

## LGST 390 Women, Equality and the Law



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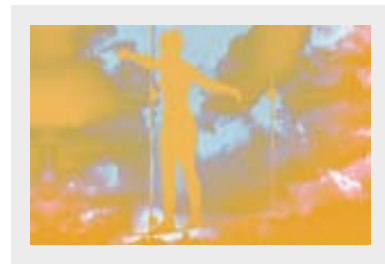
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## Topic outline

Welcome to *Legal Studies 390: Women, Equality and the Law!* This course is designed to introduce you to the history of women's engagement with the law as a tool to achieve social change. In this course, you will examine both traditional women's issues (abortion, pornography) and more cutting-edge issues (transgendered persons) which exemplify the feminist legal movement in Canada.



The *Student Manual* will supply you with essential information about the course and how to complete it successfully. Before you begin your course work, read the *Student Manual* carefully. If you have any questions about the course or how to proceed with your studies, please contact your tutor or the course coordinator.

As you make your way through the course materials, be sure to visit the [research and links](#) page on the Legal Studies web page. This page includes links to valuable legal resources, including statutes, case law, and advocacy groups.

### Course Materials:

[Student Manual](#)

### Resources:

[Moodle Orientation](#)  
[News and Announcements](#)  
[Study Schedule](#)  
[Student Evaluation](#)  
[Preparing Assignments](#)  
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### Assignment Drop Boxes:

 [Assignment 1: Case Memorandum \( 4 new submissions \)](#)

 [Assignment 2: Case Comment \( 3 new submissions \)](#)

 [Assignment 3: Essay and Précis \( 2 new submissions \)](#)

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## 1 Part I: Learning the Language: Feminist, Legal Discourse

Part I provides some essential terms and concepts that will help you make sense of the course materials. Unit 1 provides a basic introduction to feminist thought, analysis and methodology; it sets out various ways of articulating feminist thinking. Unit 2 provides an overview of the Canadian legal system, constitutional law and key legal principles. Unit 3 examines an intersection between feminism and law by studying the *Person's Case* litigated by the "Famous Five." Unit 4 examines a range of critical perspectives on law and focuses on critiques of the possibility of using law (and the corollary concept of rights) to effect change in people's lives.

 [Unit 1: An Introduction to Feminist Discourse](#)

 [Unit 2: Basic Legal Principles and the Canadian Legal System](#)

 [Unit 3: Women's Legal Personality: A Test Case](#)

 [Unit 4: Critical Perspectives on Law and Rights](#)

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## 2 Part II: Equality

Part II focuses on the complex issue of equality. Unit 5 examines different ways of understanding equality from ancient through modern times. Unit 6 situates the issue of equality in the Canadian context, paying particular attention to the evolution of equality doctrine under section 15 of the *Canadian Charter of Rights and Freedoms*.

 [Unit 5: The Concept of Equality](#)

 [Unit 6: Section 15 of the Charter: A History and Overview](#)

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## 3 Part III: Case Studies

Part III examines ways in which particular legal issues affect women's lives and inspire feminist equality claims. Unit 7 examines the highly-charged issue of abortion, looking at both Canadian law and the American counterpoint found in the famous case, *Roe v. Wade*. Unit 8 continues with the issues arising from the legal treatment of pregnancy and child rearing. Unit 9 deals with pornography—the representation of women as sexual objects—and the public policy and competing rights issues that accompany legal challenges to pornography. Unit 10 looks at the issue of sexual violence. Here, women's efforts to use equality principles to reshape the boundaries of criminal law (and the resulting case law) are contrasted with objections from criminal law scholars.

 [Unit 7: Abortion](#)

 [Unit 8: Pregnancy and Child Rearing](#)

 [Unit 9: Pornography](#)

 [Unit 10: Sexual Violence](#)

## 4 Part IV: Emerging Women's Issues

Part IV looks at emerging legal controversies within the feminist community. Unit 11 examines the extremely divisive issue of transgendered persons who seek acceptance and acknowledgment from feminists. Transgenderism raises fascinating questions about the stability of the category of *woman*. It also powerfully illuminates the debate over using the legal system to advance women's interests.

 [Unit 11: Who is a Woman? Transgendered Persons](#)

 [Reading 73](#)

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## LGST 390

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To receive credit for *Legal Studies 390*, you must complete two written assignments and a final essay with a précis. The weightings for each item are as follows:

Activity	Credit Weight	Date Due
Assignment 1	10% of final grade	End of Unit 2
Assignment 2	15% of final grade	End of Unit 6
Précis for Final Essay	5% of final grade	End of Unit 7
Final Essay	70% of final grade	End of Unit 11

You must obtain at least 50% in each of the course components to receive credit for this course.

The assignments correspond to the materials found in the *Study Guide*. They should be completed at the time indicated in the Study Schedule. When a graded assignment is returned to you, please call your tutor to review his or her comments and to discuss the assignment.

The major portion of your grade is reserved for a final essay on one of the topics given in the *Student Manual*. Before writing your essay, you must complete a *précis* that outlines your arguments. A *précis* should be short (1–2 pages), but should contain the essential points that your paper will cover.

When you have finished each written assignment, please submit it to your tutor via the Assignment drop box with a Tutor-marked Exercise form ([TME form](#)).

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## Preparing Assignments

Your written assignments will be graded by the following criteria:

1. a clear opening statement, paragraph or introduction (based on the nature of the assignment);
2. the ability to identify and explain the legal and social issues that are important to your discussion;
3. the clarity and organization of your ideas;
4. your writing style, including grammar;
5. the demonstration of creativity and original thinking; and
6. the use of proper referencing and citation.

Be careful to consider whether you have been asked merely to *explain* something or to develop an argument and engage in *critique*. These very different writing goals are equally important in the course. Your ability to properly explain legal concepts and arguments demonstrates your learning of the core elements of this course, which is grounded in legal knowledge. However, your ability to adopt and argue for a particular position is also important, for a significant objective of this course is the development of your own perspective on feminist legal issues. You can expect to engage in more *exposition* (explanatory writing) in the smaller assignments than in the final essay. The final essay requires both accurately explaining concepts as well as presenting a well-reasoned position in favour of one side of an argument.

Pay strict attention to the page limits specified for each writing component. A page is 8.5 × 11 inches; type is double-spaced except for indented quotes and footnotes; Times Roman 12-point font (or a relative equivalent) is recommended.

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