzìdjìg.

Nìgìjèwèninmànànìg ogog kà nìgànì sòngìdèyèdjìg; weshkad, nongom; kayè àyànìkàdj.

ENGLISH

We pay respect to the Algonquin people, who are the traditional guardians of this land. We acknowledge their longstanding relationship with this territory, which remains unceded.

We pay respect to all Indigenous people in this region, from all nations across Canada, who call Ottawa home.

We acknowledge the traditional knowledge keepers, both young and old.

And we honour their courageous leaders: past, present,

COURSE DESCRIPTION

Sexual activity is one of the most persistently policed and harshly punished aspects of our interpersonal relationships. This seminar will provide students with a strong theoretical and doctrinal analysis of the criminalization and governance of sex. In addition, it will help students develop the critical analytical tools required to evaluate the regulation and criminalization of sex. We will explore questions such as: What is sexuality and how has it been historically constructed? On what basis is sex policed? What place, if any, does the law have in the private sex lives of individuals? What constitutes “normal”, “consensual”, “healthy”, “harmful”, “autonomous”, “positive? What are the effects of policing sex and for whom?

Key course concepts included but are not limited to: crime, consent, danger, harm, liberation, justice, and agency. This course is informed by a range of theoretical frameworks and schools of thought, including: critical criminological, liberal legalism; legal moralism; queer; radical feminist; sex positive; sex radical; critical race; post-colonial; post structural; neo-liberal, risk, and governance theory.

TEXTS

All course materials will be made available on Brightspace and through Ares.

EVALUATION

• Syllabus Contract & Quiz	5%	Sept. 6 th 2023 (11:59PM)
• In-class Participation:	20%	Ongoing (See below)
• Critical Reading Responses	20% (2x10%)	Ongoing (Tuesdays at 11:59PM)
• Final Paper/Assignment Proposal	10%	Oct. 11 th 2023 (11:59PM)
• Proposal Peer Feedback	10%	Nov. 8 th 2023 (11:59PM)
• Final Research Paper/Alternative Assignment	35%	Dec. 6 th 2023 (11:59PM)

Syllabus Contract & Quiz (5%, Sept. 6th 2023, 11:59PM)

Once you have read through this syllabus carefully and in its entirety, please complete the syllabus contract and quiz in Brightspace. This short multiple choice and true/false quiz will test your understanding of the course and academic integrity as outlined and defined on the course syllabus. You have until Sept. 6th at 11:59pm to complete this. Please see the guidelines on Brightspace for more details.

In-Class Participation (20%, Ongoing):

The seminar format relies on students taking an active role in generating, sharing, and learning 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. However, if you have a reason for missing class, please contact me ASAP (preferably beforehand) and I will be happy to discuss accommodations. If you are feeling sick, please do not come to class.

Your participation grade is reflective of: your attendance; your ability to discuss the specifics of the assigned texts and themes; your ability to make connections between readings, earlier class discussions, as well as comments made during class; and, the quality of the insights you bring to the discussion. Please see the guidelines on Brightspace for more details.

Critical Reading Responses (20%, 2x10%, Ongoing, Tuesday at 11:59PM):

These two brief assignments will allow me to assess your understanding of and engagement with assigned readings. You must pick two (2) readings that interest you over the course of the term and write a response paper for each. Each reading needs to be from a different week.

You **MUST** submit your critical response on the link provided on Brightspace before or by 11:59PM on the **Tuesday** before the class that the reading will be discussed. You cannot submit a response about a reading that has already been discussed in class. The idea is to have you write response papers in preparation for the discussion of the chosen readings.

Your first response **MUST** be submitted within the first four weeks of the semester so that you can get feedback that will help you improve on your second response.

If you are dissatisfied with the grade of one your responses, you have the option to submit a third response to improve your grade. If you choose to do so, I will drop your worst response, keeping the best two out of three. This is completely optional.

For each response paper I am looking for a condensed summary of the reading as well as a response that thoughtfully engages with the article. Your response paper should be 2-3 pages (font size 12, double spaced) and should do the following:

1. Provide a concise and specific explanation of the author's topic and main goals.
2. Summarize the specific arguments the author makes in the text
3. Note which methods and theoretical framework(s) is/are being used by the author(s). If no methods or theoretical framework are explicitly identified, explain what you think is being used and why.
4. Provide a thoughtful reflection on the article. This reflection can take several possible directions: discussing a particular passage in one of the readings; pointing to connections across two or more readings; registering and elaborating upon your approval/disagreement with a key point in a reading; addressing the sources used in the texts etc.; relating the article course themes and previous weeks' readings/discussions. Please see the guidelines on Brightspace for more details.

Final Paper/Assignment Proposal (10%, Oct. 11th 2023, 11:59PM):

This assignment asks you to start thinking about your final assignment. Your proposal should be approx. **2 pages (font size 12 double spaced)** and should explain what your final paper or alternative assignment will be about. This will give you the opportunity to get started on your final assignment and receive useful feedback. Your proposal can be written in point form, outline form, or complete sentences, whatever works best for you. It should include the following:

1. Topic: What is the general topic of your final assignment? What lead you to choose this?
2. Thesis statement: What is your thesis statement?
3. Sub arguments: What arguments will you use to support your thesis statement? What examples and evidence will you use to support these arguments?
4. What two course readings will you use in your final assignment? How will you incorporate these? What elements of the readings will you use? (Arguments? Examples? Theoretical frameworks?)
5. A minimum of three other readings or materials that you are considering using for your assignment. Briefly explain why you think these will be relevant.

Please see the guidelines on Brightspace for more details.

Proposal Peer Feedback (10%, Nov. 8th 2023, 11:59PM):

On Oct. 18th, I will send everyone a peer's proposal to read. These will be anonymized. The assignment asks you to engage in supportive peer review by giving your peer useful feedback on their proposal. Your feedback should be 1.5-2 pages (**font size 12, double spaced**), it can be written in point form or complete sentences, and should include the following:

1. What is the paper about? State what your peer is writing about, including their main argument and sub arguments.
2. Clarity: Is it clear to you what your peer is arguing in their assignment? Is this made evident in the thesis statement? Is it clear how the sub arguments support the thesis statement? If not, how could this be clarified?
3. Resources: Do you think that the readings and supporting materials chosen by your peer work well to support their arguments? Why or why not? **Suggest at least one other source** that could help them in their assignment.
4. What is something that you find interesting or especially strong about your peer's assignment? What topic would you like to hear more about? If relevant, what is one thing that they did not address that you think might be a good addition?
5. Do you think that your peer's argument is convincing? Why or why not? Why do you think could be one potential counter argument to your peer's argument? How do you think they could address this? Remember the point here is not to comment on whether you personally agree or disagree with your peer, but rather on the strength of the argument. The goal is to help your peer strengthen their argument.

Please keep in mind that you are not graded on how critical your peer response is, but on how **helpful** it is. Criticism should be constructive and respectful. The emphasis here is more on providing helpful tips and generating ideas than on correcting "mistakes". Do not edit the proposal or comment on writing style or grammar (unless it is to give a compliment). Please know that any rudeness or disrespect will not be tolerated and may result in an immediate 0% on the assignment. Please see the guidelines on Brightspace for more details.

Final Research Paper/Alternative Assignment (35%, Dec. 6th 2023, 11:59PM)

Final Research Paper (10-12 pgs.) on a topic that addresses the policing of sex. The paper must draw

upon at least 2 of the course readings as well as at least 5 other readings or materials not studied in class.

OR

Create a creative output that explores a theme(s) related to the policing of sex and that makes an “argument” or “statement”. Write a 6-8 pg. paper that explains your creative output, why it was chosen, how it is connected to the themes, concepts, theories, and research on the policing of sex, and what “argument” or “statement” it is making. The paper must draw upon at least 2 of the course readings + 2 other readings or materials (these can be from the course or not). You must explain how these sources support your “argument” or “statement”.

Further guidelines for both final assignment options will be posted on Brightspace and discussed in class.

Please note: Standing in a course is determined by the course instructor subject to the approval of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Dean. In accordance with the Carleton University Undergraduate Calendar, the letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100	B+ = 77-79	C+ = 67-69	D+ = 57-59	
A = 85-89	B = 73-76	C = 63-66	D = 53-56	
A - = 80-84	B - = 70-72	C - = 60-62	D - = 50-52	F=Below 50

PLAGIARISM

The University Academic Integrity Policy defines plagiarism as “presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.” This includes reproducing or paraphrasing portions of someone else’s published or unpublished material, regardless of the source, and presenting these as one’s own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one’s own; and
- failing to acknowledge sources through the use of proper citations when using another’s work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course’s instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of “F” for the course.

INTELLECTUAL PROPERTY

Classroom teaching and learning activities, including lectures, discussions, presentations, etc., by both instructors and students, are copy protected and remain the intellectual property of their respective author(s). All course materials, including PowerPoint presentations, outlines, and other materials, are also protected by copyright and remain the intellectual property of their respective author(s).

Students registered in the course may take notes and make copies of course materials for their own educational use only. Students are not permitted to reproduce or distribute lecture notes and course materials publicly for commercial or non-commercial purposes without express written consent from the copyright holder(s).

POLICIES:

(i) Contact with Instructor

I will be available for consultation with students by appointment. Please e-mail me using the Brightspace/Carleton e-mail system should you want to set up an appointment.

(ii) E-mail Policy

Every student is expected to have a Carleton e-mail address and to check it regularly. University policy dictates that Professors will not send e-mails to students at any other addresses. If a class has to be cancelled, or if there is any other matter that you should know about prior to class, you may be sent an email on your Carleton account. E-mails will generally be returned within two business days. Please note that I read and respond to email between 9:00am-6:00pm on weekdays. Emails received late on Friday may not be responded to until the following Tuesday.

(iii) Late Penalties

All assignments must be completed for you to receive a passing grade in this course. Late assignments will be deducted a penalty of 2% for each day submitted after the due date (including week-end days) except under exceptional circumstances, i.e. grave illness. If you require an extension, please make arrangements with me **ahead of time**. Computer failure, conflicts with work schedules or similar problems are not a valid excuse for failing to submit an assignment on time (I recommend saving your assignments on google drive or emailing a version to yourself to ensure you have access to your work should something happen). Students submitting late assignments must submit them via the assignment link on Brightspace. Students are responsible to keep an extra copy of any assignment that is submitted for evaluation.

STATEMENT ON STUDENT MENTAL HEALTH

As a university student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you.

Emergency Resources (on and off campus): <https://carleton.ca/health/emergencies-and-crisis/emergency-numbers/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Empower Me: 1-844-741-6389, <https://students.carleton.ca/services/empower-me-counselling-services/>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

ACADEMIC ACCOMMODATION

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

Informal accommodation due to short-term incapacitation: [provide information on your requirements for short-term informal accommodations. If you require supporting documentation, you may only request the Self-Declaration for Academic Considerations form (<https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>) which replaces medical notes.]

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 accommodation regarding a formally-scheduled final exam, you must complete the Pregnancy Accommodation Form ([click here](#)).

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 [click here](#).

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, please request your accommodations for this course through the Ventus Student Portal 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). Requests made within two weeks will be reviewed on a case-by-case basis. For final exams, the deadlines to request accommodations are published in the University Academic Calendars. 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).

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation will be provided to students who compete or perform at the national or international level. 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

Course Schedule & Readings

**Please note that this schedule and course readings are subject to change.
Assigned readings are to be read before the class (they will be discussed in class).**

WEEK 1-

Sept. 6: Introduction to the Course

*****Syllabus Contract and Quiz due 11:59PM*****

- Anne McClintock (1995) "Introduction" (pp 1-9) **AND** "Chapter 1: Lay of the Land: Genealogies of Imperialism," (pp 21-36 & 44-48) In *Imperial Leather: Race, Gender and Sexuality in the Colonial Contest*, New York: Routledge.

WEEK 2-

Sept. 13: The Sex Wars: Sex and the Danger/Pleasure Nexus

- Catharine A. MacKinnon (1989) "Sexuality," in *Toward a Feminist Theory of the State* (Cambridge: Harvard University Press): pp 126-154.
- Gayle Rubin (1984) "Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality," in Carol Vance (ed.) *Pleasure and Danger: Exploring Female Sexuality* (Boston: Routledge, 1992): pp 267-319.

WEEK 3

Sept. 20: Is Sex Special? Sexual Exceptionalism and Sex Positive Criminology

- Aimee Wodda & Vanessa Panfil (2021) "Sex-positive Criminology: Possibilities for Legal and Social Change," *Sociology Compass*, pp 1-14.
- Aya Gruber (2023) "Sex Exceptionalism in Criminal Law," *Stanford Law Review*, (75) pp 755-831.

WEEK 4

Sept. 27: "Paying for it": Commercial Sex

- Chester Brown (2013) *Paying for it: A Comic Strip Memoir about being a John*. Toronto: Drawn & Quarterly
- Sarah Hunt, (2013) "Decolonizing Sex Work: Developing an Intersectional Indigenous Approach," in Emily van der Meulen, Elya m. Durisin, and Victoria Love eds. *Selling Sex: Experience, Advocacy, and Research on Sex Work in Canada*. Vancouver: University of British Columbia Press. Pp 82-100.
- Robyn Maynard (2018) "Do Black Sex Workers' Lives Matter: Whitewashed Anti- Slavery, Racial Justice, and Abolition" in E. Dursin, E. Van der Meulen and C. Bruckert, *Red Light Labour: Sex Work Regulation, Agency, and Resistance*, University of British Columbia Press, pp 281-292.

WEEK 5**Oct. 4: “Representing it”: Pornography and Obscenity**

- Margot Kaplan, (2014) “Sex Positive Law” New York Law Review 89, pp. 90-114; 150-160.
- Jennifer Nash (2014) “Introduction: Reading Race, Reading Pornography,” In *The Black Body in Ecstasy: Reading Race, Reading Pornography* Durham: Duke University Press, pp 1-26.
- Steve Jones (2016) “‘Extreme’ porn? The implications of a label” *Porn Studies* 3(3), pp 295-307.

WEEK 6**Oct. 11: “Thinking about it”: Sexual Fantasy as Crime**

*****Final Paper/Assignment Proposal Due at 11:59pm*****

- Andrew Gilden (2016) “Punishing Sexual Fantasy” *William & Mary Law Rev.* (58): pp 422-433; 445-486.
- Ummni Khan and Jean Ketterling (2019) “Rape as Play: Yellow Peril Panic and a Defence of Fantasy,” *Rehman & Shahid (Eds) The Asian Yearbook of Human Rights and Humanitarian Law, Volume 3, Law, Gender and Sexuality*, pp 357-395.

WEEK 7**Oct. 18: “Objectifying (?) it”: Love and Sex with “Objects”**

Video Presentation: TBD

- Bela Bonita Chatterjee (2020) “Child Sex Dolls and Robots: Challenging the Boundaries of the Child Protection Framework,” *International Review of Law, Computers & Technology*, 34(1), pp 22-43.
- Delphine DiTecco and Lara Karaian (2023) “New Technology, Same Old Stigma: Media Narratives of Sex Robots and Sex Work,” *Sexuality and Culture* (27): pp 539–569.

******* FALL BREAK: OCT. 23-27 - NO CLASS*******

WEEK 8**Nov. 1: “Asking for it?”: Capacity, Cognition, and Consent**

- Kate Sutherland (2003) “From Jailbird to Jailbait: Age of Consent Laws and the Construction of Teenage Sexualities,” *William and Mary Journal of Women and the Law* (9): pp 313-349.
- Sharon Cowan (2008) ‘The Trouble with Drink: Intoxication, (In)Capacity and the Evaporation of Consent to Sex,’ *Akron Law Review* 41(4): pp 899–922.
- Lindsey, J. and Harding, R. (2021) “Capabilities, capacity, and consent: sexual intimacy in the Court of Protection,” *Journal of Law and Society* (48): pp 60–83.

WEEK 9**Nov. 8: “Hurting for it”: Kinky Sex**

***** Proposal Peer Feedback due at 11:59PM*****

- Mika Galilee-Belfer (2020) “BDSM, Kink, and Consent: What the Law Can Learn from Consent-Driven Communities,” *Arizona Law Review* 62(2): pp 507–536.
- Ariane Cruz (2016) “Playing with the Politics of Perversion: Policing BDSM, Pornography, and Black Female Sexuality.” *Souls* (Boulder, Colo.) 18(2-4): pp 379–407.

WEEK 10**Nov. 15: “(Dis)eased Sex?”: Criminalization of HIV****Guest Speaker: Alex McClelland**

- Alex McClelland (2019) *The Criminalization of HIV Non-Disclosure in Canada: Experiences of People Living with HIV*. Booklet, pp 4-9, 39-53 & choice of 2 of 9 the stories from pp 10-38.
- Trevor Hoppe, Alexander McClelland, and Kenneth Pass (2022) “Beyond criminalization: reconsidering HIV criminalization in an era of reform” Commentary, www.co-hivandaids.com, pp 1-6.
- Andrew Novak (2021) “Toward a Critical Criminology of HIV Criminalization,” *Critical Criminology*, 29 (1): pp 57–73.

WEEK 11**Nov. 22: “Exposing it”: Public Sex**

- Patrick Califia (1982) “Public Sex,” *Public Sex: The Culture of Radical Sex*, 2nd ed. (2000, pp 14-27.
- Marcus McCann (2023) “Why it Stings: Project Marie in Context,” In *Park Cruising: What Happens when we Wander off the Path*, House of Anansi Press, Toronto. pp 73-109.

WEEK 12**Nov. 29: Rethinking our Responses to Sex Offending**

- D.J. Williams, Jeremy N. Thomas, Emily E. Prior (2015) “Moving Full-Speed Ahead in the Wrong Direction? A Critical Examination of US Sex-Offender Policy from a Positive Sexuality Model” *Critical Criminology* 23(3): pp 277-294
- Chloë Taylor, (2018) “Anti-Carceral Feminism and Sexual Assault—A Defense A Critique of the Critique of the Critique of Carceral Feminism,” *Social Philosophy Today*, 34: 29-49.

WEEK 13**Dec. 6**

*****Final Paper/Alternative Assignment due at 11:59PM *****

**END OF TERM
ENJOY YOUR WINTER BREAK**