This course will consider some of the historical, theoretical, and doctrinal issues surrounding the manner in which American law treats issues of sexuality and gender. It may be counted toward the GSFS and the CAST majors.

The most important thing to know is that this is a discussion course. Students are expected to keep us with the reading and to participate in class discussions. Students should also note that the course will contain frank and sometimes explicit discussions of sexuality.

The text for the course is Eskridge and Hunter, *Sexuality, Gender, and the Law*, 3rd ed (with the 2013 supplement). Bring the text to class. Students with little background in constitutional law should read McCloskey and Levinson, *The American Supreme Court*, at the beginning of the semester (don’t worry, it’s short).

Written work: Students will participate in two moot court exercises and there will be a final essay (take-home). Students will also write several short papers, due as indicated below.

Attendance and class participation will constitute .40 of your grade. The moot court papers will each count .20, and the short assignments together will constitute .20.

Feedback about the course is always welcome.

Students are reminded to consult the College honor code, and any student with a documented disability should consult the instructor to arrange appropriate accommodation.

Class schedule

NOTE: Students may find it helpful to begin reading Chapter 4 before we discuss it mid-March.

Class schedule:


M 2/10. Sodomy. 30-53.

W 2/12. Gender. 58-86.
F 2/14. Sexual Orientation. 90-121. Last day to turn in optional brief.


W 2/26. Sexual conduct. 245-274.


F 3/7. Court meet.


Spring break


W 4/2. Sexuality in the workplace. 557-583.


M 4/7. Sexual harassment. 645-661. Short paper due.


W 4/30. Title IX. 897-933.

F 5/2. Public sex education. 934-969.

M 5/5. Moot court papers due/no class.

W 5/7. The emerging trans critique (reading on Blackboard).

F 5/9. Last class.