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**COURSE:** LAWS 4904A:WGST4812E:WGST5901E – Advanced Legal Topics (SEM): Feminist Controversies in Sexuality and the Law

**TERM:** Winter 2021

**PREREQUISITES:** LAWS 2908, fourth year Honours standing, and permission of Department

**CLASS:** **Day & Time:** Please check Carleton Central for current Class Schedule. Synchronous class time will take place every other Tuesday from 12:30-2:25pm.

**Room:** All Courses in the Winter 2021 term are offered online.

Course offered as a blended synchronous/asynchronous class, where synchronous elements are optional but encouraged. Most content will be delivered remotely (online) with synchronous discussions every other week to synthesize material, connect with peers, and deepen your understanding of these complex topics. A recorded lecture will be posted once per topic, approximately once each in February, March, and April.

**INSTRUCTOR:** Dr. Zoey Jones

**CONTACT:** Office Hrs: By Appointment via Zoom

Email: Zoey.jones@carleton.ca

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**CALENDAR COURSE DESCRIPTION:**

*With an emphasis on the contemporary socio-legal context, this class surveys a number of “hot topics”, including BDSM, pornography, sex work, sexual violence, & safe spaces. [Note: This course has been reconfigured to primarily focus on BDSM, pornography, and sex work.]*

**COURSE DESCRIPTION:**

Feminist theorists, activists and legal reformers often identify sexuality as a key site of

oppression, if not the quintessential linchpin to patriarchy. At the same time, feminists are in dispute with one another about the meaning of sexuality, which sexual practices are oppressive, and which strategies will best bring about equality and liberation. At stake in these debates is determining the feminist agenda for social change, along with identifying which “side” is entitled to claim *the* feminist position on the issues.

With an emphasis on the contemporary socio-legal context, this class surveys a number of “hot topics,” including BDSM, pornography, and sex work. The goal is for us to engage with the substantive issues, consider the contrasting methodologies and theories employed to illuminate the issues, evaluate the various feminist approaches to social transformation, and explore the epistemic and ontological premises of different feminist positions. In the course of our work, we will grapple with various concepts including: agency, autonomy, criminalization, consent, coercion, context, carceral politics, sex equality, socialization, material and structural constraints, desire, pleasure, and empowerment.

This challenging class will require a high level of engagement with peers, the instructor, and the material. The design of the course has been altered to better suit education during a global pandemic and will adopt a philosophy of *slow scholarship*. **Instead of learning wide, we will be learning deep.**

While keeping up with the class material, quizzes, and assignments, students are expected to be researching and preparing for their final assignment, a major paper or project that engages with the issues discussed in class. In preparation for this assignment, students will submit a proposal and workshop the ideas with their peers during the final two weeks of class.

### **TRIGGERING MATERIAL:**

**The seminar delves into difficult and potentially triggering material. Please review the topics and reading titles at the beginning of the course. Occasionally, alternative assignments/readings may be arranged upon request to the instructor.**

### **TECHNOLOGY POLICY and DIGITAL ETIQUETTE:**

As this is a discussion-based and interactive seminar, during most of the class time together, we will be discussing the issues, listening to one another and engaging with the material. I ask that students limit distractions during these times as best as they are able and refrain from, for example, visibly texting during class or doing other things on their computer screens. However, since many or all students will be participating from home, there will be some unavoidable interruptions, and these will be accommodated as needed.

### **LEARNING OBJECTIVES:**

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

- Demonstrate an understanding of a range of feminist approaches to sexuality
- Examine and explain tensions within feminism regarding sexuality and the law

- Construct and communicate an original perspective of the theoretical context of/relationship(s) between sexuality, feminism, and the law.

### **REQUIRED TEXTS**

*All texts will be available via the Carleton Library ([library.carleton.ca](http://library.carleton.ca)) and via ARES, which will be posted on the course CULearn page.*

### **EVALUATION**

Standing in a course is determined by the course instructor subject to the approval of the Department and 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 Department and the Dean.

Biweekly attendance and participation: 25%	Includes attendance at designated discussion classes and oral participation <b>or</b> alternative participation opportunities on CULearn. Weeks 1, 3, 5, 7, 9, 11.
Biweekly reading activities/quizzes: 20%	Short assignments/quizzes that engage the readings every other week. Weeks 2, 4, 6, 8, 10.
Paper proposal: 10%	Proposal for final paper. DUE: <b><u>Tuesday February 23, 9pm</u></b>
Paper proposal <u>update</u> and peer feedback: 15%	Sharing updated paper proposal with small group of classmates on CULearn and providing feedback to classmates. DUE: Proposal posted <b><u>March 30<sup>th</sup> by 9pm</u></b> . Feedback forums CLOSE <b><u>April 5<sup>th</sup> at 9pm</u></b> .
Final paper: 30%	Final assignment (4,000-6,000 words). DUE: <b><u>April 14<sup>th</sup> by 9pm</u></b> .

### **ATTENDANCE and PARTICIPATION (25%)**

Participation with classmates is a core component of this course. Students may participate by attending and participating in biweekly (every other week) synchronous discussion time **or** engaging in biweekly online participation on CULearn. Each week's discussion is worth 5% of your final grade. You may miss one week without penalty. You may combine synchronous/asynchronous discussions to best suit your schedule and capacity during the term.

**Please note: Depending on how students choose to allocate their participation time, this**

**format may change after the first 4 weeks.**

**Synchronous discussion time (5% x5):** Your evaluation is based on your attendance record, showing up on-time (**12:30pm**), staying for the duration of the class, actively and respectfully listening to your peers, engaging in class discussions, linking discussions to class material and outside readings/theories, and demonstrating understanding of the material in your discussions.

**OR**

**Asynchronous (online) discussion time (5% x5):** Your evaluation is based on participating in discussion on CULearn **between the end of class time on Tuesday and 9pm on the following Monday**. Participation involves:

- Posting 1 discussion question on that week's material (1 mark)
- Responding to and engaging with students who respond to your question (2 marks)
- Responding to at least 2 other discussion questions posted by your peers (if they are there) (2 marks)

Your posts will be evaluated for quality and relevance with respect to the course material. Referring to other readings or other courses you have taken is encouraged; purely opinion-based posts are discouraged. Hate speech will not be tolerated. Please post your own discussion question early enough to allow for discussion time.

Please note: as there are no mandatory readings for Week 1, if you choose the asynchronous option, you may ask a general "get to know each other" discussion question.

You may miss one week of synchronous or asynchronous participation without repercussion. Other than this, any absence will impact your attendance grade, unless you provide sufficient proof that you were absent for medical or other reasons that may require accommodation under the Ontario *Human Rights Code*.

## **BIWEEKLY ACTIVITIES/QUIZZES (20%)**

For each week of readings that does **not** correspond with a discussion class, there is a reading assignment posted in CULEARN that you must complete by the end of scheduled class time (2:25pm Tuesdays). The reading assignments vary, but can include an on-line quiz, answering a question about a concept, or summarizing the take-home message of the article. The reading assignments are posted 5 days before they are due.

All online activities will be evaluated on a pass/fail basis. You must achieve at least 51% on the quiz/assignment to "pass". They are each worth 5%. Your grade will consist of your top 4 marks, which will allow for 1 failed or missed quiz/assignment without impacting your grade. Late quizzes/assignments will not be accepted unless prior arrangement is made with the instructor.

## **PROPOSAL (10%)**

A proposal is a general description of your final paper/project. It should identify the topic, your central argument, the main points you expect to address, the methodology, the theories and concepts you think you will draw upon, and how you will offer a unique perspective. It must be written in full sentences and should be between 500-800 words. It should include at least 4 peer-reviewed references (not included in word count). Proposals should be submitted online to CULearn in .doc, .docx or .pdf format.

Late proposals will be penalized 5% per day, including weekends, unless you provide sufficient proof that you were unable to meet the deadline for medical or other reasons that may require accommodation under the Ontario *Human Rights Code*.

### PAPER PROPOSAL UPDATES AND PEER FEEDBACK (15%)

Near the end of classes, all students must post a brief summary of their paper proposal on CULearn. This should be a step past your proposal and should be an updated version that incorporates the feedback you have received on the proposal and/or any further planning you have done. Students will be broken into smaller groups and are expected to give feedback on the paper plans shared by their group mates.

Of the 15% of the final grade allocated to this component, 5% is based on your summary of your plan, while the other 10% of your grade is based on the quality of feedback you offer to other students. You should make at least 1 comment for each group mate's post, and respond to comments on your own. **The discussion will be open from March 30<sup>th</sup> to April 5<sup>th</sup>.**

Missing this component will result in a "0," unless you provide sufficient proof that you were unable to complete this work for medical or other reasons that may require accommodation under the Ontario *Human Rights Code*.

### FINAL PAPER/PROJECT (30%) DUE April 14 9pm through CULEARN

Your final paper/project must address a topic that involves sexuality debates, feminism, and some component of law or deviance, and must make a unique argument. Some examples will be discussed in class and provided as we discuss the readings. Potential topics for the paper will be posted on CULearn, but original ideas are also welcome.

The paper/project *\*must\** draw upon at least 4 of the assigned readings in class, as well as at least 6 other academic readings or materials not assigned in class, for a total minimum of 10 academic, peer-reviewed sources.

The paper must be handed in through CULearn in .doc, .docx or .pdf format.

Your final paper must include a cover page with an original title, word count and must specify which citation style is used (APA, Chicago, MLA...). You must also include a bibliography of all sources used. You are not required to include an annotated bibliography for the final paper.

Late papers/projects will be penalized 5% per day, including weekends, unless you provide sufficient proof that you were unable to meet the deadline for medical or other reasons that may require accommodation under the Ontario *Human Rights Code*.

### **LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

**Extensions for longer than 7 days will normally not be granted.** In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

### **SCHEDULE**

#### **Week 1: INTRODUCTION** (*January 12*)

CLASS ON ZOOM (12:30-2:25)

Optional reading: Mountz, Bonds, ... & Curran. (2015). For slow scholarship: A feminist politics of resistance through collective action in the neoliberal university. *ACME: An Intentional Journal for Critical Geographies*.

#### **Week 2: BDSM** (*January 19*)

READINGS AND QUIZ/ASSIGNMENT, NO CLASS

Khan, Ummni. "[Hot For Kink, Bothered By The Law: BDSM And The Right To Autonomy.](#)" *Law Matters* (2016).

Bergelson, Vera. (2007). The right to be hurt: Testing the boundaries of consent. *George Washington Law Review*, 75, pp. 156. **Only Introduction and Section I (pages 1-45).**

**COMPLETE READING ASSIGNMENT POSTED IN CULEARN BY 2:30pm JANUARY 19.**

#### **Week 3: BDSM** (*January 26*)

CLASS ON ZOOM (12:30-2:25)

Ardill, Susan & O'Sullivan, Sue. (2005). Upsetting an applecart: Difference, desire and lesbian sadomasochism. *Feminist Review*, 80(1), pp. 98-126.

Video from Carleton Library on research (see CULearn)

Watch a show or movie that features BDSM ([Secretary](#), [9 1/2 Weeks](#), [Basic Instinct](#), [Walk All Over Me](#), [Fifty Shades of Grey](#), [In the Shadow of Iris](#), 365 Days, and any number of *CSI* or *Law and Order Special Victims Unit* episodes).

**OPTIONAL:** For more information on popular representations of BDSM, read: "Fifty Shades of Ambivalence: BDSM representation in pop culture." *The Routledge Companion to Media, Sex and Sexuality* (2017)

**ATTEND DISCUSSION (12:30-2:25) OR PARTICIPATE IN CULEARN OPTION.**

**Week 4: BDSM** (Feb 2)

READINGS, NO LIVE CLASS – BDSM LECTURE POSTED ON CULEARN

Hammers, Corie (2019). Reworking trauma through BDSM. *Signs*, 44(2), pp. 491-514.

Dymock, Alex (2012). But femsub is broken too! On the normalisation of BDSM and the problem of pleasure. *Psychology & Sexuality*, 3(1).

**COMPLETE READING ASSIGNMENT POSTED IN CULEARN BY 2:30pm FEBRUARY 2.**

**Week 5: BDSM** (February 9)

CLASS ON ZOOM (12:30-2:25)

Dechka, Maneesha. (2011). Pain as culture: a postcolonial feminist approach to S/M and women's agency. *Sexualities*, 14(2), pp. 129-150.

View/listen to online lecture on CULearn

Choose your own BDSM-related reading from [journalofpositivesexuality.org](http://journalofpositivesexuality.org)

**ATTEND DISCUSSION (12:30-2:25) OR PARTICIPATE IN CULEARN OPTION.**

**Reading Week, No Class** (February 16)

**Week 6: PORNOGRAPHY** (February 23)

**DUE: Proposals handed in by 9pm on CULearn**

READINGS, NO CLASS

Karaian, L. (2007). Troubling the definition of pornography: Little Sisters, a new defining moment in feminists' engagement with the law? *Resources for Feminist Research*, 32(3-4), p. 239.

Cameron, H. (1996). Queer experts at the Little Sisters trial. *Canadian Woman Studies*, 16(2).

**COMPLETE READING ASSIGNMENT POSTED IN CULEARN BY 2:30pm FEBRUARY 23.**

**Week 7: PORNOGRAPHY** (March 2)

CLASS ON ZOOM (12:30-2:25)

Mowlabocus, S. & Wood, R. (2015). Introduction: Audiences and consumers of porn. *Porn Studies*, 2(2-3), pp. 118-122.

Cruz, Ariane. (2016). Playing with the politics of perversion: Policing BDSM, pornography, and Black female sexuality. *Souls*, 18(2-4), pp. 379-407.

SVA Community Lecture Series : Jennifer C. Nash Lecture on **The Black Body In Ecstasy** <https://vimeo.com/96423345>

**ATTEND DISCUSSION (12:30-2:25) OR PARTICIPATE IN CULEARN OPTION.**

**Week 8: PORNOGRAPHY** (March 9)

READINGS, NO LIVE CLASS – PORNOGRAPHY LECTURE POSTED ON CULEARN

Segal, Lynne (1998). Only the literal: The contradictions of anti-pornography feminism. *Sexualities*, 1(1), 43-62.

Stewart, Robert Scott (2019). Is feminist porn possible? *Sexuality and Culture*, 23(1), pp. 254-270.

**COMPLETE READING ASSIGNMENT POSTED IN CULEARN BY 2:30pm MARCH 9.**

**Week 9: PORNOGRAPHY** (March 16)

CLASS ON ZOOM (12:30-2:25) – Guest discussant: Meg Lonergan

Jones, Steve. (2017). The origin of the faeces: Ten years of 2Girls1Cup. *Porn Studies*, 4(4), pp. 473-476.



Lonergan, Meg.(2020). Hard-on of darkness: Gore and shock websites as the dark tourism of digital space. *Porn Studies*.

[View/listen to online lecture on CULearn](#)

**ATTEND DISCUSSION (12:30-2:25) OR PARTICIPATE IN CULEARN OPTION.**

**Week 10: SEX WORK** (March 23)

READINGS, NO CLASS

Elya M. Durisin, Emily van der Meulen, and Chris Bruckert. (2018). "Contextualizing Sex Work: Challenging Discourses and Confronting Narratives" in Durisin, Elya M., Emily van der Meulen, and Chris Bruckert, eds. *Red Light Labour: Sex Work Regulation, Agency, and Resistance*. UBC Press.

Snow, Natalie M., Steely, Mollee K., & Bensel, Tusty ten. (2020). The right to life, liberty and security for prostitution: *Canada v. Bedford. Women & Criminal Justice*.

**COMPLETE READING ASSIGNMENT POSTED IN CULEARN BY 2:30pm MARCH 23.**

**Week 11: SEX WORK** (March 30)

**DUE: Post Updated Paper Proposal on CULearn for classmates by 9pm**

CLASS ON ZOOM (12:30-2:25)

Bruckert, Chris & Hannem, Stacey (2013). Rethinking the prostitution debate: Transcending structural stigma in systemic responses to sex work. *Canadian Journal of Law and Society*, 28(1).

Hunt, Sarah. (2013). "Decolonizing sex work: Developing an intersectional Indigenous approach." *Selling sex: Experience, advocacy, and research on sex work in Canada*, pp. 82-100.

**Optional:** Benoit et al. (2017). Sex workers as peer health advocates: Community empowerment and transformative learning through a Canadian pilot program. *International Journal for Equity in Health*, 16.

**ATTEND DISCUSSION (12:30-2:25) OR PARTICIPATE IN CULEARN OPTION.**

**Week 12: SEX WORK** (April 6)

**DUE: Feedback for peers' paper proposals CLOSES 9pm today**

READINGS, NO LIVE CLASS – SEX WORK LECTURE POSTED ON CULEARN

Coy, Maddy, Smiley, Cherry, & Tyler, Meagan. (2019). Challenging the 'prostitution problem': Dissenting voices, sex buyers, and the myth of neutrality in prostitution research. *Archives of Sexual Behavior*, 48, pp. 1931-1935.

Benoit, Cecilia et al. (2019). Unlinking prostitution and sex trafficking: Response to commentaries. *Archives of Sexual Behavior*.

Choose your own reading from <https://www.powerottawa.ca/research-repository/>.

**COMPLETE READING ASSIGNMENT POSTED IN CULEARN BY 2:25pm April 6**

### **Week 13: SYNTHESIZING** (April 13)

CLASS ON ZOOM (12:30-2:25)

Johnston, Lynda. (2016). Gender and sexuality II: Activism. *Progress in Human Geography*, 41(5), pp. 648-656.

View/listen to online lecture on CULearn

**ATTEND DISCUSSION (12:30-2:25) OR PARTICIPATE IN CULEARN OPTION.**

**Wednesday, April 14: FINAL PAPER DUE by 9pm on CULearn**

### **ACADEMIC ACCOMMODATIONS**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

#### **Pregnancy obligation**

Please contact 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 Department of Equity and Inclusive Communities (EIC): <https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities**

If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (PMC) at 613-520-6608 or [pmc@carleton.ca](mailto: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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) <https://carleton.ca/pmc>

**Plagiarism**

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism 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, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>

**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 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/studentssupport/svpolicy/>

**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. Please contact your instructor 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>

For more information on academic accommodation, please contact the departmental administrator or visit: <https://students.carleton.ca/services/accommodation/>

**Department Policy**

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations: <https://carleton.ca/law/current-students/>