SOC 325 — SEXUALITY AND THE LAW

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Classroom: PAS 2083
Office Hours: Wednesday 2:00-4:00, Thursday, 1:00-2:00, or by appointment

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Office Hours: Thursday 2:00-3:00

COURSE GOALS AND LEARNING OUTCOMES

Why are certain sexual behaviours interpreted as a violation of social norms?
Why do societal responses tolerate, prevent, or control only certain types of sexual behaviour?

Upon completion of this course, students should be able to:

A. Frame arguments about the social construction of sexual behaviour.
   1. Identify and assess definitions, preconceptions, and the historical context for the interpretation of “normal” sexual behaviour.
   2. Assess “sexuality” and “law” as a social construction that creates structure and moralistic definitions of acceptable and unacceptable sexual conduct.

B. Categorize micro and macro factors associated with criminalised sexual behaviour.
   3. Distinguish the major theoretical approaches to understanding deviant sexual behaviour.
   4. Compare and synthesize concepts and motivations associated with different types of sexual conduct defined by society as unacceptable.

C. Conceptualize sexual behaviour and the law within a system of motives.
   5. Assess the efficacy and applicability of societal responses to criminalised sexual behaviour.
   6. Understand the progression in severity as socially defined versus codified in law.
Course Description

“Normal” and deviant behaviour are socially constructed through shared meanings and norms within society. In much the same way, laws are also a social construction which are established to institute structure, order, and often moralistic definitions on acceptable and unacceptable conduct.

In this course, we will conceptualise sexual behaviour and the law within a system of motives (words and justifications). As stated by C. Wright Mills, “vocabularies of motives ordered to different situations stabilize and guide behaviour and expectation of the reactions of others” (1940: 911). Any type of norm violating behaviour, including sexual behaviour, is socially interpreted. We will examine various social, moral, and legal responses to types of sexual behaviours within the context of the laws that have been socially constructed to control and regulate these types of behaviours.

We will work towards understanding societal responses to sexuality by examining strategies that are used to prevent, eliminate, or control certain types of sexual behaviour. In this vein, we will discuss social constructionism, theories of sexual deviance, the history of societal views towards sexuality, shifting definitions of “normal” sexual behaviour, and do so with a concentrated focus on certain types of criminalised sexual behaviour (e.g. human trafficking for sexual purposes, pornography, incest, sexual assault, and sexually motivated homicide). Throughout the course, particular attention will be paid to understanding these sexual behaviours and societal responses from a social constructionist perspective.

Disclaimer: This course will discuss some very sensitive and disturbing subject matter. I will be challenging your preconceptions and understanding of the aetiology of both minor and very dangerous sex crimes. Given this subject matter, there is a possibility that certain theories, typologies, and topics may cause you personal discomfort due to past experiences. I am very cognizant of this but firmly adhere to the principle of presenting this material in an unbiased and respectful manner. It is only by discussing these issues that we gain power through knowledge. Please do not hesitate to contact me if you anticipate or experience difficulties with the subject matter. Your communication with me will be confidential and I will do my best to assist you.
**Required Textbook**


**Readings Available on Learn**


**Course Requirements and Assessments**

This course contains three different methods of evaluation: term tests, small group in-class assignments, and an applied term paper.

All components are **required** for course completion. The breakdown of the final grade is as follows:

<table>
<thead>
<tr>
<th>Component</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Small group assignments</td>
<td>10%</td>
</tr>
<tr>
<td>Term Test #1</td>
<td>30%</td>
</tr>
<tr>
<td>Term Test #2</td>
<td>30%</td>
</tr>
<tr>
<td>Applied term paper</td>
<td>30%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
</tr>
</tbody>
</table>
**Term Tests – Each worth 30% of the final grade (total of 60%)**

Two term tests are scheduled that cover approximately four weeks of course material each. Students are responsible for all assigned readings as well as material covered during lectures. Each term test will consist of multiple choice questions (75%) and short answer questions (25%) and is graded out of 60. Each term test includes a bonus question. Any marks for this bonus question will be added to your total score out of 60.

- **Test #1** – Week 5 (February 2) – Covers material from Weeks 1-4
- **Test #2** – Week 10 (March 15) – Covers material from Weeks 6-9

**Small Group Assignments – 10% of the final grade**

There will be one small group in-class assignment each week (ten in total). You will be asked to work in groups of two to four students. The task at hand will be to apply legal and theoretical concepts discussed in readings and lecture within a guided activity. These are intended to reinforce course material, reduce the reliance on memorization, facilitate conceptual synthesis, and create an opportunity for collaborative learning. Class time will be allocated for the group work and these are to be handed in at the end of the class period. Each student participating within a group will receive equal credit for their contributions. The small group work will be graded on a check minus, check, check plus grading scheme.

<table>
<thead>
<tr>
<th>Grade</th>
<th>Description</th>
<th>Points</th>
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</thead>
<tbody>
<tr>
<td>Check plus</td>
<td>The assigned case study was completed with all of the associated questions addressed. Answers were supported with material from the course.</td>
<td>3 points</td>
</tr>
<tr>
<td>Check</td>
<td>The assigned case study was completed with all of the associated questions addressed. Responses did not adequately apply the course material.</td>
<td>2 points</td>
</tr>
<tr>
<td>Check minus</td>
<td>Incomplete submission with either unanswered questions or little to no application of course material.</td>
<td>1 point</td>
</tr>
<tr>
<td>Absent</td>
<td>Student was not in class to complete the small group assignment.</td>
<td>0 points</td>
</tr>
</tbody>
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To allow for unavoidable absences and the possibility of not doing well on one or more small group assignments, the 10% portion of the final grade will be calculated based on the 8 highest point values. For example, if a student scored 3 points for 7 small group assignments, 1 point on one of them, and missed the remaining 2 – the total point value would be 22/24 or 92%. It would not be calculated as 22/30 or 73%.

**Applied Term Paper – 30% of the final grade**

The final grading component is the submission of a term paper. The term paper is to be a minimum of five (5) pages to a maximum of ten (10) pages, plus references. In-text citations and the reference list must conform to either the ASA (American Sociological Association) or the APA (American Psychological
Association) formatting guidelines. Material from the course plus 3-5 additional outside scholarly resources are required. If unsure, please confirm the acceptability/suitability of internet sources.

Students can choose one of the ten predefined topics below or propose an alternate topic. **Term papers that do not use one of the predetermined topics MUST be approved in writing by the teaching assistant or professor no later than Thursday, March 8th (Week Nine). Receiving topic approval is mandatory to ensure each student has a clear understanding of the expectations for the paper. Unapproved alternate topics will receive a grade of zero.** Term papers are due in the TurnItIn drop box no later than Thursday, March 29th at 5:00 p.m. (Week Twelve).

**Applied term paper questions:**

1) How would the legalization (or decriminalization) of prostitution impact the sex industry in general? Also consider the possible impact on trafficking of women and children for purposes of sexual exploitation?

2) Choose two nuisance sexual behaviours and discuss the aetiology of the behaviour and why we as a society should or should not control these behaviours by invoking the law.

3) Culturally, we view incest as despicable. Why? Why does it occur? What are some possible societal responses that would help to reduce the prevalence of incest?

4) Compare and contrast the social construct of sexual conduct with children from the viewpoint of the law versus the organizations that advocate legalizing these behaviours.

5) The media described Colonel Russell Williams as a “serial killer like none ever seen” (Toronto Start, 09 October 2010, p. A25). What position do you take, and why? Given what you have learned in the course and from related research, what questions remain unanswered?

6) Does exposure to pornography and sex on the internet increase the likelihood of committing sex crimes? Why or why not?

7) How is a sex offender defined as “dangerous”? Why? Discuss the implications of this designation for rehabilitation and recidivism.

8) Is rape a sexual crime or a crime of violence? Provide theoretical support and examples for each position.

9) Are approaches such as sex offender registries appropriate? What are the arguments for and against sex offender registries? Are they effective for rehabilitating sex offenders and reducing the likelihood of recidivism?

10) What is the social construction of sexual orientation both historically and at the present time? Consider issues of discrimination, same sex marriage, and same sex child custody/adoption.
** IMPORTANT NOTIFICATION **

PLAGIARISM DETECTION SOFTWARE (TURNITIN) WILL BE USED TO SCREEN ASSIGNMENTS IN THIS COURSE. THIS IS BEING DONE TO VERIFY THAT USE OF ALL MATERIAL AND SOURCES IN ASSIGNMENTS IS DOCUMENTED. IN THE FIRST WEEK OF THE TERM, DETAILS WILL BE PROVIDED ABOUT THE ARRANGEMENTS FOR THE USE OF TUNRITIN IN THIS COURSE.

You must submit an electronic copy to TurnItIn and a paper copy in class on March 27, 2012. *If you do not wish to have your paper screened, you must provide an annotated bibliography for all sources referenced in the term paper and notify me by email no later than March 20th (Week Eleven).*

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*Make-Up Policy*

If a student misses one of the term tests or fails to submit an applied term paper, the make-up is held during the final examination period. No documentation, medical or otherwise, is required to take the final exam if a student receives a zero for Term Test #1, Term Test #2, or the term paper.

*Final Exam*

The final exam is open to all students but is not required if a student has completed Term Test #1, Term Test #2, and submitted a term paper. *If any student has missed one of the above components, the final exam grade will replace the grade of zero received for the other course components.* For all other students, if you are dissatisfied with the grade for one of these components you can opt to take the final exam and the highest grade will be used in calculating the final grade for the course. Stated differently, the three highest grades from Term Test #1, Term Test #2, the applied term paper, and the final exam will be used in calculating your final grade for the course. The final exam consists of short answer and short essay questions that cover readings and lecture material from the entire course.

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**Course Outline**

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<th>Week</th>
<th>DATE</th>
<th>TOPIC</th>
<th>READINGS DUE</th>
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</table>
| One  | January 5 | Introduction  
Review syllabus  
Defining “sexuality” and the “law”  
Small Group Assignment #1 | No assigned readings |
| Two  | January 12 | Theory: Social constructionism  
Small Group Assignment #2 | Chenier (2003)  
Maines (2000)  
Miner (1956) |
| Three | January 19 | Historical perspectives on sexuality  
Small Group Assignment #3 | H & H, Chapter 3  
Black (1983) |
| Four | January 26 | Theories of sexual deviance  
Definitions of “normal” sexual behaviour  
Small Group Assignment #4 | H & H, Chapter 2  
H & H, Chapter 1 |
Five February 2  **Term Test #1**

Six February 9  The application of societal definitions
Topics: Human trafficking
Commercial sexual exploitation

*Small Group Assignment #5*

Seven February 16  Nuisance sex behaviours
Topics: Paraphilias
Prostitution

*Small Group Assignment #6*

February 23  **No class – Reading week 😊**

Eight March 1  Governing sexuality with children
Topics: Incest
Pedophilia

*Small Group Assignment #7*

Nine March 8  Child pornography, pornography, and sex
on the internet

*Small Group Assignment #8*

Ten March 15  **Term Test #2**

Eleven March 22  Sexual assault
Topics: “Rape”
Victimization

*Small Group Assignment #9*

Twelve March 29  Extreme sexual practices
Topics: Dangerous sex crimes
Sexually motivated homicide

*Small Group Assignment #10*

**Applied term paper due**

**Final examination**
Date to be confirmed when available

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**Policies and Notifications**

**Attendance Policy:** I strongly encourage students in my courses to attend all class sessions and actively participate during lectures despite the large class size. I apply material covered in your readings and from lecture using discussions and small group work. Although I post my PowerPoint presentations on Learn, you will actively engage with the course material greatly reducing the need to memorize material.
for term tests and the final exam. Thus, class attendance is an important component of this active learning process. If you find that you cannot attend class due to personal or logistical reasons, it is your responsibility to obtain missed lecture material from other students in the class.

**Academic Integrity:** In order to maintain a culture of academic integrity, members of the University of Waterloo community are expected to promote honesty, trust, fairness, respect, and responsibility in their actions and words.

**Discipline:** A student is expected to know what constitutes academic integrity, to avoid committing academic offences, and to take responsibility for his/her actions. A student who is unsure whether an action constitutes an offence, or who needs help in learning how to avoid offences (e.g., plagiarism, cheating) or about “rules” for group work and collaboration should seek guidance from the course professor, academic advisor, or the Undergraduate Associate Dean. When misconduct has been found to have occurred, disciplinary penalties will be imposed under Policy 71 – Student Discipline. For information on the categories of offences and the types of penalties, students should refer to Policy 71 – Student Discipline, [http://www.adm.uwaterloo.ca/infosec/Policies/policy71.htm](http://www.adm.uwaterloo.ca/infosec/Policies/policy71.htm).

**Grievance:** A student who believes that a decision affecting some aspect of his/her university life has been unfair or unreasonable may have grounds for initiating a grievance. For more information, please refer to Policy 70 – Student Petitions and Grievances, Section 4, [www.adm.uwaterloo.ca/infosec/Policies/policy70.htm](http://www.adm.uwaterloo.ca/infosec/Policies/policy70.htm).

**Appeals:** A student may appeal the finding and/or penalty in a decision under Policy 70 – Student Petitions and Grievances (other than regarding a petition) or Policy 71 – Student Discipline if a ground for an appeal can be established. Read Policy 72 – Student Appeals, [http://www.adm.uwaterloo.ca/infosec/Policies/policy72.htm](http://www.adm.uwaterloo.ca/infosec/Policies/policy72.htm).

**Academic Integrity website (Arts):** [http://arts.uwaterloo.ca/arts/ugrad/academic_responsibility.html](http://arts.uwaterloo.ca/arts/ugrad/academic_responsibility.html)

**Academic Integrity Office (UW):** [http://uwaterloo.ca/academicintegrity/](http://uwaterloo.ca/academicintegrity/)

**Accommodation for Students with Disabilities:** The Office of Persons with Disabilities (OPD), located in Needles Hall, Room 1132, collaborates with all academic departments to arrange appropriate accommodations for students with disabilities without compromising the academic integrity of the curriculum. If you require academic accommodations to lessen the impact of your disability, please register with the OPD at the beginning of each academic term.

**Cross-listed course:** Please note that a cross-listed course will count in all respective averages no matter under which rubric it has been taken. For example, a PHIL/PSCI cross-list will count in a Philosophy major average, even if the course was taken under the Political Science rubric.

**Electronic Device Policy:** Within a class of this size, all cell phones and electronic devices must be silenced during the class period to minimize the disturbance for other students. Due to the volume of material I cover in lecture, I do not object to the use of laptops or other devices to take notes during class but please ensure that you have disabled the sound.