

Legal Studies R1B: Queer Legal History of the United States

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Office Hours: Monday 11-12

Wednesday 11-12

Location tbd

Course Description:

Many people know about the Stonewall Riots, but queer history did not start (or end) in 1969! How did a trans aunt in 1886 win a child custody case? How did Victorians form legal queer marriages? What happened to Abraham Lincoln's boyfriend? This class will explore topics in the queer legal history of the United States, such as: the history of crossdressing laws, slavery and queerness, trans history, the Lavender Scare, the history of queer marriage, and LGBT Supreme Court cases.

This course has three main goals: First of all, we will learn about the queer legal history of the United States, focusing on important themes and events in this history. Second of all, we will be working on writing academic papers and reading academic articles and books. We will be working on two main pieces of writing this semester: a literature review focusing on major themes within queer legal history, and a research paper. We will be going over the building blocks of writing: how to construct an argument, how to organize an essay, and how to write a thesis. Third of all, we will be working on how to do research: how to find primary and secondary sources, how to analyze sources, and how to use them to build an argument.

Classroom Expectation

I expect you to come to class having done the readings and ready to participate. Most weeks there is 20-40 pages of reading per class. Queer history is an exciting and engaging field, but also can be emotionally difficult. I expect you to respect the people around you, and use the pronouns and names that people ask you to use. If you get someone's name or pronoun wrong just apologize and try to do better. We will not be debating people's lives or identities in the class.

Course Assignments:

1. Weekly writing assignments: 20%
2. Class Participation and Attendance: 10%
3. Paper #1: Literature Review Bibliography: 5% Due February 12 at 11:59 pm
4. Paper #1: Literature Review First Draft: 5% Due February 26 at 11:59 pm
5. Paper #1: Literature Review Final Draft: 20% Due March 12 at at 11:59 pm
6. Paper #2: Research Paper Topic: 5% Due March 19 at 11:59 pm
7. Paper #2: Research Paper Preliminary Bibliography: 5% Due March 26 at 11:59 pm
8. Paper #2: Research Paper First Draft: 5% due April 23 at 11:59 pm
9. Paper #2: Research Paper Final Draft: 25% due May 8 at 11:59 pm

Participation and Attendance

Participation and attendance both count towards your grade. **You may miss two classes with no penalty and for any reason.** You **don't** need to give me an excuse or tell me why, you can just not be there (you can be sick, you can be having a bad day, you can just not feel like it, anything

is fine). If you need to miss more classes than that, please come talk to me about your circumstances and appropriate makeups.

Writing Assignments:

On weeks that you don't have other writing due, you will have writing responses due **by Sunday at 11:59 pm**. These will review the content that we have done for the week. They will be no more than 1-2 paragraphs and will be just graded based upon completion and good faith effort.

You may skip two with no penalty.

Literature Review

Your first assignment will be a literature review of **4-5 pages**. This will require you to compare/contrast at least 5 articles/books in queer legal history, and analyze what ground they cover and what gaps remain in the field. You should pick an area within queer legal history, but not all of queer legal history. For example: 20th century queer legal history, prisons and incarceration, trans legal history or immigration. Please come talk to me about your topic by February 10. You are required to use **at least 5 articles or books, at least 2 of which must not be on the syllabus**.

The final draft is **due March 12 at 11:59 pm**.

Research Paper

Your second writing assignment is a research paper of **10-12 pages**. This will require you to do research on an original topic within queer legal history. Your paper needs **at least 5 primary sources** and **at least 3 secondary sources** (the secondary sources can be the same as the lit

review). You are encouraged to write your research paper on a topic related to your literature review. We will spend a significant time in class going over how to write research papers. The final draft is **due May 8 at 11:59 pm**.

Readings:

You do not need to buy any readings. The readings are either available on Bcourses or as ebooks through the library catalog. I will go over how to access readings the first week of class.

Email Correspondence:

Please email me at brianne_felsher@berkeley.edu. I will respond to your emails within 48 hours (probably sooner). Feel free to email me again if I don't respond within 48 hours, as I might not have seen your email.

Grading Policy:

I am very unlikely to do re-grades. I am, however, happy to talk about why you got the grade you did and how to make it better in the future. If you need extensions please let me know **In Advance** if possible. Unexcused late work will be docked 1/3 point (ex A to A-) per day. Please do still turn in your work, even if it's late!

Pandemic/Accommodations:

This is a really hard time, and I'm happy to talk to you about accommodations. I know that this time is very tumultuous, so feel free to talk to me about any needs. I know DSP can be slow, so

I'm happy to talk to you and give you advice on navigating DSP. Be kind to yourself and to others.

Community Respect:

In this classroom, we will respect ourselves and others. This includes respecting people's names and pronouns, identities, abilities and religious backgrounds. We will not be debating people's personhood or identity in this section. Feel free to reach out to me if you feel unsafe, uncomfortable, or you would like me to change something in the classroom. I encourage us to emphasize intersectionality and reject white supremacy, cisheteronormativity and patriarchy in the classroom. I reserve the right to lower your grades for racism, transphobia sexism or homophobia. Black lives matter.

Land Acknowledgement:

UC Berkeley sits on the territory of xučyun (Huichin - Hooch-yoon), the ancestral and unceded land of the Chochenyo (Cho-Chen-yo) speaking Ohlone (Oh-low-nee) people, the successors of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to the Muwekma Ohlone Tribe and other familial descendants of the Verona Band.

Schedule of Classes

Note: Schedule of skills is subject to change based upon student interest

Week 1: Introduction to Queer Legal History

Questions for Discussion: What is queer history and what is legal history? How do we explore the intersections between them? What terms do we use when we talk about queer history? What is the overlap between queer history and legal history?

Wednesday Class: January 18, 2023

Topic: Introduction!

Skill: Understanding Queer Terms, Using the Library Catalog, Finding Articles

Reading: None

Friday Class: January 20, 2023

Topic: What is Queer History? What is legal history?

Skills: Reading Academic Articles, introduction to legal history

Reading: Kunzel, Regina. "The Power of Queer History." *The American Historical Review* 123, no. 5 (December 1, 2018): 1560–82. <https://doi.org/10.1093/ahr/rhy202>.

Writing Response Assignment Due January 22, 2023 at 11:59 pm:

Topic: Write a one-two paragraph response to Kunzel's "The Power of Queer History." What are the major themes she identifies in queer history? Which of those themes do you find particularly interesting or noteworthy? Which of the areas she discusses would you like to learn more about?

Week 2: The Gay Revolution? Protests, Riots and Change in the late 20th century

Questions for Discussion: We will begin with the classic story of queer history: the “gay revolution” that started with Stonewall and culminated in the marriage equality victory in *Obergefell v. Hodges*. Was this a revolution? What was the period before Stonewall? Why has Stonewall become so mythologized? Who was involved in achieving LGBT rights victories? Is this a story of triumph, of tragedy, of unrealized potential, or of something else?

Monday Class: January 23

Topic: Queer and Trans Liberation

Skills: Reading Academic Books

Reading:

1. Chapter 3, “Transgender Liberation” from Stryker, Susan. *Transgender History: The Roots of Today’s Revolution*. Second edition. New York, NY: Seal Press, 2017.

<https://ebookcentral.proquest.com/lib/berkeley-ebooks/reader.action?docID=680024&ppg=70>

(You’ll have to sign in through Calcentral. If the link doesn’t work you can find an ebook in the library catalog here:

https://search.library.berkeley.edu/discovery/fulldisplay?docid=alma991046086599706532&context=L&vid=01UCS_BER:UCB&lang=en&search_scope=DN_and_CI&adaptor=Local%20Search%20Engine&tab=Default_UCLibrarySearch&query=any,contains,transgender%20history&offset=0)

2. Podcast episode on Bayard Rustin (or feel free to read the transcript if you prefer):

<https://makinggayhistory.com/podcast/bayard-rustin/>

Optional Additional Reading

1. “Gay Liberation” by Whitney Shrub in Don Romesburg, ed. *The Routledge History of Queer America*. Routledge, 2019. <https://www.routledge.com/The-Routledge-History-of-Queer-America/Romesburg/p/book/9780367222796>. (Available as an ebook through the library, about 10 pages)

Wednesday Class: January 25

Topic: LGBT “progress”?

Skills: Assessing Queer History

Reading:

1. “Law and Politics, Crooked and Perverse Narratives of LGBT Progress” by Marc Stein, *Routledge History of Queer America* Note: I’d recommend this book in general (it’s available as an ebook through Library Search) and especially to look at the further reading, it might be helpful for your lit reviews
2. Robinson, Russell. “Marriage Equality and Postracialism.” *UCLA Law Review* 61 (May 1, 2014): 1010–81. Read pages 1012-1032, 1058-1066 and look at the pictures in the appendix

Friday Class: January 27

Topic: Legal Victories, Legal Losses in the 20th century. Also introduction to first assignment

Skills: Reading Court Cases, Using *Oyez*, overview of the federal court system

Reading:

1. Very short overview of important LGBT court cases:

<https://www.glaad.org/amp/beginner-guide-and-brief-history-lgbtq-rights-cases-united-states-supreme-court>

2. *ONE, INCORPORATED, v. OLESEN*, 355 U.S. 371 (1958). Note: The case is just a few sentences <https://supreme.justia.com/cases/federal/us/355/371/>
3. *Baker v. Nelson* 191 N.W.2d 185 (1971) <https://law.justia.com/cases/minnesota/supreme-court/1971/43009-1.html>. Note the Supreme Court refused an appeal. They stated, “The appeal is dismissed for want of a substantial federal question.”
4. Excerpt from *Romer v. Evans* (see google doc)

Writing Response Assignment Due January 29, 2023 at 11:59 pm:

Topic: What topic or topics are you considering for your lit review and/or research paper? What are some research skills or techniques you would like to improve as you work on these papers? What questions do you have for me on these papers, or what advice would you like? These thoughts can be very preliminary and will be ungraded.

Week 3: Criminalization and Incarceration

Topics and Questions for Discussion: This week we will begin discussing how to write a literature review. How do we put articles in conversation with each other? How does a literature review or a historiography discuss different kinds of readings? What gaps exist in the field of queer history? We will also focus especially on readings on criminalization and incarceration: What role has sexuality and queerness played in the history of prisons and incarceration? How does the criminal legal system regulate queerness?

Monday class: January 30: Policing Queer People

Skills: Reading Academic Sources con., Using Research Guides

1. “Introduction” to *Vice Patrol: Cops, Courts, and the Struggle over Urban Gay Life before Stonewall* by Anna Lvovsky (2021)
2. “HIV laws that appear to do more harm than good” by Stephanie Pappas
<https://www.apa.org/monitor/2018/10/ce-corner> (2018)

Topic: What is (and is not) Queer Legal History?

Skills: Writing Literature Reviews, Coming up with the topic for our lit reviews

Reading:

1. Kornbluh, Felicia. “Queer Legal History: A Field Grows Up and Comes Out.” Edited by Margot Canaday, Marc Stein, Sarah Barringer Gordon, George Chauncey, and Elizabeth Lutes Hillman. *Law & Social Inquiry* 36, no. 2 (2011): 537–59.
2. Kunzel, Regina G. "Situating Sex: Prison Sexual Culture in the Mid-Twentieth-Century United States." *GLQ: A Journal of Lesbian and Gay Studies* 8, no. 3 (2002): 253-270. muse.jhu.edu/article/12212.

Optional Reading

Additional Examples of Lit Reviews and Historiographies

1. Donoghue, Emma. “Doing Lesbian History, Then and Now.” *Historical Reflections / Réflexions Historiques* 33, no. 1 (2007): 15–22
2. Vicinus, Martha. “The History of Lesbian History.” *Feminist Studies*, no. 3 (2012): 566.

4. Kunzel, R. "The Flourishing of Transgender Studies." *TSQ: Transgender Studies Quarterly* 1 (May 19, 2014): 285–97. <https://doi.org/10.1215/23289252-2399461>.
5. Beemyn, Genny. "A Presence in the Past: A Transgender Historiography." *Journal of Women's History* 25, no. 4 (2013): 113–21. <https://doi.org/10.1353/jowh.2013.0062>.
6. Rebecca Hickman. "What Is 'Trans History', Anyway?: Historiographical Theory and Practice in a Flourishing Field." *Midlands Historical Review*, April 26, 2021. <http://www.midlandshistoricalreview.com/what-is-trans-history-anyway-historiographical-theory-and-practice-in-a-flourishing-field/>.
7. Sueyoshi, Amy. "Queer Asian American Historiography." *Oxford Handbooks Online*, 2016. https://www.academia.edu/31345592/Queer_Asian_American_Historiography.

Friday Class: February 4

Topic: Incarceration and Prisons con.

Skills: Comparing and Contrasting Academic Articles, Supporting an argument

Reading:

1. Freedman, Estelle. "The Prison Lesbian: Race, Class, and the Construction of the Aggressive Female Homosexual, 1915-1965." *Feminist Studies*, no. 2 (1996): 397.
2. Hicks, Cheryl D. "'Bright and Good Looking Colored Girl': Black Women's Sexuality and 'Harmful Intimacy' in Early-Twentieth-Century New York." *Journal of the History of Sexuality* 18, no. 3 (2009): 418-456. [doi:10.1353/sex.0.0064](https://doi.org/10.1353/sex.0.0064).

Writing Response Assignment Due February 5, 2023 at 11:59 pm:

Topic: We read three different articles this week on the history of prisons and sexuality. Write 1-2 paragraphs comparing and contrasting the articles. Some questions to consider: how did their time periods, subjects (ex. gender, race, type of person they focused on), geographic locations differ? Did they use different kinds of sources? Did they make different kinds of arguments? Did they cite each other or cite the same sources? How do they fill in each other's gaps, or complicate each other's arguments? Which do you find the most compelling?

Week 4: The State and Organized Homophobia

Questions for Analysis: This week we will turn to the state and government bureaucracy as both a site of homophobia and an instigator of homophobia. We will discuss homophobia in the early twentieth century. We will ask: how has the state been involved in creating a "straight state?" What role has the state created in instantiating and furthering homophobia? We will also focus on how to find sources for our literature reviews.

Note: This week is light on reading so you can work on reading for your literature review

Monday class: February 6

Topic: The Administrative State and Heteronormativity

Skills: Finding Sources, Taking Notes, Writing Citations

Reading: Introduction from Canaday, Margot. *The Straight State. Sexuality and Citizenship in Twentieth-Century America*. Politics and Society in Twentieth-Century America. Princeton, N.J. : Princeton University Press, c2009., 2009. (About 15 pages)

Note: This book is a good one to look at for anyone doing 20th century US queer legal history for their projects

Wednesday class: February 8

Topic: Lavender Scare and Homophobia in Government

Skill: Finding Sources, Using the Library

Reading:

1. “These People are Frightened to Death”: Congressional Investigations and the Lavender Scare by Judith Adkins, Summer 2016:

<https://www.archives.gov/publications/prologue/2016/summer/lavender.html>

Optional Background Reading: Johnson, David K. *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government*. Chicago ; London: University of Chicago Press, 2004.

Friday class: February 10

Topic: Analyzing Secondary Sources

Skill: Building a Bibliography, Analyzing Sources

Reading: Pick 2 articles or part of a book from your bibliography and read them for class.

Writing Assignment: Bibliography: February 12 at 11:59 pm.

(No Writing Response Due)

Week 5: Race, Postcolonialism and Queer of Color Critique in Queer History

Questions and Topics for Discussion:

This week we will turn to critical race theory, post and decolonial studies, and the queer of color critique of queer history and queer studies. We will consider: how do we develop an intersectional, feminist and postcolonial approach to queer history? How have racism and homophobia/transphobia shaped each other and influenced each other in US history? We will also consider the role of law in these histories, and how to build upon these critiques in our own work.

Monday Class: February 13

Topic: Critical Race Theory, Queer of Color Critique and Two-Spirit Critiques of Queer History

Skill: Developing critiques of queer history, working towards intersectional critiques

Reading:

Qwo-Li Driskill; DOUBLEWEAVING TWO-SPIRIT CRITIQUES: Building Alliances between Native and Queer Studies. *GLQ* 1 April 2010; 16 (1-2): 69–92.

doi: <https://doi.org/10.1215/10642684-2009-013>

Richardson, M. “No More Secrets, No More Lies: African American History and Compulsory Heterosexuality.” *The Journal of Women’s History* 15(3) 2003: 63– 76.

Wednesday Class: February 15

Topic: Scientific Racism and the History of Sexuality

Skills: Finding Gaps in the Field, Writing a Thesis review

Reading: Somerville, Siobhan. “Scientific Racism and the Emergence of the Homosexual Body.” *Journal of the History of Sexuality* 5, no. 2 (1994): 243–66.

<http://www.jstor.org/stable/3704199>.

Dana Seitler. 2004. "Queer Physiognomies; or, How Many Ways Can We Do the History of Sexuality?" *Criticism*, no. 1: 75.

Friday Class: February 17

Topic: Thinking Forward: Writing Intersectional Queer History

Skill: Writing Topic Sentences, Structuring an Essay

Reading:

Simon D. Elin Fisher; Pauli Murray's Peter Panic: Perspectives from the Margins of Gender and

Race in Jim Crow America. *TSQ* 1 May 2016; 3 (1-2): 95–103.

doi: <https://doi.org/10.1215/23289252-3334259>

Writing Response due February 19 at 11:59 pm:

Please respond to at least one of the readings we read for this week in one to two paragraphs.

Answer one of the following:

1. What did you learn from this reading? What is one useful concept, idea, fact or question you could use for your literature review?

Or

2. What does intersectionality mean to you? What do you think intersectional queer legal history should/could look like?

Week 6: Immigration

Questions and Topics for Discussion: We will build upon our discussions of the state and the role of race/racism in queer history to focus this week on immigration. How have borders become sites of policing and producing sexuality and gender? What is the relationship between immigration history and queer legal history? How have immigrants been stigmatized as gender nonconforming and/or queer?

Monday: No Class. Holiday

Wednesday Class: February 22

Topic: Immigration and Sexuality History

Skills: Doing legal history, Supporting Arguments

Reading: Introduction from Eithne Luibheid, *Entry Denied: Controlling Sexuality At The Border* (2002) (about 20 pages)

Chapter 5, “Managing Masculinity” from Sueyoshi, Amy Haruko. *Discriminating Sex White Leisure and the Making of the American “Oriental.”* The Asian American Experience. Urbana: University of Illinois Press, 2018 (about 20 pages)

Friday Class: February 24

Topic: Immigration and the Construction of Heteronormativity in the 20th Century

Skills: Putting together an essay

Reading: Chapter 1 “Immigration” from Canaday, Margot. *The Straight State. Sexuality and Citizenship in Twentieth-Century America.* Politics and Society in Twentieth-Century America. Princeton, N.J. : Princeton University Press, c2009., 2009. (About 35 pages)

First Draft Due: February 26 at 11:59 pm

(No writing response due)

Week 7: Sex and Sexuality

Questions and Topics for Discussion: This week we will focus on the legal history of same-sex sexual activity, especially the history of sodomy. We will consider: when and how was sodomy regulated throughout the 18th-20th century? How do legal cases involving sodomy use or misuse history? Additionally, what about women and nonbinary people? How was their sexuality regulated?

Monday Class: February 27

Topic: *Bowers v. Hardwick* and *Lawrence v. Texas*

Skills: Reviewing how to read legal cases

Reading: Excerpts from *Bowers v. Hardwick* and *Lawrence v. Texas*

Wednesday Class: March 1

Topic: Legal History of Sodomy

Skills: How to read (and skim!) a law review article

Reading: W.N. Eskridge. "Hardwick and Historiography." *University of Illinois Law Review*, no. 2 (1999): 644

Optional Additional Reading:

Richard Godbeer. "'The Cry of Sodom': Discourse, Intercourse, and Desire in Colonial New England."

Friday Class: March 3

Topic: Primary Sources on the History of Sex

Skills: Introduction to Reading Primary Sources

Reading (Primary Sources)

1. Charles Meymott Tidy. *Legal medicine*. New York, 1882-1884. 342pp. Vol. 3 of 3 (3 vols. available). *American Law: Medical Jurisprudence*.
2. Excerpt from: Woodward, Samuel B. *Hints for the Young in Relation to the Health of Body and Mind*. Boston: G.W. Light, 1840. <https://catalog.hathitrust.org/Record/008628968> (read pages 14-16)
3. "Masturbation." *The Boston Medical and Surgical Journal* (1828-1851); Boston Vol. 27, Iss. 6, (Sep 14, 1842): 102

Writing Response due March 5 at 11:59 pm:

Respond to at least one of the readings that we read for this week in one to two paragraphs. How does that source define sodomy and/or masturbation? What is the role of gender and sexuality in this definition? What surprised you or interested you about it?

Week 8: Transgender History: Part 1

Questions for Discussion: For the next two weeks we will be reading one history book in full, Clare Sears's *Arresting Dress*. We will be considering: what is trans history? What is gender? What is sex? How have laws regulated or tried to regulate gender and gender nonconformity? How do disability, class, race and gender intersect with trans history?

Monday Class: March 6, 2023

Topic: Introduction to Trans history

Skill: How to Read a History Book

Reading: Introduction and Chapter 1 of Sears, Clare. *Arresting Dress: Cross-Dressing, Law, and Fascination In Nineteenth-Century San Francisco*. Perverse Modernities. Durham: Duke University Press, 2015.

Wednesday Class: March 8, 2023

Topic: Bodies, Disability and Passing in Trans History

Skill: Revision, Intersectional Analysis continued

Reading: Chapter 2-3 of *Arresting Dress*

Excerpt from *Running a Thousand Miles to Freedom* by William Craft (primary source)

<https://docsouth.unc.edu/neh/craft/craft.html>

The whole source is interesting, but focus on pages: 1-2, 29-36, 42-44, 79-81

Friday Class: March 10, 2023

Topic: Revising our Drafts

Skill: Editing, Trans-Inclusive Language

Reading: No reading, work on your papers or catch up on *Arresting Dress*

Final Draft Due of Literature Review Due March 12 at 11:59 pm

(No writing response due)

Week 9: Transgender and Intersex History Part 2:

Questions and Topics for Discussion:

We will continue our discussion of trans history this week and also spend a day on intersex history. How have race and immigration shaped trans history and vice versa? What is the relationship between trans and intersex history? We will also be working on finding primary sources. What methods do we use to do trans history? How do we develop a research question? How do we find sources?

Monday Class: March 13

Topic: Trans History Methods and Crossdressing Law

Skill: Developing a research question, using newspaper databases

Reading: Chapter 4-5 of *Arresting Dress*

Wednesday: March 15

Topic: Race and Immigration in Trans History

Skill: Using newspaper records con.

Reading: Chapter 6 and Conclusion of *Arresting Dress*

Friday: March 17

Topic: Intersex History

Skills: Finding databases for our research, problem-solving research

Reading: Chapter 3 from Gill-Peterson, Jules. *Histories of the Transgender Child*. Minneapolis: University of Minnesota Press, 2018. Note this is a difficult reading, you can focus on the first 8 pages.

Brown, Kathleen. “‘Changed... into the Fashion of Man’: The Politics of Sexual Difference in a Seventeenth-Century Anglo-American Settlement.” *Journal of the History of Sexuality* 6, no. 2 (1995): 171–93. <http://www.jstor.org/stable/3704121>.

Assignment: Topic for research paper due March 19 at 11:59 pm (one paragraph description with research question)

(No writing response due)

Week 10: Family and Relationships Part 1

Questions and Topics for Discussion: We will spend the next two weeks on the legal history of queer and trans families. How did queer people form relationships, families, marriages and friendships in the 19th and 20th century? How do we learn about these relationships? What were the various legal responses to these relationships? How do we “queer” the history of the family?

Monday class: March 20

Topic: Romantic Friendships

Skills: Review of reading letters, finding letters and diaries, evaluating secondary sources

Reading:

Hansen, Karen V. "No 'Kisses 'Is Like Youes": An Erotic Friendship Between Two African-American Women During the Mid-Nineteenth Century." *Gender & History* 7, no. 2 (August 1995): 153–82.

Frances Willard Diary Excerpts

Read a few of these letters: <https://rictornorton.co.uk/dearboy.htm>

Wednesday class: March 22

Topic: Queer Marriage part 1

Skills: Reading court cases review, finding court cases

Reading:

Cleves, Rachel Hope. "'What, Another Female Husband?': The Prehistory of Same-Sex Marriage in America." *The Journal of American History* 101, no. 4 (2015): 1055–81.

Excerpt from *Obergefell v. Hodges*

Friday class: March 24

Topic: Trans Marriages

Skills: Researching an individual

Reading:

Excerpt from Skidmore, Emily. *True Sex: The Lives of Trans Men at the Turn of the Twentieth Century*. New York: New York University Press, 2017. (Introduction and sections on Murray Hall and Ralph Kerwinieo: pages 1-14, 71-79, 116-127)

Note: Be sure to at least skim the footnotes too

Preliminary Bibliography due March 26 at 11:59 pm (at least 5 sources)

SPRING BREAK (March 27-March 31)

Week 11: Family and Relationships Part 2

Questions and Topics for Discussion: For our second week we will move beyond marriages to think about other kinds of queer relationships. How did queer relationships interact with people's male/female marriages and relationships? What were other kinds of queer unions? What is the history of queer parenting, child custody and other kinds of parental relationships?

Monday class: April 3

Topic: Various Meanings of Queer Marriage, Queerness in Relationship to Marriage

Skill: Reading different kinds of sources, putting sources in conversation with each other

Reading:

Abraham Lincoln poem about same-sex marriage: <https://aksarbent.blogspot.com/2011/11/1829-poem-about-gay-marriage-by-abraham.html>

Excerpt from "Queering the Archive: Re-Examining Narratives of Chattel Slavery" by Candice Lyons (2022). Please read pages 168-180

AMY SUEYOSHI. "Intimate Inequalities: Interracial Affection and Same-Sex Love in the 'Heterosexual' Life of Yone Noguchi, 1897–1909." *Journal of American Ethnic History* 29, no. 4 (2010): 22–44. <https://doi.org/10.5406/jamerethnhist.29.4.0022>.

Wednesday class: April 5

Topic: Queer Parenting and Child Custody

Skills: Using Hein Online, finding legal history sources

Reading: Chapter 3 from Rivers, Daniel Winunwe. *Radical Relations: Lesbian Mothers, Gay Fathers, and Their Children in the United States since World War II*. Gender and American Culture. Chapel Hill: University of North Carolina Press, 2013.

Read *Pavan v. Smith* (the entire opinion and dissent, it's not very long)

Friday class: April 7

Topic: Queer Families con.

Skill: Analyzing and writing about primary sources

Reading:

Primary Sources on *Merritt v. Swimley* (Sources tbd)

Writing Response due April 9 at 11:59 pm:

Pick one of the primary sources we read for this week. Write a 1-2 paragraph analysis of the source. Consider some of the following questions: What did you find funny, surprising, moving, weird, upsetting or sad about the source? What can we learn about this person, time period, place, or event from this source? What questions do you still have about this person/place/event/time period? What are some ways you might be able to answer them? If you think that this piece could be useful for your research paper, how would it be useful?

Week 12: Queer Feminism, Queer Activism

Questions and Topics for Discussion: This week we will discuss the role of queer and trans people in various activist movements, especially suffrage, AIDS activism and feminism. We will consider: how have queer people shaped social and activist movements? What is the history of both transness and transphobia within feminist movements?

Monday Class: April 10

Skill: Reading life writing and wills

Topic: Queer Suffragists and Feminists

Reading:

1. Susan B. Anthony Letters to Anna Dickinson <https://crowd.loc.gov/campaigns/anna-e-dickinson-papers/dickinson-general-correspondence/mss184240089/mss184240089-83/> (Read pages 78-82)

2. Alice Dunbar-Nelson Letters (transcripts to come)

3. Alice Stone Blackwell and Kitty Blackwell: Letters

<https://crowd.loc.gov/campaigns/blackwells-extraordinary-family/kitty-barry-blackwell-family-correspondence/mss1288001500/mss1288001500-4/> (read pages 4-13)

4. Emily Blackwell will transcription to come

Wednesday Class: April 12

Topic: AIDS Activism

Skill: Using Research Guides, Asking for Help on Our Research

Reading:

1. Excerpt from Royles, Dan. *To Make the Wounded Whole: The African American Struggle against HIV/AIDS*. Justice, Power, and Politics. Chapel Hill: The University of North Carolina Press, 2021 (Introduction and Chapter 7)

Friday Class: April 14

Topic: Trans Feminism and TERFS. We will read the Transfeminist Manifesto in class.

Skill: Reading activist writings, making our work Transfeminist

Reading:

1. Williams, Cristan. "Radical Inclusion: Recounting the Trans Inclusive History of Radical Feminism." *TSQ: Transgender Studies Quarterly* 3, no. 1–2 (May 1, 2016): 254–58.
<https://doi.org/10.1215/23289252-3334463>.
2. Koyama, Emi. "Whose Feminism Is It Anyway? The Unspoken Racism of the Trans Inclusion Debate." *The Sociological Review* 68, no. 4 (July 1, 2020): 735–44.
<https://doi.org/10.1177/0038026120934685>.

Writing Response due April 16 at 11:59 pm: Write a one to two paragraph response. What does trans and intersectional feminism mean to you? How could you incorporate some of these feminist ideas into your research for this class? How could you incorporate them into your life, research, academics, classes outside of this class?

Week 13: LGBT Rights in the 21st Century

Questions and Topics for Discussion: For our second to last week we will discuss the present and future of LGBT rights. What are some future directions for LGBT rights in areas like

employment law and families? What tactics are homophobic organizations using to suppress queer and especially trans rights? Where do we go from here?

Monday Class: April 17

Skill: Using evidence to support an argument, putting together a paper

Topic: First Amendment and LBGT Rights

Reading: *Masterpiece Cakeshop v. Colorado*

Read full opinion: <https://supreme.justia.com/cases/federal/us/584/16-111/#tab-opinion-3910082>

Wednesday Class: April 19

Topic: Future of Trans Rights?

Skill: Writing transitions, writing introductions and conclusions

Reading: *Bostock v. Clayton County*

Friday Class: April 21

Topic: Future of Queer History?

Skill: Revision, talking about our work

Reading: No Reading. Work on Your Papers.

Assignment: First Draft of Paper due April 23 at 11:59 pm

Week 14: Final Week

Topic: The last week will be wrap up and presentations.

Monday Class: April 24

Topic: Presentations

Wednesday Class: April 26

Topic: Presentations

Friday Class: April 28

Topic: Presentations and Final Day

Assignment: Final Paper due May 8 at 11:59 pm

Plagiarism:

“Broadly understood, plagiarism is the presentation of another’s words or ideas as one’s own without attributing the proper source. Plagiarism includes copying material from books and journals, as well as taking material from the Internet. Plagiarism also includes privately purchasing or obtaining papers from others, which one then presents as one’s own. Any material taken word-for-word from another source must be (a) placed in quotation marks and (b) footnoted or cited within the text. You can use ideas and information from other authors without directly quoting from them, but you must acknowledge them in your footnotes or parenthetical documentation. Any student discovered to have committed plagiarism will see that reflected in their final grade and may be referred to the Office of Student Conduct for disciplinary action.” (from Melissa McCall’s syllabus).

If you are concerned about whether you are properly citing something, you are always welcome to ask me.

Mandatory Reporter

As a GSI, I am a mandatory reporter. This means if you come to me and tell me about an incident of assault or harassment, I am legally required to report it. If you wish to speak to someone confidentially please contact:

The Confidential Care Advocate:

Hotline: 510-643-2005, to schedule appointments: 510-642-1988

Social Services Branch of the Tang Center:

510-642-7074, 855-817-4667 (after hours emergency). Tang Center therapists provide counseling to survivors of sexual harassment and violence. Note that Tang Center doctors are required to report violent injuries.

If you wish to tell me of personal concerns that don't involve harm or assault, I will keep them entirely confidential unless I have your permission to do otherwise.

Other Resources:

Disabled Students 'Program (DSP)

260 Cesar Chavez Student Center, University of California, Berkeley

642-0518, <http://dsp.berkeley.edu>

The DSP serves students with disabilities of all kinds, including mobility, visual, or hearing impairments; speech impairments; chronic illnesses such as AIDS, diabetes, and lupus; seizure disorders; head injuries; painful conditions such as back injuries and carpal tunnel syndrome; psychological disabilities such as bipolar disorder and anxiety or depression; attention deficit disorder; and learning disabilities. Services are individually designed and based on the specific needs of each student as identified by DSP's specialists. The Program's official website includes information on DSP staff, UC-Berkeley's disabilities policy, application procedures, campus access guides for most university buildings, and portals for students and faculty/proxy respectively.

Student Learning Center (SLC)

642-9494, <http://slc.berkeley.edu>

As the primary academic support service for students at the University of California, Berkeley, the SLC assists students in transitioning to Cal: navigating the academic terrain; creating networks of resources; and achieving academic, personal, and professional goals. Through various services including tutoring, study groups, workshops and courses, SLC supports students in Biological and Physical Sciences, Business Administration, Computer Science, Economics, Mathematics, Social Sciences, Study Strategies, and Writing.

Student Life Advising Services (SLAS)

642-4257, <http://slas.berkeley.edu>

SLAS is an academic counseling/advising service that assists all undergraduate students, with a primary focus on Education Opportunity Program students and students who participated in outreach programs. The SLAS office assists students in counseling/advising on academic, personal, and social matters.

Ombudsperson for Students

102 Sproul Hall

642-5754

The Ombudsperson for Students provides a confidential service for students involved in a University-related problem (either academic or administrative), acting as a neutral complaint resolver and not as an advocate for any of the parties involved in a dispute. The Ombudsman can provide information on policies and procedures affecting students, facilitate students' contact with services able to assist in resolving the problem, and assist students in complaints concerning improper application of University policies or procedures. All matters referred to this office are held in strict confidence. The only exceptions, at the sole discretion of the Ombudsman, are cases where there appears to be imminent threat of serious harm.

Tang Center Counseling and Psychological Services

2222 Bancroft Way

642-9494, <http://uhs.berkeley.edu>

The UHS Counseling and Psychological Services staff provides confidential assistance to students managing problems that can emerge from illness such as financial, academic, legal, family concerns, and more. In the realm of sexual harassment, UHS coordinates

education programs, crisis counseling, advocacy, and medical care for women and men who have been harassed or assaulted (Tang Center, 2222 Bancroft Way: Prevention, 642-7202; Victim Assistance and Counseling, 642-6047; Counseling Services, 642-9494; Medical Care, 642-3188).

The Tang center also has resources for LGBTQ students

Resources for LBGTQ+ Students

geneq.berkeley.edu: 202 Cesar Chavez Student Center #2440

The Gender Equity Resource Center has resources for LGBTQ students (as well as women and people experiencing sexual and dating violence).

<https://uhs.berkeley.edu/trans>: Transgender Health Services (both medical and counseling)

If you would like more resources, please let me know and I will do my best to assist you.

Note: Syllabus adapted from Melissa McCall's, Bonnie Cherry's, and Elias Lawliet's syllabi