

Y353 Politics of Gender and Sexuality: The Comparative Politics of Reproductive Health

Fall 2010

TR 9:30 – 10:45 am WH007

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OH: TR 11am – noon & by appointment, WH403

This syllabus may be modified in the course of the semester if the instructor deems it necessary.

Course description

In political science, the body tends to be considered a private matter, except for contentious issues such as abortion and birth control, which serve as windows onto the politics of religion. Beyond that, the embodiment and performance of reproduction are considered personal and thus apolitical. This course aims to challenge our categories of “public” and “private,” of “political” and “personal,” by investigating a range of issues around reproduction and health and examining how they are handled by the state, or rather, by a variety of different governments and political actors. Two fundamental puzzles will motivate our inquiry: First, what is political about reproduction? Second, why do countries and societies solve similar policy challenges in sometimes radically different ways? Topics such as pregnancy and childbirth, breastfeeding, assisted reproductive technologies, marriage, population control, pronatalism, adoption, and sex for money will offer empirical case studies that help us explore the governance of bodies and the economics of reproduction. Readings will be drawn from the history of science and medicine, medical anthropology, law, comparative public policy, gender theory, and normative political theory. While the bulk of the literature focuses on North America, we will deliberately engage in comparisons with other advanced industrialized countries in Europe and beyond.

Course materials:

There will be a course pack and some materials posted on Oncourse. The course pack will be available at the Union Bookstore, Eigenmann, and TIS as of 9/1 (Wednesday). Please note that most materials are available electronically from the IU Library. The course pack is a convenience to readers, but you are obviously free to download the articles from the library instead, though this won't work for the book chapters that have been assigned.

It is a good idea to shop around among the three bookstores as prices may differ. Here are their phone numbers:

TIS Bookstore (812) 332-3306

UNION Bookstore (812) 855- 9628

EIGENMANN Bookstore (812) 855-2976

Please note: If you do not find the course pack on the shelves, it is because that store has sold out of its initial order. The stores will not re-order unless you place an order. IU Custom Printing will deliver by the next business day.

Course requirements:

Students will be responsible for reading 60-80 pages of challenging social science research for each session; attending regularly; participating actively in class; completing three multiple choice exams; keeping up with current news on our topic; and producing a policy brief of ca. 1800-2200 words in length.

Course grade:

- 1) Participation (attendance and discussion): 10 % of your grade.
- 2) Three multiple-choice exams: 60 % of your grade (20 % each exam): 9/30, 11/4, and 12/16.
- 3) Policy brief: 30 % of your grade (due 12/2).

Students with disabilities:

If you have a disability or special learning needs, please contact me right away so we can make the necessary arrangements. You may also contact Disability Services for Students (Franklin Hall 096; 855-7578) for assistance. The DSS website is <http://www2.dsa.indiana.edu/dss/>.

Course objectives:

- 1) At the factual level, students will analyze and evaluate data on policies and outcomes in reproductive health in advanced industrialized countries, with a focus on North America.
- 2) At the conceptual level, students will analyze the traditional boundaries between the “personal” and the “political” and between “public” and “private” spaces. Students will assess whom these boundaries marginalize and control and in what ways they structure the choices we perceive as “individual.”
- 3) At the procedural level, students will understand policy-making and generate their own policy brief on a reproductive health issue.
- 4) At the meta-cognitive level, students will identify their own biases and assess how they influence their policy preferences.

Participation and classroom etiquette (10 % of your grade):

Participation includes regular attendance, discussion contributions, completing all reading assignments, and professional conduct (notably, punctuality and respect for fellow course members).

- You are responsible for doing the readings in advance of each session.
- Learning is a collective endeavor, so your contributions to group discussions matter to all of us. Talking about the course material helps you organize your thoughts and understand the logic behind an argument. I may also call on people in order to ensure that as many course members as possible have a chance to speak. You are free to decline when called upon, but remember that doing so is a missed opportunity to improve your participation grade. You may also raise questions by contacting me individually. Please let me know if anything is unclear—chances are other students share your questions, but the only way for me to know is if you tell me!
- Attendance is mandatory. If you attend class regularly, chances are you will perform better on exams and assignments than if you don't. **If you must miss a class, it is YOUR responsibility to ask your colleagues for notes and updates in addition to checking Oncourse.** If a medical emergency or other calamity affects your participation in the course, please discuss the matter with me as soon as it arises; be sure to present documentation. Religious holidays are a legitimate reason for missing class; please notify me in advance.

- **Professional conduct:** Please help us all maintain a constructive learning environment by being in class on time, **shutting off electronic equipment**, treating all course members with respect and decency, and generally taking responsibility for your own learning. Effective learning requires us to push ourselves beyond our own comfort zone. Given the course material, I expect that you may find yourself ill at ease at some point during the class. When that happens, think of it as a learning opportunity for yourself and others and articulate your thoughts and questions. It is the responsibility of all class members to maintain an atmosphere of dignity and respect, even when we disagree with one another.

Multiple-choice exams (worth 60 % of your grade): 9/30, 11/4, and 12/16.

These exams will cover readings, lectures, classroom discussion, and any additional materials presented to you, such as films and guest speakers. **It is therefore crucial that you keep excellent notes on both your reading and each class session.** While I may post lecture slides, these should by no means be considered sufficient for covering all the material that will be on the exams.

Policy brief (worth 30% of your grade), due 12/2:

Your task is to adopt the role of policy analyst in an advocacy organization and write a policy brief on one of the following legislative issues:

- 1) 2010 Midwifery Modernization Act (MMA) of New York State (NYS Bill S5007/A8117)
- 2) Oklahoma House Bill 2656 (HB 2656) of 2010 on damages in certain circumstances for wrongful birth and wrongful life actions
- 3) Oklahoma House Bill 2780 (HB 2780) of 2010 requiring an ultrasound before abortions
- 4) US House of Representatives Global Sexual and Reproductive Health Act of 2010 (HR.5121)
- 5) A relevant bill of your choice and approved by the instructor

The purpose of a policy brief is to succinctly inform legislators, bureaucrats or journalists about policy options and their practical implications. Thus, a policy brief boils down complex information into a clear and intelligible statement outlining the reasons for choosing or rejecting a particular course of action. It is targeted toward a professional audience, not toward academics. It presents evidence to support its arguments, but does so in a concise manner that is easy to grasp. It is visually appealing and structured with the help of evocative subheadings.

Components of a policy brief:

- 1) Length: 1800-2200 words;
- 2) Descriptive, attention-grabbing title;
- 3) 1-2 paragraphs of executive summary that identifies your professional/organizational role, poses a question and outlines the problem/issue at hand, the policy options currently under consideration, and your recommendation for action;
- 4) 2-3 paragraphs on context and significance of the problem/issue: describe the problem/issue and its causes, specify actors and interests, and spell out policy implications;
- 5) Assessment of policy options: detail all policy options on the table and evaluate their strengths and weaknesses for dealing with the issue that you have described; consider costs and benefits of each option; assess feasibility and effectiveness;

- 6) Policy recommendation: Based on your assessment in the previous section, spell out the elements of the policy option that you endorse and specify how these policy elements resolve the problem under consideration. Describe what practical steps need to be taken by whom and in what manner.
- 7) Sources and recommendations for further reading: While real-life professional policy briefs may not always have this section, for our assignment a bibliography of sources that you used is mandatory. You may also use this section to direct the hypothetical policy-maker to additional materials that might inform her/his decision.
- 8) Appealing visual presentation that supports your message. This includes easy readability of the text, sources, relevant data, eye-catching graphics, etc.

Academic Integrity:

Put simply, **do not rip stuff off**. The free exchange of ideas depends on acknowledging other people's work. Indiana University's Code of Student Rights, Responsibilities, and Conduct (<http://www.indiana.edu/~code/code/responsibilities/academic/index.shtml>) prohibits plagiarism and cheating.

Hence, you may not:

- borrow, buy, or steal a paper;
- pay anybody to write your paper or exam;
- copy from another source without citation (whether deliberately or accidentally);
- use anybody's ideas without acknowledging the source;
- stay too close to the language of the original source when paraphrasing (EVEN IF you acknowledge the source).

Plagiarism will result in a failing grade for the assignment and possible further disciplinary action by the University. If you're not sure about when and how to acknowledge your sources, you may find the Campus Writing Program's information helpful: <http://www.indiana.edu/~wts/pamphlets/plagiarism.shtml>.

Please ask me if you have any questions.

Course Schedule

8/31 Introduction

Course requirements, electronic sources, survey

9/2 What is political about reproductive health?

Reading questions: Why and how is reproduction political? How do the authors define “reproduction”? What does this definition include? What does it exclude?

Faye D. Ginsburg and Rayna Rapp, “The Politics of Reproduction,” *Annual Review of Anthropology* 20 (1991), 311-343. [Oncourse]

9/7 Theories of Sex and Gender

Reading questions: How many sexes and genders are there? And what’s political about these concepts and categories?

Nancy Krieger, “Gender, Sexes and Health: What Are the Connections—and Why Does It Matter?” *International Journal of Epidemiology* 32:4 (2003), 652-658.

In-class screening of *Straightlaced: How Gender’s Got Us All Tied Up*, prod. & dir. Debra Chasnoff (Groundspark Productions, 2009), Herman B. Wells Library Media Room, HQ1075.5 .U6 S77 2009 [DVD].

9/9 Theories of Sex and Gender, continued

Reading questions: In what ways does Fausto-Sterling suggest we should transcend the sex/gender and nature/nurture debates? How is this different from Krieger’s take and from the positions advanced in *Straightlaced*?

Anne Fausto-Sterling, "The Problem with Sex/Gender and Nature/Nurture" in *Debating Biology: Reflections on Medicine, Health and Society*, edited by Williams, Birke and Bendelow. Routledge, 2003, 123-132.

9/14 Regulating Sex and Intimacy: Marriage

Reading question: Why and how do states regulate intercourse and marriage?

Jyl Josephson, “Citizenship, Same-Sex Marriage, and Feminist Critiques of Marriage,” *Perspectives on Politics* 3 (2005), 269-284.

Anne Barlow and Rebecca Probert, “Regulating Marriage and Cohabitation: Changing Family Values and Policies in Europe and North America—An Introductory Critique.” *Law & Policy* 26:1 (2004), 1-11.

9/16 Regulating Sex and Intimacy: Rape & Sexual Assault

Reading questions: What is rape? Why should sexual penetration only happen when it is “justified”, according to Dempsey and Herring? What standard assumption about the burden of proof does this article contradict?

Michelle Madden Dempsey, Jonathan Herring, “Why Sexual Penetration Requires Justification,” *Oxford Journal of Legal Studies* 27:3 (2007), 467-491.

9/21 Regulating Reproduction: Birth Control

Reading questions: What have been the key legal issues in birth control access in the US?

J. Ralph Lindgren et al., *The Law of Sex Discrimination*, 4th ed. (Boston: Wadsworth, 2011), 322-357.

9/23 Regulating Reproduction: Abortion

Reading question: What are the limitations of the “right to choose” framework provided by *Roe v. Wade*? What alternative justificatory frameworks for reproductive rights can you think of?

Jeannie Ludlow, “Sometimes It’s a Child and a Choice,” *NWSA Journal* 20:1 (2008), 26-50.

9/28 Regulating Reproduction: Prenatal Testing and Selective Abortion

Reading questions: What is the analytical link between the Americans with Disabilities Act and selective abortion? What empirical patterns do the authors detect in disability-selective abortions?

Dov Fox and Christopher L. Griffin, JR., “Disability-Selective Abortion and the Americans with Disabilities Act,” *Utah Law Review* 2009 no. 3, 845-905.

9/30 FIRST EXAM

10/5 Slavery, Rape and Forced Breeding

Reading question: How did slavery affect the reproductive experiences of Blacks in the US?

Dorothy Roberts, *Killing the Black Body: Race, Reproduction, and the Meaning of Liberty* (New York: Vintage, 1997), 22-55.

10/7 Economics of Assisted Reproductive Technology

Reading question: What equality issues are raised by reproductive tourism and the global fertility industry?

Lisa C. Ikemoto, “Reproductive Tourism: Equality Concerns in the Global Market for Fertility Services,” *Law and Inequality* 27:2 (2009), 277-309. [Oncourse]

10/12 Access and Discrimination in Assisted Reproductive Technology

Reading question: Who should be allowed to reproduce and who shouldn’t? Who decides, and why?

Kimberly Mutcherson, “Disabling Dreams of Parenthood: The Fertility Industry, Anti-Discrimination, and Parents with Disabilities,” *Law and Inequality* 27:2 (2009), 311-364. [Oncourse]

10/14 Teenage Childbearing

Reading question: What different support structures exist for parents? And why do parents need support structures anyway? Is teenage pregnancy bad—if so, why? If not, why not?

V. Joseph Hotz, Susan Williams McElroy, and Seth G. Sanders, “Teenage Childbearing and Its Life Cycle Consequences: Exploiting a Natural Experiment,” *Journal of Human Resources* 40:3 (2005), 683-715.

David J. Landry and Jacqueline Darroch Forrest, “How Old Are US Fathers?” *Family Planning Perspectives* 27:4 (1995), 159-165.

10/19 Kinship Care

Reading question: How and why does the state regulate kinship care, foster care and adoption, and with what consequences?

Dorothy Roberts, “Kinship Care and the Price of State Support for Children,” *Chicago-Kent Law Review* 76 (2001), 1619-1642.

10/21 Adoption

Reading questions: What is adoption? How is it constructed differently in different societies? What are some of the problems surrounding adoption? What issues are regulated by governments?

Katherine O’Donovan, “Real’ Mothers for Abandoned Children,” *Law & Society Review*, 36:2 (2002), 347-378. [Germany, France, GB]

10/26 Low Fertility, Pronatalism, Living Childfree/Childless

Reading questions: Why do governments sometimes promote reproduction? What is the state of fertility in most advanced industrialized countries? Why is living childfree an issue for social debate?

I.Y. DeOllos and C.A. Kapinus, “Aging Childless Individuals and Couples: Suggestions for New Directions in Research,” *Sociological Inquiry* 72:1 (2002), 72-80.

Leslie King, “Demographic Trends, Pronatalism, and Nationalist Ideologies in the Late Twentieth Century,” *Ethnic and Racial Studies*, 25: 3 (2002), 367-389.

10/28 Discuss Policy Brief: Legislative Proposals

11/2 Population Control

Reading questions: What is population control, and why do governments sometimes pursue it? What is Greenhalgh’s argument about the Chinese one-child policy?

Susan Greenhalgh, “Science, Modernity and the Making of China’s One-Child Policy,” *Population and Development Review* 29:2 (2003), 163-196.

11/4 SECOND EXAM

11/9 Students whose last names begin with A-L: Gallery Talk at the Kinsey Institute with Curator Catherine Johnson Roehr, Exhibit “Nature & Nurture: Exploring Human Reproduction from Pregnancy through Early Childhood” (Morrison Hall 313)

Students whose last names begin with M-Z: Classroom Screening of *The Business of Being Born* (2008)

All students must read the following:

Childbirth—the Basics

Reading questions: What is the problem with data on maternity? What makes cross-national comparison so difficult?

Eugene Declercq and Kirsi Viisainen, “The Politics of Numbers: The Promise and Frustration of Cross-National Analysis,” in DeVries et al., eds., *Birth by Design: Pregnancy, Maternity Care, and Midwifery in North America and Europe* (New York and London: Routledge, 2001), 267-279.

Judith Walzer Leavitt, “Science’ Enters the Birthing Room: Obstetrics in America since the Eighteenth Century,” *Journal of American History* 70:2 (1983), 281-304.

11/11 Students whose last names begin with A-L: Classroom Screening of *The Business of Being Born* (2008)

Students whose last names begin with M-Z: Gallery Talk at the Kinsey Institute with Curator Catherine Johnson Roehr, Exhibit “Nature & Nurture: Exploring Human Reproduction from Pregnancy through Early Childhood” (Morrison Hall 313)

All students must read the following:

Childbirth, Medicalization and Politics

Reading question: What is political about birthing babies?

Candace Johnson, “The Political ‘Nature’ of Pregnancy and Childbirth,” *Canadian Journal of Political Science* 41 (2008), 889-913.

11/16 Midwifery, Homebirth, and Authoritative Knowledge

Reading question: What is the difference between a direct-entry midwife and a nurse-midwife? What are the political stakes involved in the midwifery bill at the Indiana state legislature?

Familiarize yourselves with the information provided by the Indiana Midwifery Taskforce at

<http://www.indianamidwiferytaskforce.org/index.html>

Indiana Midwifery Bill [Oncourse Resources]

American Congress of Obstetricians and Gynecologists, Statement on Home Birth:

http://www.acog.org/from_home/publications/press_releases/nr02-06-08-2.cfm

American College of Nurse-Midwives, Statement on Home Birth:

<http://www.acnm.org/siteFiles/position/homeBirth.pdf> and Principles for Licensing and

Regulating Midwives http://www.acnm.org/documents/PrinciplesforLicRegMidwives3_09.pdf

MANA, Direct-Entry Midwifery Legal Status State by State: <http://mana.org/statechart.html>

11/18 Discuss Policy Brief

We need volunteers to submit their draft policy brief to peer critique. If you'd like instructor and student feedback on your draft policy brief, please send an anonymized. e-copy to the instructor by 11/17. If you've been worried about your participation grade, this is an opportunity to do yourself and the community a service.

11/23 Breastfeeding: Biology and Public Health

Reading question: What are the evolutionary benefits of lactation? What are the public health benefits of breastfeeding?

Sarah Blaffer Hrdy, *Mother Nature: Maternal Instincts and How They Shape the Human Species* (New York: Ballantine Books, 1999), "The Milky Way," ch. 6, 121-145.

Melissa Bartick and Arnold Reinhold, "The Burden of Suboptimal Breastfeeding in the United States," *Pediatrics* April 2010, 1048-1056.

11/25 Thanksgiving—no class

11/30 Guest Lecture by Ann Marie Neeley Burkhart?

12/2 Breastfeeding, the Public, and Labor Market Policies

***** POLICY BRIEF DUE *****

Reading question: How does lactation affect a woman's ability to exercise the rights of a "fully sovereign individual"? What legislation bears on lactation and employment, and how does it vary among countries?

Judith Galtry, "The Impact on Breastfeeding of Labour Market Policy and Practice in Ireland, Sweden and the USA," *Social Science and Medicine* 57 (2003), 167-177.

12/7 Sex for Money: Philosophical Issues

Reading questions: Is sex for money comparable to any other type of work? Or is it at least comparable to other bodily services?

Martha C. Nussbaum, "Whether from Reason or Prejudice: Taking Money for Bodily Services," in *Sex and Social Justice* (Oxford UP, 1999), 276-298.

Possible: In-class screening of *Our Bodies, Our Minds* (2001, 68 min) – a documentary featuring sex workers putting forward feminist arguments in favor of legalized prostitution in the US.

12/9 Sex for Money: Regulation

Reading questions: Should sex for money be legislated? If so, how and why? What problems exist with current attempts to legislate sex for money?

Judith Kilvington, Sophie Day, Helen Ward, "Prostitution Policy in Europe: A Time of Change?" *Feminist Review*, No. 67 (2001), 78-93. [Netherlands vs. Sweden]

Version of 9/7/2010

Melissa Farley, "Bad for the Body, Bad for the Heart?: Prostitution Harms Women Even if Legalized or Decriminalized," *Violence Against Women*, 10:10 (2004), 1087-1125. [New Zealand]

Teela Sanders, "The Politics of Sexual Citizenship: Commercial Sex and Disability," *Disability and Society* 22:5 (2007), 439-455.

12/16 10:15 am to 12:15 pm FINAL