

LWSO 401.12

Special Topics in Law and Society (Medicine, Reproduction, and Law)

Fall 2017

T/R 2:00- 3:15

TRA 101

Instructor: Erna Kurbegović

Contact: ekurbego@ucalgary.ca

Office: SS 920

Office Hours: T/R 12:30- 1:30 or by appointment

Course Description

This course examines the role of the state and other institutions in regulating reproduction in Canada and other Western nations from the 19th century onward. Through the use of historical and contemporary case studies, students will be exposed to historical, medical, and legal perspectives in order to gain a better understanding of the politics of reproduction. Major topics will include the importance of reproductive health to nation-states; the ideology of eugenics and its short and long term impacts; the birth control movements; reproductive rights; and reproductive technologies.

Course Objectives

In addition to developing a broad understanding of historical and contemporary relationships between medicine, reproduction, and law, students will also develop skills in oral and written communication, critical thinking, source analysis, and small group work.

Textbooks and Readings

All readings will be provided through links on D2L or by the instructor.

Assignments and Evaluation

Class Participation: Ongoing (10%)

Midterm: October 26, 2017 (25%), closed book

Term Paper: November 30, 2017 (40%)

Final Exam: Scheduled by the registrar (25%), closed book

Class participation will be assessed through in-class group assignments. These assignments will be based on the weekly readings. Marks will be awarded to each student participating in these group discussions. Most discussions will take place during the second half of Thursday classes.

The midterm exam will be written on **October 26, 2017 (1 hour)**. It will consist of short answer questions. More information will be provided by the instructor.

The term paper must be 8-10 pages double spaced (approximately 2000- 2500 words). The essay must use at least **5 scholarly sources**, and must be properly documented. The topic must connect to the course theme of medicine, reproduction, and law. Topics will be selected in consultation with the instructor. Further details will be provided by the instruction on the first day of class.

The final exam will consist of both short answer and long answer questions (**2 hours**). **The exam will not be cumulative**, and will only cover material discussed after the midterm.

Policy for late assignments

Late assignments will be penalized up to a half grade/day.

Grading System

	Grading Scale
A+	96-100
A	90-95.99
A-	85-89.99
B+	80-84.99
B	75-79.99
B-	70-74.99
C+	65-69.99
C	60-64.99
C-	55-59.99
D	53-54.99
D+	50-52.99
F	0-49

Passing Grades

All assignments must be completed in order to pass the course.

Course Schedule

Week One: September 12, 14

Introduction to the course: Reproduction and the State

No readings.

Week Two: September 19, 21

Introduction continued: What is Politics of Reproduction?

Reading: Rickie Solinger, "Introduction: What is Reproductive Politics?" in *Pregnancy and Power : A Short History of Reproductive Politics in America* (2005) pgs. 1-25.

<http://ebookcentral.proquest.com.ezproxy.lib.ucalgary.ca/lib/ucalgary-ebooks/reader.action?docID=865352&ppg=9>

Week Three: September 26, 28

Eugenics, Law, and Involuntary Sterilization Part 1

Francis Galton, "Eugenics: Its Definition, Scope, and Aims," *American Journal of Sociology* 10, no.1 (1904): 1-6

Readings: Paul Lombardo, "Carrie Buck versus Dr. Priddy" in *Three Generations, No Imbeciles: Eugenics, the Supreme Court, and Buck v. Bell* (2002) pgs. 112-135.

<http://ebookcentral.proquest.com.ezproxy.lib.ucalgary.ca/lib/ucalgary-ebooks/reader.action?docID=4398321&ppg=129>

Week Four: October 3, 5

Eugenics, Law, and Involuntary Sterilization Part 2

Readings: Timothy Caufield and Gerald Robertson, "Eugenic Policies in Alberta: From the Systematic to the Systemic?" *Alberta Law Review* 35 (1996/97): 59-79

Jana Grekul, "Sterilization in Alberta, 1928 to 1972: Gender Matters," *Canadian Review of Sociology* 45, no.3 (2008): 247-266.

Documentary: The sterilization of Leilani Muir (Thursday's class)

Week Five: October 10, 12

Birth Control and the Law Part 1

Readings: Diane Dodd, "The Canadian Birth Control Movement on Trial, 1936-1937," *Social History* 16, no. 32 (1983): 411-28.

Revie, L., "'More than just boots!' The eugenic and commercial concerns behind A. R. Kaufman's birth controlling activities," *Canadian Bulletin of Medical History* 23 (2006): 119-43.

Week Six: October 17, 19

Birth Control and the Law Part 2

Readings: "The Pill Turns 50," *The Globe and Mail* (2010):
<https://beta.theglobeandmail.com/life/health-and-fitness/health/conditions/the-pill-turns-50/article572652/?ref=http://www.theglobeandmail.com&page=all>

Exam Information Session

Week Seven: October 24, 26

Contraceptive Sterilization

Readings: Erika Dyck, "Sterilization and Birth Control in the Shadow of Eugenics: Married, Middle Class Women in Alberta, 1930-1960s," *Canadian Bulletin of Medical History* 31 (2014): 165-188.

Karen Stote, "The Coercive Sterilization of Aboriginal Women in Canada," *American Indian Culture and Research Journal* Vol. 36, No. 3 (2012): 117-150.

Midterm Exam on Thursday!!!

Week Eight: October 31, November 2

Abortion Part 1

Readings: Beth Palmer, "'Lonely, tragic but legally necessary pilgrimages': Transnational Abortion Travel in the 1970s," *Canadian Historical Review* 92, no.4 (2011): 637-64.

Week Nine: November 7, 9

Abortion Part 2

Readings: “A Man and his conscience: Dr. Henry Morgentaler...” *The Globe and Mail* (September 14, 1974): **posted on D2L**

Sandra Rodgers, “Abortion Denied: Bearing the Limits of Law” in *Just Medicare: What's In, What's Out, How We Decide* edited by Colleen M. Flood (Toronto: University of Toronto Press, 2006): 107-36. <http://deslibris.ca.ezproxy.lib.ucalgary.ca/ID/418815>

Week Ten: November 14, 16

Reproductive Technologies Part 1

Readings:

“Test tube mother has girl” *The Guardian* (1978) **posted on D2L**

“Unnatural selection: Is evolving reproductive technology ushering in a new age of eugenics?” *The Globe and Mail* (2012): <https://beta.theglobeandmail.com/life/parenting/unnatural-selection-is-evolving-reproductive-technology-ushering-in-a-new-age-of-eugenics/article1357885/?ref=http://www.theglobeandmail.com&>

Roberts, Dorothy. 2009. “Race, Gender, and Genetic Technologies: A New Reproductive Dystopia?” *Signs* 34(4): 783-804.

Week Eleven: November 21, 23

Reproductive Technologies Part 1 continued.

Film: *Gattaca*, followed by a discussion

Week Twelve: November 28, 30

Reproductive Technologies Part 2

Readings: Assisted Human Reproduction Act (Canada): Prohibitions Related to Surrogacy: <https://www.canada.ca/en/health-canada/services/drugs-health-products/biologics-radiopharmaceuticals-genetic-therapies/legislation-guidelines/assisted-human-reproduction/prohibitions-related-surrogacy.html>

Heather Jacobson, “Making Reproduction Profitable: The Contemporary Surrogacy Market” in *Labor of Love: Gestational Surrogacy and the Work of Making Babies* (New Brunswick: Rutgers University Press, 2006): 14-43.

Research Essay due on Thursday!!!

Week 13: December 5, 7

Reproductive Technologies continued

Readings: Laura Mamo, “‘Real Lesbians Don’t Have Kids’ or Do They? Getting Ready for Lesbian Motherhood” in *Queering Reproduction: Achieving Pregnancy in the Age of Technoscience* (2007): 58-85. **To be distributed by the Instructor.**

Final Exam Information Session

Additional Information

Handing in Papers, Assignments

1. The main Sociology Department office does not deal with any course-related matters. Please speak directly to your instructor.
2. **Protection of Privacy: The Freedom of Information and Protection of Privacy (FOIPP)** legislation does not allow students to retrieve any course material from public places. Anything that requires handing back will be returned directly during class or office hours. If students are unable to pick up their assignments from the instructor, they provide the instructor with a stamped, self-addressed envelope to be used for the return of the assignment.
3. Final grades are not posted by the Sociology Department. They are only available online.

Ethics Research

Students are advised that any research with human subjects – including any interviewing (even with friends and family), opinion polling, or unobtrusive observation – must have the approval of the Faculty Ethics Committee. In completing course requirements, students must not undertake any human subjects research without discussing their plans with the instructor, to determine if ethics approval is required.

Academic Misconduct

Please refer to the website listed below for information on University of Calgary policies on Plagiarism/Cheating/Other Academic Misconduct:

<http://www.ucalgary.ca/pubs/calendar/current/k-2-1.html>

Deferrals

When possible, please provide advance notice if you are unable to write an exam or complete/turn-in assignments on time. All requests for deferral of a course component due to health reasons must be accompanied by written documentation as outlined in the University Calendar and should be obtained while the student has the health issue rather than after recovery. Deferrals will be allowed in the following circumstances: illness, domestic affliction or religious

conviction. Travel arrangements, misreading the syllabus, and scheduling conflicts with other classes or employment are not valid reasons for requesting a deferral. Deferrals will not be granted if it is determined that just cause is not shown by the student.

If you have missed a test for a legitimate reason, the instructor can require you to write a “make up” test as close in time to the original test as possible or can choose to transfer the percentage weight to another course component. If the instructor schedules a “make up” test for you, its date and location will be at the convenience of the Department of Sociology.

Deferred Final Exam Form: Please note that requests to defer a Registrar scheduled final exam are dealt with through the Registrar’s Office. Further information about deadlines, and where paperwork should be taken, is available on the form, which can be found at:

<https://www.ucalgary.ca/registrar/student-forms>

Deferred Term Work Form: Deferral of term work past the end of a term also requires a form to be filled out. It’s available at

https://www.ucalgary.ca/registrar/files/registrar/deferred_termwork15_0.pdf

Once an extension date has been agreed between instructor and student, the form should be taken to the Faculty of Arts Program Information Centre (SS 110) for approval by an Associate Dean (Students).

Student Representation

The 2017-18 Students’ Union VP Academic is Tina Miller (suvpaca@ucalgary.ca). The Faculty of Arts has four SU representatives who may be contacted at any of the following email addresses: arts1@ucalgary.ca, arts2@ucalgary.ca, arts3@ucalgary.ca, and arts4@ucalgary.ca. You may also wish to contact the Student Ombudsperson for help with a variety of University-related matters: <http://www.ucalgary.ca/ombuds/contact>

Emergency Evacuations

In the case of fire or other emergency evacuation of this classroom, please proceed to the assembly point at [*YOUR location*]. Please check these assembly point locations for all of your classes at: <http://www.ucalgary.ca/emergencyplan/assemblypoints>

Safewalk

The University of Calgary provides a “safe walk” service to any location on Campus, including the LRT, parking lots, bus zones, and campus housing. For Campus Security/Safewalk call 220-5333. Campus Security can also be contacted from any of the “Help” phones located around Campus.

Academic Accommodation

The student accommodation policy can be found at: ucalgary.ca/access/accommodations/policy. Students needing an Accommodation because of a Disability or medical condition should communicate this need to Student Accessibility Services in accordance with the Procedure for Accommodations for Students with Disabilities

www.ucalgary.ca/policies/files/policies/student-accommodation-policy.

Students needing an Accommodation based on a Protected Ground other than Disability, should communicate this need, preferably in writing, to the course instructor.