

CARLETON UNIVERSITY
Institute of Criminology and Criminal Justice
COURSE OUTLINE

COURSE: **CRCJ 4200A: Policing Sex**

TERM: **Fall 2021**

PREREQUISITES: **CRCJ 1000 & Fourth-year standing**

CLASS: Day & Time: **Tuesday, 11:35-2:30**
Location: **ONLINE BLENDED**

PROFESSOR: **Dr. Lara Karaian**

CONTACT: Office: **On-line via Zoom**
Tuesday, 2:30-3:30, or by appointment
Email: **lara.karaian@carleton.ca**

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”, “liberating”, “deviant”, and “criminal”, sex and sexual practices? What are the effects of policing sex and for whom? Discussion of these questions and more will be grounded in discussions of sex and sexual expression that is considered degenerate, obscene, indecent, drunk, commercial, intergenerational, kinky, public, queer, “sick” and “diseased”. This course is informed by a range of theoretical frameworks including those of liberal legalism; legal moralism; queer; radical feminist; sex positive feminist; critical race; post-colonial; post-structural; neo-liberal, risk, and governance theory. Key course concepts include but are not limited to: consent, crime, danger, harm, liberation, justice, and agency.

COURSE STRUCTURE: ONLINE AND BLENDED

The class will combine asynchronous content (to allow for diverse access and contexts), with synchronous discussion (to facilitate learning together within a seminar format and to combat isolation). We will meet online via Zoom for group discussions as is indicated in the schedule below. The Zoom link for these classes will be posted in Brightspace. In addition, students will be able to watch and hear audio-visual materials and participate in on-line discussion forums via Brightspace. Course materials (syllabus, most required readings, assignment details and submission links) will also be available online.

REQUIRED TEXTS:

Chester Brown (2013) *Paying for It: A Comic Strip Memoir about Being a John*. Toronto: Drawn and Quarterly. (Available at Octopus Books, located at 116 Third Avenue. The link to order the book for pickup or shipping anywhere in Canada is: <https://shop.octopusbooks.ca/CRCJ4200>)

Links to additional articles and excerpts will be made available electronically on ARES via our Brightspace site for this course. It is your responsibility to reference the syllabus carefully and continuously throughout the term to ensure that you know what is expected of you for each week and thus make the time to access and read the required material.

EVALUATION:

DUE DATE:

• Syllabus Contract and Quiz	5%	Sept. 20 th , midnight
• Weekly participation		
Thought-provoking questions (10 x 1%)	10%	Ongoing- See Below
Discussion forums (5 x 3%)	15%	Ongoing- See Below
In class participation	20%	Ongoing- See Below
• Three Response Papers (3 X 5%)	15%	Ongoing- See Below
• Final Research Paper/Alternative Assignment	35%	Dec. 10 th , midnight

EVALUATION DETAILS:

Syllabus Contract and Quiz:

Once you have read through this syllabus carefully and in its entirety, please complete the syllabus acceptance assignment and the short quiz in Brightspace. This short true/false quiz will test your understanding of the course and academic integrity as outlined and defined on the course syllabus. You have until the end of week 1 (Dec. 10th at midnight) to complete both.

Weekly Participation:

Fourth year seminars are not lecture based. Instead, they rely on students taking an active role in generating, sharing, and learning knowledge. Each week, we will discuss the readings together. Some weeks this will take place synchronously via Zoom, and others will involve asynchronous discussions via Brightspace discussion forums. Please see the weekly breakdown below to confirm which weeks are synchronous and which weeks are asynchronous.

Thought-Provoking Questions

To help facilitate discussion, you must submit 10 thought-provoking questions over the course of the term. These questions should be posted via the link provided on Brightspace by **Monday at midnight**. Each question **MUST** directly refer to a readings. It might be a question about something you did not understand, a question that acts as a jumping off point for discussion, or a question about connections between the readings. This will require careful reading of the assigned texts. Take notes while you read. Consider what the author's intention is, how the work contributes to our understandings of sexuality and the policing of sexuality. Think about what you might critique and/or appreciate about the reading. Questions will be graded as pass/fail, based on demonstrated engagement with course content. In addition to your question you should offer a brief paragraph that helps contextualize your question (ie- how you arrive at it).

In class participation

For those weeks when we meet on Zoom (7 in total) we will discuss that week's topic and readings. Evaluation will be based on attendance and meaningful engagement in the activities of the class. The success of this class will depend heavily on everyone's engagement with the course material. Quality participation includes, but is not limited to: demonstrated engagement with course readings through questions and comments, respectful discussion with peers (including in breakout groups), contribution of comments that relate directly to course content, attention to the *specifics* of assigned texts, participation in and preparation for any in-class exercises, and consistent attendance.

Discussion forum

On the weeks that we will not be meeting in person (5 in total), we will discuss that week's topic and readings via Brightspace. To do so, you must post a written response to at least one of your peers' thought-provoking question before the end of the designated class time (**Tuesday at 2:30**). Discussion posts will be graded pass/fail, based on demonstrated engagement with course content and respectful interaction with your peers. Each discussion forum post should be a minimum of 250 words.

Three response papers: (maximum 3 double-spaced pages each)

These three brief assignments will allow me to assess your understanding of and engagement with assigned readings. You must pick 3 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. At least one response paper needs to address a reading assigned between weeks 1-3 and must be submitted by the 3rd week of class so that you will have the benefit of my comments for improving future response papers. The second response paper should address a reading assigned sometime between weeks 4-7. This response should be submitted by the 7th week of class. The third response paper needs to address materials between weeks 8-12 and be submitted by the last week of class. You **MUST** submit your response paper **before or by 11:30 am on the Tuesday that the reading is discussed**. The idea is to have you write response papers in preparation for the discussion of the chosen readings.

For each response paper I am looking for a condensed summary of the chosen reading as well as a response that succinctly engages with the article. Your response paper should do the following:

1. Provide a concise and specific explanation of the author's main goals. (Avoid generalized descriptions (ex: the author's goal is to theorize sadomasochism).
2. Summarize the *specific* arguments the author makes the text (not just their general topic or focus)
3. Note which theoretical framework(s) is/are being used by the author(s). If no theoretical framework is explicitly identified, explain what framework you think is being used and why.
4. Briefly reflect 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.

Final Research Paper/Alternative Assignment:

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 an original playlist that explores a theme(s) related to the policing of sex. The playlist should include 8-10 songs centered around a common theme or two. Write a 6-8 pg. paper that explains why the songs were chosen, how they are connected to the theme of the playlist, as well as how the songs reflect concepts, theories, and research on the policing of sex. The paper must draw upon at least 5 of the course readings.

Further details for both final assignment options will be distributed in class.

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

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. All course components must be completed in order to receive a passing grade in this course.

Useful Resources: The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS online at: carleton.ca/csas.

STATEMENT ON PLAGIARISM

The University Senate defines plagiarism as "*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one's own.*" This can include:

- 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;
- submitting a take-home examination, essay, laboratory report or other assignment written, in whole or in part, by someone else;
- using ideas or direct, verbatim quotations, or paraphrased material, concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another's data or research findings;
- failing to acknowledge sources through the use of proper citations when using another's works and/or failing to use quotation marks;
- handing in "substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs."

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 & COPYRIGHT

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 recorded lectures, 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 recorded lectures, voice over PowerPoints, lecture notes, or any other course materials publicly for commercial or non-commercial purposes without express written consent from the copyright holder(s).

POLICIES:

(i) Contact with Professor

I will be available for consultation with students during my office hours or by appointment (via Zoom or phone). Please e-mail me using your Carleton email account if you need to set up an appointment outside of regularly scheduled office hours.

(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. E-mails will generally be returned within **48 hours** (excluding weekends and holidays). Please include your full name, student number, and course code in the email. Please use full sentences and formal language.

(iii) Late Penalties

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**. **Assignments submitted more than one week (7 days) after the due date will receive a grade of 0.** Computer failure, conflicts with work schedules, or similar problems are not a valid excuse for failing to submit an assignment on time. **Students must submit late assignments via the assignment link on Brightspace.** Students are responsible for keeping an extra copy of any assignment that is submitted for evaluation.

(iv) Online classroom etiquette:

This course depends on active and respectful discussion and engagement with the course materials and with one another. This can sometimes be harder to master in the online environment than it is in person, but we will collectively aim to create an environment that is respectful enough for everyone to be able to be present, learn, and share their understanding of course material.

(v) Declining Online Imaging and Recording:

This course may include synchronous classes or sessions that use videoconferencing platforms. You are not required to turn your camera on. Synchronous classes or sessions will not be recorded by the instructor. It is requested that you do not record these sessions on your end.

ACADEMIC ACCOMMODATION:

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 Faculty of Public Affairs 20 Teaching Regulations 2020-21 as soon as possible after the need for accommodation is known to exist. For more details [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, 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).

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 must 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.

WEEK 1- *Synchronous*

Sept. 14: Introduction to the Course and to Sexuality

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

WEEK 2- *Synchronous*

Sept. 21: 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): 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): 267-319.

WEEK 3- *Asynchronous*

Sept. 28: Sexual Ethics: Liberal, Feminist, and Queer Perspectives on Consent

Discussion Forum #1

William Eskridge (1995) "The Many Faces of Sexual Consent," *William and Mary Law Review*: 47-67.

Joseph J. Fischel (2019) "Introduction: When Consent Isn't Sexy," From *Screw Consent: A Better Politics of Sexual Justice*, University of California Press, 1-30.

WEEK 4- *Synchronous*

Oct. 5: "Representing it": Child/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.

Amy Adler, (2001) "The Perverse Law of Child Pornography" *Columbia Law Review*, 101(2), 209-234; 245-273.

WEEK 5-Asynchronous

Oct. 12: "Paying for it": Commercial Sex

Discussion Forum #2

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. 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, 281-292.

WEEK 6- Synchronous

Oct. 19: "Thinking about it": Sexual Fantasy as Crime

Andrew Gilden (2016) "Punishing Sexual Fantasy" *58 William & Mary Law Rev.* 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.

***** FALL BREAK: OCTOBER 25-29 - NO CLASS*****

WEEK 7- Asynchronous

Nov. 2: "Asking for it?": Drunk Sex

Discussion Forum #3

Sharon Cowan (2008) 'The Trouble with Drink: Intoxication, (In)Capacity and the Evaporation of Consent to Sex,' *Akron Law Review* 41(4): 899-922.

Lise Gotell (2008) "Rethinking Affirmative Consent in Canadian Sexual Assault Law: Neoliberal Sexual Subjects and Risky Women" *Akron Law Review* 41(4): 865-898.

WEEK 8- Synchronous**Nov. 9: "Jail bait": Age, Ability, Cognition and Consent*******Guidelines for final research paper/alternative final assignment distributed*****

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: 313-349.

Kalev Hunt (2009) "Saving the Children: (Queer) Youth Sexuality and Age of Consent in Canada," *Sexuality Research and Social Policy* 6(3): 15-33.

Arstein-Kerslake, Anna and Eilionóir Flynn (2015) "Legislating Consent: Creating an Empowering Definition of Consent to Sex that is Inclusive of People with Cognitive Disabilities" *Social and Legal Studies*, 25(2): 225-248.

WEEK 9– Asynchronous**Nov. 16: "Hurting for it": Kinky Sex****Discussion Forum #4**

Mika Galilee-Belfer (2020). "BDSM, Kink, and Consent: What the Law Can Learn From Consent-Driven Communities," *Arizona Law Review* 62(2): 507–536.

Ariane Cruz (2016) "Playing with the Politics of Perversion: Policing BDSM, Pornography, and Black Female Sexuality." *Souls* (Boulder, Colo.) 18(2-4): 379–407.

WEEK 10- Synchronous**Nov. 23: "(Dis)eased Sex?"****Guest Speaker—Alex McClelland**

J. Kevin Barlow, (2009) Residential schools, prisons, and HIV/AIDS among Aboriginal people in Canada exploring the connections. Ottawa, Ontario: Aboriginal Healing Foundation Research Series. <https://www.ahf.ca/downloads/hiv aids.pdf>, pp 1-5; 33-40; 47-48.

Alex McClelland (2019). *The Criminalization of HIV Non-Disclosure in Canada: Experiences of People Living with HIV*. Booklet, pp 4-9, 39-53, and your choice of 3 of 9 the stories from pp 10-38.

Kyle Kirkup (2020) "The Gross Indecency of Criminalizing HIV Non-Disclosure" *University of Toronto Law Journal*, 70, 263-282.

WEEK 11– *Asynchronous*
Nov. 30: “Flaunting it”: Public Sex

Discussion Forum #5

Patrick Califia (1982) “Public Sex,” *Public Sex: The Culture of Radical Sex*, 2nd ed. (2000), 14-27.

Paul Johnson (2007) “Ordinary Folk and Cottaging: Law, Morality, and Public Sex.” *Journal of Law and Society* 34(4): 520–543.

WEEK 12- *Synchronous*
Dec. 7: Rethinking our Responses to Sex Offending

Guy Hamilton-Smith, (2020) "Banishing 'Sex Offenders': How Meaningless Language Makes Bad Law," *Southwestern Law Review* 50(1): 44-69.

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): 277-294.

END OF TERM!

ENJOY YOUR WINTER BREAK!