

WOMGEN 1310 (Fall 2022)

## Transgender Rights and the Law: Assumptions and Critiques

*"The law means what it means to those subject to it."* – Julia Hernandez

### The Basics:

Lecturer Kendra Albert

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Pronouns: they/them

### 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.

### Highlights:

- There is no required textbook or purchased material for this course.
- Class meets on Tuesday nights.
- 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 use an ungrading method where students evaluate their own work product and performance in the course, based on submission of pre-class comments, 3 written assignments, an in-class presentation, and participation. There is no final exam or paper.
- 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.

# Syllabus:

(All readings and class topics are subject to change.)

## Class 1: September 6, 2022

### Introduction

#### Objectives

- Introduce ourselves
- Introduce the course
- Dive right into some of the stories, lives, and perspectives of “transgender rights.”

#### Readings

- Trans History and Trans Studies
  - Susan Stryker, “(De)Subjugated Knowledges”
  - One from the Vaults: STAR House, STAR People, <https://soundcloud.com/onefromthevaultspodcast/oftv-3-star-house-star-people-1>
  - 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.
- Two Perspectives (and a Concurrence) on Transgender Law
  - Shannon Price Minter, *Do Transsexuals Dream of Gay Rights? Getting Real about Transgender Inclusion*, in *Transgender Rights*, 141-170 (2006).
  - Dean Spade, *What's Wrong with Rights?*, from *Normal Life* (2015).
  - *G. G. v. Gloucester County Sch. Bd.*, 853 F.3d 729 (4th Cir. 2017) (concurrence in Gavin Grimm case).

## Class 2: Week of September 12th

### Learning (Enough) Law

- Normal seminar will not meet this week.
- There is a background lecture on the legal system that are meant to give you a crash course in how the “law” operates, available on the Canvas page.
  - Quick and Dirty Introduction to the US Legal System
- And a selection of readings meant to introduce you to both legal analysis and critiques:
  - Orin S. Kerr, *How to Read a Legal Opinion: A Guide for New Law Students*, 11 *Green Bag* 2d 51 (2007).
  - Cornel West, *The Role of Law in Progressive Politics*, 43 *VAND. L. REV.* 1797 (1990).
  - Libby Adler, *Gay Priori* 1-16, 175-211 (2018).
- You will be asked to attend one of two office hours sessions and come with questions on the reading or the lecture.

### **Class 3: September 20, 2022**

#### **The “Problem of Sex”**

##### *Objectives*

- Understand the racialized origins of sex categories and categorization, and the relationship between transgender and intersex categories.
- Look at how “sex” as a category has many of the same problems (and opportunities) as gender.
- Analyze how the law does or does not take up these critiques.

##### *Readings*

- The “Problem of Sex”
  - Anne Fausto-Sterling, *The Five Sexes, Revisited* (2000)
  - 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.
- Sex According to the Law
  - Paisley Currah, *Sex Is As Sex Does* (2022), Chapter 3.
  - *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”).
  - *Zzyym v. Pompeo*, 958 F.3d 1014 (10th Cir. 2020).

### **Class 4: September 27, 2022**

#### **Complaint!**

##### *Objectives*

- Understand what a complaint does as a legal document – what it must contain and the purpose it serves in litigation.
- Contextualizing legal complaints in light of Sara Ahmed’s feminist reflection of complaint.
- Reviewing three complaints by/about transgender litigants, to reflect on how they relate to both the purpose they serve in litigation and how they relate to Ahmed’s articulation of the circumstances and dynamics regarding complaint within academic systems.

##### *Readings*

- *Complaining, Legally*
  - Wright & Miller, *Federal Practice and Procedure* § 1202 (4<sup>th</sup> edition), *Objectives and Functions of Pleadings Under the Federal Rules* (read main text, skim footnotes)
  - Excerpt from *Ashcroft v. Iqbal*, 556 US 662 (2009).
    - Optional: Skim Original Iqbal Complaint
    - How do the circumstances described in that document show up or not in the Supreme Court case?

- *Feminist Complaint!*
  - Sara Ahmed, Complaint as Queer Method.
  - As you read, consider how the context in which Ahmed is writing (complaints within academic systems) differ from the context described above.
- *Some complaints(!)*
  - As you review these three complaints by/about transgender litigants, reflect on how they relate to both the purpose they serve in litigation (as articulated by Wright & Miller/Iqbal) and Ahmed's articulation of the circumstances and dynamics regarding complaint within academic systems.
  - Complaint from *Equal Employment Opportunity Commission v. R.G. & G.R. Harris Funeral Homes*
  - Complaint from *Whyte v. Centre County Correctional Facility*
  - Complaint from *Fain v. Crouch*

### **Class 5: October 4, 2022**

#### **Whose Interests, and How?**

##### *Objectives*

- Learn what legal obligations lawyers owe their clients.
- Explore how scholars like Derrick Bell and Gayatri Chakravorty Spivak conceptualize interests and representation.
- Discuss how transgender lawyers themselves interact with their role and the legal systems, both when representing clients and themselves.

##### *Readings*

- The Basics
  - Model Rules 1.2, 1.7.
- Interests?
  - Derrick A. Bell Jr., *Serving Two Masters: Integration Ideals and Client Interests in School Desegregation Litigation*, 85 Yale L.J. 470 (1976).
  - Janet Halley, *Governance Feminism: An Introduction* 55-59 (2018).
  - Quotes from Gayatri Chakravorty Spivak on Strategic Essentialism
- Lawyers?
  - Phillip Picardi, *The Lawyer Behind the Biggest LGBTQ+ Legal Victory in History*, GQ.
  - Nancy D. Polikoff, *Am I My Client?: The Role Confusion of a Lawyer Activist*, 31 HARV. C.R.-C.L. L. REV. 443 (1996). Read only 443-458.
  - Celia Meredith, *Neither Here Nor There: Nonbinary, Law, Student*, 10 Ind. J.L. & Soc. Equal. 453-463 (2022).

### **Class 6: October 11, 2022**

#### **Applying Interests in Bostock**

##### *Objectives*

- 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

- *Bostock* as Case Study
  - *Gerald Lynn Bostock v. Clayton County, Georgia*, 140 S. Ct. 1731 (2020) (majority and Alito's dissent).
- Too Far or Not Far Enough?
  - Derrick A. Bell, Jr., *Brown v. Board of Education and the Interest-Convergence Dilemma*, 93 Harv. L. Rev. 518 (1980).
  - 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 (Jan. 24, 2020).
  - 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>
  - Hari Ziyad, *My Gender is Black*, Afropunk

### Class 7: October 18, 2022

#### Necropolitics

##### Objectives

- Gain an understanding of the theoretical turn to necropolitics in 21<sup>st</sup> 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, both in femininity more generally and Black trans sex worker resistance to violence and erasure.

##### Readings

- Trans Necropolitics
  - 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).
  - Optional: Elijah Adiv Edelman, *'Walking while transgender': Necropolitical regulations of trans feminine bodies of colour in the nation's capital* in *Queer Necropolitics*, edited by Jin Haritaworn, Adi Kuntsman and Silvia Posocco (2014).
- Tyra Hunter and the Courts
  - (Content warning: these documents contain consistent misgendering and deadnaming.)

- 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/margiehuntero810.shtml>
- Resistance
  - 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>.
  - Jules Gill-Peterson, *When I Reclaim My Spirit, I Am Not Your Tragedy*, Sad Brown Girl Substack (March 23, 2022), <https://sadbrowngirl.substack.com/p/when-i-reclaim-my-spirit-i-am-not>.

## **Class 8: October 25, 2022**

### **Disability Discrimination**

#### *Objectives*

- Use writing by Eli Clare and Allison Kafer to explore what disability means for people, their futures, and their (reproductive/non-reproductive) bodies.
- Learn about the ADA's exception for "transsexualism" and "gender identity disorders not resulting from physical impairments" and review how transgender litigants have used the ADA as a means of recovery anyway.
- Discuss whether this use of disability discrimination law is normatively desirable for non-trans disabled people, and what the ramifications are of thinking of transness as a disability.

#### *Readings*

- Disability, Bodies, and Cure
  - Allison Kafer, *At the Same Time, Out of Time: Ashley X*, from *Feminist, Queer, Crip* (2013).
  - Eli Clare, *Brilliant Imperfections* (2017), Chapters 8 and 10.
- Trans Litigants and the ADA
  - § 10:6. *Disability discrimination*, 1 SEXUAL ORIENTATION AND THE LAW § 10:6 (2020).
  - *Williams v. Kincaid* (4<sup>th</sup> Cir. Aug. 16, 2022). Please read the majority opinion (1-35). The concurring opinion is optional (36-56).
- What Does it Mean to "Use" Disability?
  - Doron Dorfman, *Disability as Metaphor in American Law*, forthcoming in *UNIVERSITY OF PENNSYLVANIA LAW REVIEW*, (2022).

## **Class 9: November 1, 2022**

### **Gatekeeping, Literally**

### Objectives

- Gain a historical sense of the context of discussions of transition care and medical gatekeeping, with an emphasis on why medical care was originally limited to particular transsexuals.
- Evaluate the pros/cons of relying on medicalization and medical expertise in transgender rights litigation.
- Understand how litigation involving transgender prisoners unfolds, with a particular emphasis on the elements of medical gatekeeping present.

### Readings

- Medical Gatekeeping
  - Beans Velocci, Standards of Care: Uncertainty and Risk in Harry Benjamin's Transsexual Classifications, *Trans Studies Quarterly* (2021).
  - Dean Spade, *Resisting Medicine, Re/Modeling Gender*, 18 *Berkeley Women's L. J.* 15, 15-28 (2003).
  - Optional: Sandy Stone, *The Empire Strikes Back: A Post Transsexual Manifesto* (1987).
- Medical Care in Prison
  - Deirdre McDonald, *The Misery of "Medical Chain"*, The Marshall Project (Jan. 25, 2018), <https://www.themarshallproject.org/2018/01/25/the-misery-of-medical-chain>
- 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 (9<sup>th</sup> Cir. June 28, 2018)

### Class 10: November 8, 2022

#### Sex Markers and Abolition/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/or productive conversation not only with harm reduction, but with legal reform more broadly.
- Discuss the pros and cons of removing sex markers from identification, with special attention to questions about gender acceptance and race.
- Think critically about approaches to the law, and how to decide what to do in a particular circumstance.



## 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>
  - Morgan Bassichis, Alexander Lee, Dean Spade, *Building an Abolitionist Trans and Queer Movement with Everything We've Got*, from CAPTIVE GENDERS: TRANS EMBODIMENT AND THE PRISON INDUSTRIAL COMPLEX (edited by Eric Stanley and Nat Smith, 2011).
- 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-7eaoa1ce11eb>.
  - Critical Resistance Chart - Reformist reforms vs. abolitionist steps to end IMPRISONMENT.
- Sex Markers on IDs
  - Florence Ashley, 'X' *Why? Gender Markers and Non-binary Transgender People*, from TRANS RIGHTS AND WRONGS, I. C. Jaramillo, L. Carlson (eds.), (2021).
  - Paisley Currah, *Till Birth Do Us Part: Marriage, ID Documents, and the Nation State*, from SEX IS AS SEX DOES: GOVERNING TRANSGENDER IDENTITY (2022).
  - Complaint, *Linda Dominguez v. City of New York*, available at [https://www.nyclu.org/sites/default/files/field\\_documents/nysecf\\_2\\_complaint\\_00069281xb2d9a.pdf](https://www.nyclu.org/sites/default/files/field_documents/nysecf_2_complaint_00069281xb2d9a.pdf).

**Class 11: November 15, 2022**

**Technology's Role in Trans Struggle**



(<https://twitter.com/Lubchansky/status/1548003631068168192>)

### 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.
- Struggle with what inclusion means, and whether it is normatively desirable.

### Readings

- Technology and Politics
  - Langdon Winner, *Do Artifacts Have Politics?* Daedalus (Winter 1980).
  - Anna Lauren Hoffmann, *Terms of inclusion: Data, discourse, violence, new media & society* (2020).
- TSA Body Scanning
  - *Chapter 2: Flying Under the Radar* in Toby Beauchamp, *GOING STEALTH: TRANSGENDER POLITICS AND U.S. SURVEILLANCE PRACTICES* (2019).
  - *Know Your Rights: Airport Security*, National Center for Transgender Equality, <https://transequality.org/know-your-rights/airport-security>.
- Body Scanning Under Biden
  - FACT SHEET: Biden-Harris Administration Advances Equality and Visibility for Transgender Americans (March 31, 2022).
  - Kate Sosin, *Meet Amy Paris, the trans woman working quietly at the White House to better LGBTQ+ lives*, *The Nineteenth* (July 6, 2022).
- Oh No, the Professor Assigned Something They Wrote, I Hope It Doesn't Suck
  - Kendra Albert and Avatara Smith-Carrington, *Bomb Body Politics: On the TSA's Algorithmic Policing of Gender*, forthcoming *University of Florida Journal of Law and Public Policy* (2023).

### Class 12: November 22, 2022

#### Flex Course Day

- Visit from Guest Speaker, readings TBA.
- Case Presentation Makeups

### Class 13: November 29, 2022

#### Reflections on Joy and Futures

#### Objectives

- Bask in positive experiences of transness and relate those experiences to broader discussions of self-knowledge.

- Revisit a reading from previous classes, with an eye towards how your view of it might have changed.
- Reflect on the class, and explore what comes after “transgender rights.”

### Readings

- 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.
- Joy
  - Stef M Shuster & Laurel Westbrook, *Reducing the Joy Deficit in Sociology: A Study of Transgender Joy*, SOCIAL PROBLEMS (Jun. 2022).
  - Thomas Page McGee, *Amateur: Finding Joy and Power in Being a Trans Person*, Them <https://www.them.us/story/amateur-finding-trans-joy>
  - Ash Hardell and Jackson Bird, *Gender Euphoria*, YouTube <https://www.youtube.com/watch?v=9s3OlhQIZzM>
- Futures
  - *Filmmaker and Activist Tourmaline on How to Freedom Dream*, VOGUE, <https://www.vogue.com/article/filmmaker-and-activist-tourmaline-on-how-to-freedom-dream>.
  - Erin Reed, *In Ohio, Trans Students Triumph Against the Odds*, Harper’s Bazaar (Nov. 1, 2022), <https://www.harpersbazaar.com/culture/features/a41821924/in-ohio-trans-students-triumph-against-the-odds/>.

# Expectations, Grading, & Assignments:

## 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. You can either meet with me in-person (but please note that my office is at the law school, about a 10-minute walk from the main quad), or over Zoom.

## How Grading Works in this Class:

In my experience, grades have always been a not particularly helpful measure of how students engage in the work of learning. I have struggled with how to best accommodate the different goals that students come into the course with, and often feel that assigning letter grades are at odds with a full and equitable picture of varying levels of preparation.

As a result of that, this class is “ungraded.” You will still receive feedback from me on your assignments, in-class presentation, and comments. Instead of me assigning you a grade, I will ask you to assign yourself a grade based on your own reflection on your engagement with the course materials and assignments.

At the beginning of the semester, you will define goals for your time in the course. At three later points in the semester, I will provide you with a structured form to reflect on your work to that point. I ask you to take into account the circumstances under which you came to the class, what your goals are, and how you have improved (or not) on the areas of focus that you have identified in previous reflections.

Reflection	Due
Initial goals for the course	September 16
First Reflection	October 7
Second Reflection	November 4
Final Reflection and Grade	Assigned Examination Day (Early December)

I reserve the right to change your grade before submission if I think it is inappropriate.

### **Assignments:**

Assignments are discussed in more depth in the various assignment pages on the Canvas site, however, I will explain them briefly here.

<b>Assignment</b>	<b>Due</b>
In-Class Participation	In class
Pre-Class Comments	Submit to Canvas thread by 2 PM ET before each class
In-Class Presentation	Presentation dates will be posted on Canvas page
Distill Assignment	September 30
Critique Assignment	October 21
Repair/Reimagine Assignment	November 18

#### *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. I use these to help understand what parts of the reading we should focus on, and what issues students might find interesting to discuss. I will ask you to evaluate your own Pre-Class Question/Comments on completion, not on content.

#### *In-Class Participation*

You will be required to participate in class discussions. Participation should be 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. You will be asked to evaluate your own participation during your reflections and may also get feedback from your peers.

#### *In-Class Presentation*

At a specified point during the semester, you will be asked to give a 5-minute presentation summarizing the law or a legal development around gender/transgender people on a topic of your choosing. This assignment aims to build both skill/comfort at speaking in front of a group, as well as evaluate whether you were able to be substantively accurate in your ability to research and summarize a legal issue.

#### *Distill, Critique, Repair/Reimagine Assignments*

These are relatively short written assignments that ask you to use the skills we build in the course, specifically distilling complex critique or ideas into something that can be applied elsewhere, applying critiques or frameworks to new issues, and then building on critique to reimagine a particular policy or legal framework.

### *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. Please note that asking for extensions on the written assignments may mean that you will not have the feedback on them in time for the reflection deadlines and may make it harder for you to have a full picture of how you are doing in the course.

## **Other Policies:**

### **Participation & Attendance**

Unfortunately, COVID is still a thing. If you have symptoms, please do not attend class. The room is equipped with technology that should allow for remote participation, and I will do my best to allow for it if I can.

I ask that students mask while in this course, as it is consistent with course values of being thoughtful about how our presence might affect others.

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.

### **Accessibility**

Harvard University values inclusive excellence and providing equal educational opportunities for all students. Our goal is to remove barriers for disabled students related to inaccessible elements of instruction or design in this course. If reasonable accommodations are necessary to provide access, please contact the Disability Access Office (DAO). Accommodations do not alter fundamental requirements of the course and are not retroactive. Students should request accommodations as early as possible, since they may take time to implement. Students should notify DAO at any time during the semester if adjustments to their communicated accommodation plan are needed.

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.<sup>1</sup>

## 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.<sup>2</sup>

Newborns are welcome in class (and breastfeeding is entirely appropriate, if applicable). For older children and babies, please discuss with me in advance.

## Citation

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.”<sup>3</sup> 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

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<sup>1</sup> 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/>.

<sup>2</sup> 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>.

<sup>3</sup> 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>.

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 will not evaluate your citation style compliance beyond my expectation that you pincite, unless you ask me to evaluate your Bluebooking. (You probably don't want that, but you do you.)

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

#### *Academic Honesty and Collaboration*<sup>4</sup>

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.

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**

We will not be recording 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.

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<sup>4</sup> These policies are adapted from Phyllis Thompson's syllabi.