

WOMGEN 1310
Transgender Rights and the Law: Assumptions and Critiques
Mondays, 6 – 7 PM, 7:30 – 8:30 PM ET

“The law means what it means to those subject to it.” – Julia Hernandez

“Every breath a black trans person takes is an act of revolution.” – Lourdes Ashley Hunter

Lecturer Kendra Albert

kalbert@law.harvard.edu

Pronouns: they/them

Teaching Fellow Siobhan Kelly

siobhankelly@g.harvard.edu

Pronouns: they/them

Highlights:

- There is no required textbook or purchased material for this course.
- Class will be synchronous, meeting on Monday nights ET for two one-hour chunks, with a half hour break in the middle.
- Grading is primarily based on a small number of short written assignments, a flexible end of semester project, pre-class questions/comments, and in-class participation.
- No legal background is required for this class but students will be expected to do pre-reading if they do not have a background in transgender experiences.
- I'm so excited to be learning with y'all! 😊

Class Objectives:

1. Discuss doctrinal approaches to constructing gender identity and combatting discrimination as well as how such approaches have been used as hooks for transgender advocacy.
2. Critique the assumptions around gender found in law and explore how they do or don't reflect the experiences of trans, non-binary, and gender-nonconforming people.
3. Develop a set of questions that allow students to apply feminist critiques to legal and policy interventions.
4. Create community for students to center trans voices.

Course Description:

How does American law treat transgender, genderfluid, nonbinary, agender, and gender-nonconforming people? What assumptions about gender operate in legal doctrines, and how do these assumptions interact with the lives of transgender people, especially those at the intersection of multiple axes of oppression?

This seminar will discuss contemporary cases involving transgender rights, as well as historical cases where the rights of transgender litigants were directly or indirectly contested. Readings will incorporate case law, sociological perspectives, critical race studies, feminist theory, and direct first-person narratives. By looking at law through the lens of transgender experiences, the class will critique legal assumptions about gender and reflect upon how law as a whole could be made less cis-normative.

Grading & Assignments:

Assignment	Due	Total Percentage
In-Class Participation* (10 sessions)	In class	20 %
Pre-Class Comments (10 comments)	12 PM EST before each class	5 %
Comment Retrospective	December 3, 2020	5 %
Describe Assignment (x2)	October 2, 2020 December 3, 2020	20 %
Apply Assignment	October 23, 2020	10 %
Repair/Reimagine Assignment	November 20, 2020	15 %
Capstone Project*	December 20, 2020	20 %
Flex Grading (categories with a * are eligible)	Preference submission due by October 2, 2020	5 %

Assignments are discussed in more depth in the various assignment pages on the Canvas site.

Pre-Class Questions/Comments

Submit to the seminar's Canvas website one short question or comment on the readings before class. Please don't feel like you need to write too much – two to three sentences is fine. Pre-Class Questions or comments are graded on completion, not on content. However, you will be asked to reflect upon your comments and pick some for more content-based grading below. You may miss up to two responses without penalty.

Comment Retrospective

At the end of the semester, you will be asked to pick three of your pre-class questions/comments and reflect upon them in an 500 word essay. More details are available on the assignment page.

In-Class Participation

You will be required to participate in class discussions. Participation is judged based on both quantity and quality. When I say quantity, I do not mean that speaking more is always better. Instead, your goal should be to participate a proportionate amount to the number of students in the class. This means stepping back if you are used to talking a lot and stepping up if you do not usually speak. High quality participation builds on and relates to the comments of other students as well as integrating the readings. I will drop your two lowest participation grade days.

Flex Grading

Different students are most excited to participate in class in different ways. There is an extra 5% of your grade for you to apply to either in-class participation or the capstone project. It means that whatever you pick determines more of your final grade for the class. You must make a decision by October 2, 2020 as to which you would like it to apply – if you don't, I will add it to in-class participation.

Extension Policy

You can and should ask for extensions on assignments if you need them. You must request the extension before the due date, unless the circumstances make that truly impossible (i.e., internet outage, medical emergency). We will come to a mutual decision about extension length.

Classroom Policies:

Online Participation & Attendance

Cameras are not required, but are preferred. Feel free to eat and drink on camera. During class time, I would ask you to minimize other distractions.

Please notify me via email before class if you will be absent. If you are not able to notify me before class, please do so as promptly as possible.

I understand that illness and other unforeseen circumstances occur, but every attempt should be made to attend class, especially given the small number of sessions.

Office Hours

My office hours are by appointment – you can make an appointment using my Calendly link (available on Canvas). **Every student is required to schedule two appointments per semester – at least one in the first three weeks, and one at any point after that.** What can you do in office hours?

- Ask questions about the substance of the class. (Questions can be about particular cases or topics, or about how the subject generally fits together.)
- Work through an issue you're confused about by talking through it with me.
- Discuss something we talked about in class further.
- Get advice on a writing project (class-related or not).
- Talk about careers. Or frankly, most anything else.

If you know what you want to talk about in advance, it's great to send me a note that explains the general topic, so I can do any necessary prep.

Accessibility

Harvard College is dedicated to facilitating equal access for students with disabilities and to cultivating a campus culture that is sensitive and responsive to the needs of students.

To request an accommodation for a disability during the course, students should contact the Accessible Education Office at aeo@fas.harvard.edu. Additional information, including advice about how to register for accommodations, can be found at <https://aeo.fas.harvard.edu/students/register>.

Even outside of the context of accommodations, if there's something I can do to make your learning easier, please let me know.

Names and Pronouns

If you go by a different name or set of pronouns than the one under which you are officially enrolled, please inform me. Likewise, if a classmate (or the instructor) mispronounces your name, please let them know so they can correct it. Students are expected to respectfully refer to each other by preferred, correctly pronounced names and pronouns during class discussions.¹

Basic Needs and Childcare

If you face challenges securing your food or housing (which would, of course, affect your performance in the course), I urge you to contact your Resident Dean for support. Furthermore, please notify me if you are comfortable in doing so. This will enable me to provide any resources that I may possess.²

I understand that during the pandemic, you may have additional family obligations that require you to provide care for those around you. Newborns are welcome in class (and breastfeeding is entirely appropriate, if applicable). For older children and babies, please discuss with me in advance.

Citation

¹ This name and pronoun policy is adapted from Adrienne Keene's Introduction to Critical Race Theory Syllabus, available at <https://blogs.brown.edu/amst-2220j-s01-2017-fall/syllabus/>.

² Basic Needs statement is adapted from Sara Goldrick-Rab, *Basic Needs Security and the Syllabus*, <https://medium.com/@saragoldrickrab/basic-needs-security-and-the-syllabus-d24cc7afe8c9>.

Citation is political. In the words of Rigoberto Lara Guzmán and Sareeta Amrute, “It is powerful to recognize that the people we usually think of as ‘research subjects’ are theorists in their own right.... Citation is a way of showing who you are and where you are going.”³ Additionally, it is endemic in trans scholarship that transgender people are not credited for their ideas and/or written about while not being cited.

Therefore, citation in this class is not just a matter of following the honor code and/or showing that you did the reading. (Although those things are important.) It is a matter of acknowledging our transgender, gender non-conforming, queer ancestors, whose lives our work rests upon. It is also about acknowledging the brilliance of our community. If you build substantively off of another student’s point in class, whether in speaking or in writing, you are expected to acknowledge them.

You have two options for citation styles for this course: Chicago Style and the Bluebook, the preferred legal citation system. Unfortunately, the official citation guide for the Bluebook is not open access. However, [Baby Blue](#), an open source implementation, should serve you just fine.

Independent of which one you choose, you are expected to “pincite” your sources. [Pincite](#) is a term from legal citation that refers to including the specific page upon which you found a particular quote or idea. It is very helpful for readers because it allows them to trace the lineage of your thoughts and follow along. I prefer you Bluebook any case citations, and am happy to talk to you about how to do that.

With all that being said, the boilerplate of the official College policy is below.

*Academic Honesty and Collaboration*⁴

Academic dishonesty will not be tolerated in this class in any form. It is your responsibility to familiarize yourself with Harvard’s Honor Code, as well as with the College’s rules on academic integrity, including rules on dual submission and the definition of plagiarism. If you plagiarize or engage in other forms of intellectual or personal dishonesty, you will fail this course. Please consult with The Harvard Guide to Using Sources, as you will be held responsible for this material. Please ask me any questions that may arise about whether, how, and in which format to cite your sources.

Discussion and the exchange of ideas are essential to academic work. For assignments in this course, you are encouraged to consult with your classmates on the choice of paper topics and to share sources. You may find it useful to discuss your chosen topic with your peers, particularly if you are working on the same topic as a classmate.

³ Rigoberto Lara Guzmán and Sareeta Amrute, How to Cite Like a Badass Tech Feminist Scholar of Color, <https://points.datasociety.net/how-to-cite-like-a-badass-tech-feminist-scholar-of-color-ebc839a3619c>.

⁴ These policies are adapted from Phyllis Thompson’s syllabi.

However, you should ensure that any written work you submit for evaluation is the result of your own research and writing and that it reflects your own approach to the topic. You must also adhere to standard citation practices in WGS and properly cite any books, articles, websites, lectures, etc. that have helped you with your work. If you received any help with your writing (feedback on drafts, etc.), you must also acknowledge this assistance.

Recording

I have made the choice to not record our sessions together, despite the fact that it will limit the options in terms of who may participate. This is because I have found that the subject material of this class often benefits from students (and teachers) sharing their personal experiences. You are prohibited from recording our class in any format (audio/video) or sharing personal experiences from students in class without permission from each and every class member.

Although I have no desire to be punitive in any aspects of my teaching, the recording policy is the one area where a punitive approach seems necessary. If you record class without permission and share it, it will both seriously negatively affect your grade and will be reported as an Honor Code violation.

Syllabus:

Class 1, September 2, 2020

Introduction

Objectives

- Introduce terms, definitions, theories, and strategies necessary for this course
- Introduce ourselves

Readings

- Let's Talk Trans
 - Sylvia Rivera, *Y'all Better Quiet Down* (Speech at Christopher Street Liberation Day Rally in Washington Sq. Park 1973) video: <https://vimeo.com/234353103>, transcript.
 - *Optional but Highly Recommended: One from the Vaults Episode: STAR House, STAR People*, <https://soundcloud.com/onefromthevaultspodcast/oftv-3-star-house-star-people-1>
 - Susan Stryker, "(De)Subjugated Knowledges"
- Learning Law
 - Orin S. Kerr, *How to Read a Legal Opinion: A Guide for New Law Students*, 11 Green Bag 2d 51 (2007).
 - Duncan Kennedy, *Legal Education and the Reproduction of Hierarchy*.
- Putting Those Together
 - Kalaniopua Young, "From a Native *Trans* Daughter: Carceral Refusal, Settler Colonialism, Re-routing the Roots of an Indigenous Abolitionist Imaginary" in *Captive Genders*, 2nd edition.
 - Dean Spade, *Laws As Tactics*, 21 Columbia Journal of Gender and Law 40 (2011).

Class 2, September 14, 2020

Theoretical and Historical Paradigms

Objectives

- Situate current transgender activism in historical perspective.
- Question and critique who is served by theoretical work about transgender people.
- Introduce three frameworks for critique evaluation of legal reforms:
 - Kimberlé Crenshaw's intersectional critique of employment law,
 - a critical legal studies evaluation of priorities and background rules,
 - and a disability legal studies lens.

Readings

- (Historical) perspectives on transgender organizing
 - Riki Wilchins, *Read My Lips* 21-29 (1997).
 - Content warning for discussion of suicide and self-harm, if necessary skip pages 21 and 22.

- Megan Davidson, *Seeking Refuge Under the Umbrella: Inclusion, Exclusion and Organizing Within the Category Transgender*, *Sexuality Research & Social Policy* 1-21 (Dec. 2007).
- Troy Masters, *10 years later, firestorm over gay-only ENDA vote still informs movement*, *Los Angeles Blade* (Nov. 6, 2017)
<https://www.losangelesblade.com/2017/11/06/10-years-later-firestorm-gay-enda-vote-still-informs-movement/>
- Cameron Awkward-Rich, "I Wish I Knew How It Felt to Be Free." *The Paris Review*: June 11, 2020. <https://www.theparisreview.org/blog/2020/06/11/i-wish-i-knew-how-it-would-feel-to-be-free/>
- Theoretical Paradigms:
 - Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, *University of Chicago Legal Forum* (1989).
 - Libby Adler, *Gay Priori* 1-16, 175-211 (2018).
 - Optional: *Critical Perspectives on Rights*,
<https://cyber.harvard.edu/bridge/CriticalTheory/rights.htm>
 - A.J. Withers and Liat Ben-Moshe (eds) with Lydia X. Z. Brown, Loree Erickson, Rachel da Silva Gorman, Talila A. Lewis, Lateef McLeod and Mia Mingus, *Roundtable: Radical Disability*.

Class 3: September 21, 2020

Whose Interests?

Objectives

- Learn how scholars like Derrick Bell and Gayatri Chakravorty Spivak conceptualize interests and representation.
- Discuss the lead up to *Bostock* and decision-making around how to present arguments in that case, and how those decisions did or did not pay off.
- Using *Bostock* as an example, evaluate who different arguments and legal rationales serve.

●

Readings

- Interests?
 - Derrick A. Bell, Jr., *Brown v. Board of Education and the Interest-Convergence Dilemma*, 93 *Harv. L. Rev.* 518 (1980).
 - Janet Halley, *Governance Feminism: An Introduction* 55-59 (2018).
 - Quotes from Gayatri Chakravorty Spivak on Strategic Essentialism
- *Bostock* as Case Study
 - Please watch the "Constitutions, Statutes, and Regulation, Oh My!" conversation, available on Canvas.
 - *Gerald Lynn Bostock v. Clayton County, Georgia*, 140 S. Ct. 1731 (2020). (skim appendices)

- Masha Gessen, *The Supreme Court Considers LGBT Rights, But Can't Stop Talking about Bathrooms*, The New Yorker, <https://www.newyorker.com/news/our-columnists/the-supreme-court-considers-lgbt-rights-but-cant-stop-talking-about-bathrooms>
- Joan Biskupac, *EXCLUSIVE: Anger, leaks and tensions at the Supreme Court during the LGBTQ rights case*, CNN, <https://www.cnn.com/2020/07/28/politics/neil-gorsuch-supreme-court-lgbtq-civil-rights-act-alito/index.html>
- Too Far or Not Far Enough?
 - Ezra Young, *What the Supreme Court Could Have Heard in R.G. & G.R. Harris Funeral Homes v. EEOC and Aimee Stephens*, California Law Review Online 10-37 (Jan. 24, 2020).
 - Kendra Albert, *Their Law*, Harvard Law Review Blog, <https://blog.harvardlawreview.org/their-law/> (June 26, 2019).
 - Morgan Sherm, *I'm A Black Trans Woman, All Parts of My Life Matter*, Zora <https://zora.medium.com/im-a-black-trans-woman-all-parts-of-my-life-matter-3516b057b052>

Class 4: September 28, 2020

Transgender Law?

Objectives

- Practice skills critically reading legal decisions and case law
- Examine different cases involving transgender litigants for what they say about gender and narratives around transition.
-

Readings

- Shannon Price Minter, *Do Transsexuals Dream of Gay Rights? Getting Real about Transgender Inclusion*, in *Transgender Rights*, 141-170 (2006).
- Please pick two of the cases below and read them thoroughly.
 - *MT v. JT*, 355 A.2d 204, 211 (N.J. 1976) (a family law case on “how to tell the sex of a person for marital purposes”).
 - *G. G. v. Gloucester County Sch. Bd.*, 853 F.3d 729 (4th Cir. 2017) (concurrency in Gavin Grimm case).
 - Optional: View Cassils’ PISSED to see how an artist works with this case
 - *Carcaño v. Cooper*, 1:16cv23, 2019 WL 3302208 (M.D.N.C. July 23, 2019) (motion to dismiss ruling on HB2, the North Carolina “bathroom bill”).
 - *Doe v. Fedcap Rehab. Servs., Inc.*, No.17-CV-8220-JPO, 2018 WL 2021588 (S.D.N.Y. Apr. 27, 2018) (case about the right of a nonbinary plaintiff to proceed under a pseudonym in an employment discrimination lawsuit).
 - *Diaz v. Oakland Tribune*, 139 Cal. App. 3d 118 (Cal. Ct. App. 1983) (California state court decision in a privacy case involving a trans woman who was outed by a newspaper).

- *Farmer v. Brennan*, 511 U.S. 825 (1994) (Supreme Court case establishing that deliberate indifference of a prison warden to threats of harm against a trans woman prisoner violated the 8th Amendment).
- As you read, reflect and take notes on:
 - Who was the transgender person involved in the case? How did they come to be involved in this legal process?
 - What does the court say about transgender people's genders?
 - What does the court say about cisgender people's genders?
 - Relatedly, what evidence does the court use to back up its understanding of gender?
 - How is race marked or unmarked in this case?
 - If you can tell, what was the outcome – that is, what did the trans person get or not get as a result of this case?

Class 5: October 5, 2020

Sex Discrimination and/or Disability Discrimination?

Objectives

- Review legal arguments used to fight against employment discrimination by using the framework of disability discrimination, and the types of evidence that plaintiffs are required to present.
- Examine potential critiques of those arguments.
- Explore who is and isn't served by those arguments, and how that relates to lawyers' roles in social change.

Readings

- Legal Background
 - Sexual Orientation and the Law § 10:5
 - Sexual Orientation and the Law § 10:6
- Examples
 - *Enriquez v. West Jersey Health Systems*, 342 N.J. Super. 501 (N.J. Sup. Ct. 2001).
 - *Blatt v. Cabela's Retail, Inc.*, No. 5:14-cv-0482, 2017 WL 2178123 (E.D. Pa. May 18, 2017).
 - *Ulane v. E. Airlines, Inc.*, 742 F.2d 1081 (7th Cir. 1984) (note that this is no longer good law after *Bostock*).
- Conceptualizing Conflicts Between Individual Client Interests and "Movement" Interests
 - Austin H. Johnson, *Transnormativity: A New Concept and Its Validation through Documentary Film About Transgender Men*, 86 Sociological Inquiry 465 (Nov. 2016).
 - Patty Byrne, Disability Justice - a working draft by Patty Berne, <https://www.sinsinvalid.org/blog/disability-justice-a-working-draft-by-patty-berne>
 - Susan D. Carle and Scott L. Cummings, *A Reflection on the Ethics of Movement Lawyering*, 31 Georgetown J. of Legal Ethics 447, 464- 472 (2018).

Class 6: October 19, 2020

Necropolitics and Black Trans Sex Worker Resistance

Objectives

- Gain an understanding of the theoretical turn to necropolitics in 21st century political thinking.
- Apply a necropolitical framework to transgender law (and LGBT rights activism more generally) through the lens of the litigation over Tyra Hunter's death.
- Highlight forms of resistance, specifically Black trans sex worker resistance to violence and erasure.

Readings

- Trans Necropolitics and Its Limits
 - C. Riley Snorton and Jin Haritaworn, *Trans Necropolitics: A Transnational Reflection on Violence, Death and the Trans of Color Afterlife*, in *The Transgender Studies Reader 2* (2013).
 - Aren Aizura "Trans Feminine Value, Racialized Others and the Limits of Necropolitics."
- Tyra Hunter and the Courts
 - Plaintiff's Opposition to Defendant's Posttrial Motion, Statement of Points and Authorities in Support of Plaintiff's Opposition to Defendant's Post Trial Motion, <http://www.glaa.org/archive/1999/silbero325.shtml>
 - Statement by Margie Hunter, June 11, 2000 <http://www.glaa.org/archive/2000/margiehuntero81o.shtml>
 - (Content warning: these documents contain consistent misgendering and deadnaming.)
- Modern Necropolitics and Black Trans Sex Worker Resistance
 - Otilia Steadman, *A Black Trans Sex Worker Died After Paramedics Failed To Take Her To The Hospital*, BuzzFeed News (July 25, 2020), <https://www.buzzfeednews.com/article/otilliesteadman/alejandra-monocuco-colombia-trans-sex-worker-hiv>.
 - Otilia Steadman (interviewing Milan Nicole Sherry, Tamika Spellman, TS Candii, and Ceyenne Doroshov), *Black Trans Sex Workers Want People To Say Their Names — While They're Alive*, BuzzFeed News (June 17, 2020), <https://www.buzzfeednews.com/article/otilliesteadman/black-trans-sex-workers-say-their-names>.
- Conversation with TS Candii

Class 7: October 26, 2020

The "Problem of Sex" and Identification

Objectives

- Look at how "sex" as a category has many of the same problems (and opportunities) as gender.

- Review the current state of the law and historical moments around gender markers and identification documents.
- Discuss the pros and cons of removing sex markers from identification, with special attention to questions about gender acceptance and race.

Readings

- The “Problem of Sex”
 - Hil Malatino, Impossible Existences: Intersex and “Disorders of Sex Development” from *Queer Embodiment*
 - Siobhan Somerville, Scientific Racism and the Emergence of the Homosexual Body, pg. 247-256.
- IDs and the Law
 - Paisley Currah and Lisa Jean Moore, ‘We Won’t Know Who You Are’: Contesting Sex Designations on New York City Birth Certificates, *Hypatia*, vol. 24, no. 3 (2009).
 - *Zzyym v. Pompeo*, 958 F.3d 1014 (10th Cir. 2020)
- Why Do IDs Matter?
 - Complaint, *Linda Dominguez v. City of New York*, available at https://www.nyclu.org/sites/default/files/field_documents/nysecf_2_complaint_00069281xb2d9a.pdf.
 - Richard A. Crosby, Laura F. Salazar, and Brandon J. Hill, *Gender Affirmation and Resiliency Among Black Transgender Women With and Without HIV Infection*, *Transgender Health*, 1.1 (2016).

Class 8: November 2, 2020

Gatekeepers, Literally

Objectives

- Gain a historical sense of the context of discussions over medical gatekeeping and the current WPATH guidelines.
- Understand how litigation involving transgender prisoners unfolds, with a particular emphasis on the elements of medical gatekeeping present.

Readings

- Medical Gatekeeping
 - Sandy Stone, *The Empire Strikes Back: A Post Transsexual Manifesto* (1987).
 - Dean Spade, *Resisting Medicine, Re/Modeling Gender*, 18 *Berkeley Women’s L. J.* 15, 15-28 (2003).
 - Alex Verman, Facial Feminization Surgery and Medical Transition, *Buzzfeed*, <https://www.buzzfeednews.com/article/alexverman/acial-feminization-surgery-medical-transition>
 - Alex Verman, What It’s Like to Medically Transition As a Nonbinary Person, *Them.U.s.*, (Aug. 1, 2018) <https://www.them.us/story/nonbinary-medical-transition>
- Shiloh Quine
 - Transgender Law Center Summary of *Quine v. Beard*.

- Docket #49, Joint Notice of Settlement Agreement, No. 3:14-cv-02726, *Shiloh Heavenly Quine v. Beard*, (N.D. Cal. August 7, 2015).
- Hearing Transcript, No. 3:14-cv-02726, *Shiloh Heavenly Quine v. Beard*, (N.D. Cal. Dec. 5, 2016).
- Docket #108, Motion for Writ of Mandate and Declaratory and Injunctive Relief and Compensatory Money Damages, No. 3:14-cv-02726, *Shiloh Heavenly Quine v. Beard*, (N.D. Cal. Mar. 16, 2017).
- Docket #116, Order Granting in Part and Denying in Part Motion to Enforce, No. 3:14-cv-02726, *Shiloh Heavenly Quine v. Beard*, (N.D. Cal. Mar. 28, 2017).
- *Quine v. Kernan*, No. 17-16148 (9th Cir. June 28, 2018)

Class 9: November 9, 2020

Abolition and/or Reform

Objectives

- Learn about abolition not only as a theoretical paradigm but a practical, practiced set of ways to engage, and how it stands in tension and conjunction not only with harm reduction, but with legal reform more broadly.
- Think critically about both abolitionist and reform approaches to the law.

Readings

- **The Basics of Abolition**
 - Mariame Kaba, So You're Thinking About Becoming an Abolitionist, LEVEL (Oct. 31, 2020) <https://level.medium.com/so-youre-thinking-about-becoming-an-abolitionist-a436f8e31894>
 - Julia Sudbury AKA Julia C. Oparah, Maroon Abolitionists: Black Gender-Oppressed Activists in the Anti-Prison Movement in the US and Canada, from *Captive Genders* (2nd Edition).
- **Abolition's Relationship to Reform**
 - Dylan Rodríguez, Reformism Isn't Liberation, It's Counterinsurgency, LEVEL (Oct. 20, 2020) <https://level.medium.com/reformism-isnt-liberation-it-s-counterinsurgency-7eaoa1c1e1eb>
 - *Evaluating Reforms*
 - Mariame Kaba, Police "Reforms" You Should Always Oppose, <https://truthout.org/articles/police-reforms-you-should-always-oppose/>
 - **OR**
 - Abolition and Disability Justice Coalition, Reforms to Avoid, <https://abolitionanddisabilityjustice.com/reforms-to-oppose/>
- **Radical Futures and Applications**

- Filmmaker and Activist Tourmaline on How to Freedom Dream, Vogue, <https://www.vogue.com/article/filmmaker-and-activist-tourmaline-on-how-to-freedom-dream>
- Please review at least one issue of Black & Pink News, available at: <https://issuu.com/blackandpink>.

Class 10: November 16, 2020

Face Recognition and the Limits of Intersectionality

Objectives

- Be able to describe and analyze two critiques/extensions/conversations beyond intersectionality.
- Place those critiques in conversation with the robust debate over face recognition's misogynoir and "intersectional" inclusion.
- Extend conversations about misogynoir to transmisogynoir and to the ways in which tools like face recognition relate to binary gender classification, especially in reflection to policy goals.
- The Limits of Intersectionality
 - Jennifer C. Nash, "love in the time of death" from Black Feminism Reimagined: After Intersectionality (2019).
 - Jasbir Puar, "I would rather be a cyborg than a goddess: Intersectionality, Assemblage, and Affective Politics." January 2011, <https://transversal.at/transversal/0811/puar/en>
- Facial Recognition
 - AI, Ain't I A Woman? - Joy Buolamwini, <https://www.youtube.com/watch?v=QxuyfWoVV98>.
 - Claire Garvie, Alvaro Bedoya, Jonathan Frankle, THE PERPETUAL LINE-UP: UNREGULATED POLICE FACE RECOGNITION IN AMERICA (2016). Read the executive summary.
 - Morgan Klaus Scheuerman, Kandrea Wade, Caitlin Lustig, and Jed R. Brubaker. 2020. How We've Taught Algorithms to See Identity: Constructing Race and Gender in Image Databases for Facial Analysis. Proc. ACM Hum.-Comput. Interact. 4, CSCW1: Article 58. <https://doi.org/10.1145/3392866>
 - Zoé Samudzi, Bots Are Terrible at Recognizing Black Faces. Let's Keep it That Way, The Daily Beast (Feb. 11, 2019). <https://www.thedailybeast.com/bots-are-terrible-at-recognizing-black-faces-lets-keep-it-that-way>

Class 11: November 23, 2020

The Security State

Objectives

- Use a science and technology studies lens to unpack and critique technologies as intertwined with and produced by politics.
- Discuss how current solutions do or do not account for the intersectional nature of technological discrimination and the racism of histories and presents of surveillance.

Readings

- Theoretical Background
 - Langdon Winner, *Do Artifacts Have Politics?* Daedalus (Winter 1980).
 - Sarah T. Hamid on *Abolishing Carceral Technologies*, *Logic*, Issue 11 (August 31, 2020).
 - Simone Browne, *DARK MATTERS: ON THE SURVEILLANCE OF BLACKNESS*, 131-147 (2015) (optional).
- TSA Body Scanning
 - *Chapter 2: Flying Under the Radar* in Toby Beauchamp, *GOING STEALTH: TRANSGENDER POLITICS AND U.S. SURVEILLANCE PRACTICES* (2019).
 - Sasha Costanza-Chock, *Design Justice, A.I. and Escape from the Matrix of Domination*, <https://jods.mitpress.mit.edu/pub/costanza-chock>
 - *Know Your Rights: Airport Security*, National Center for Transgender Equality, <https://transequality.org/know-your-rights/airport-security>
 - Screening with Dignity Act of 2018, H.R. 6659.

Class 12: November 30, 2020

Joy, Care, Reflection

Objectives

- Bask in positive experiences of transness, and relate those experiences to broader discussions of self-knowledge.
- Explore what comes after “transgender law.”
- Revisit a reading from previous classes, with an eye towards how your view of it might have changed.

Readings

- Joy
 - Ash Hardell and Jackson Bird, *Gender Euphoria*, YouTube <https://www.youtube.com/watch?v=9s3OlhQIZzM>
 - Thomas Page McGee, *Amateur: Finding Joy and Power in Being a Trans Person*, *Them* <https://www.them.us/story/amateur-finding-trans-joy>
- Care
 - Hil Malantio, *Surviving Trans Antagonism*, *Trans Care* (2020).

- Reflection
 - Revisit one reading from a previous class. For your pre-class comment this week, please say which piece you picked, why you chose to revisit it, and anything you learned/were reflecting on.