



The Hebrew University of Jerusalem

Syllabus

Gender and Law in France 1870-2022 - 54645

Last update 14-10-2024

HU Credits: 2

Degree/Cycle: 2nd degree (Master)

Responsible Department: European Studies

Academic year: 0

Semester: 1st Semester

Teaching Languages: Hebrew

Campus: Mt. Scopus

Course/Module Coordinator: Yuval Tal

Coordinator Email: yuval.tal@mail.huji.ac.il

Coordinator Office Hours:

Teaching Staff:

Dr. Yuval Tal

Course/Module description:

The modern French Republic is often seen as a civic nation-state and as the defender of universal human rights. French laws have been written in a universalist language that presumably reflects these values. Yet a gender analysis of the development of law and legal culture in modern France reveals that gender assumptions, arguments, and beliefs restricted republican universalist ideology and incorporated into French law gender, sexual, ethnic, and religious inequalities. This course will examine the deep connections between questions of gender and sexuality and questions of law and citizenship in France from the nineteenth to twenty-first centuries. We will explore topics such as the place of women in French nationality law, the influence of notions of gender on the development of the French welfare state, the gender premises of French colonial law, the public debate about the "Islamic" veil and its influence on France's "secular" legislation, debates about laws concerning IVF, and debates about same-sex marriage.

Course/Module aims:

Learning outcomes - On successful completion of this module, students should be able to:

N/A

Attendance requirements(%):

80

Teaching arrangement and method of instruction:

Course/Module Content:

1. Introduction
2. Law and Gender: Theory and History
3. Women and Citizenship in the French Revolution
4. Masculinity and Citizenship
5. Sex, "Islam," and Citizenship in Colonial Algeria
6. Women Rights and Workers Rights in the 1848 Revolution
7. Sexual Identities and the Law in the 19th Century
8. Prostitution Between Legal Tolerance and Prohibition
9. Regulating Abortion, Birth Control, and Reproduction
10. The Family and the Welfare State

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11. *Islam and Gender in Postcolonial France*
 12. *Struggles over Same-Sex Marriage*
 13. *"Gender" and the Republic in the 21st Century*

Required Reading:

Reading List

1. Introduction
2. Scott, Joan W. "Gender: A Useful Category of Historical Analysis." *The American Historical Review* 91, no. 5 (1986): 1053-75.
3. Desan, Suzanne. *The Family on Trial in Revolutionary France*. Berkeley: University of California Press, 2004. 47-92.
4. Surkis, Judith. "Carnival Balls and Penal Codes: Body Politics in July Monarchy France." *History of the Present* 1, no. 1 (2011): 59-83.
5. Surkis, Judith. *Sex, Law, and Sovereignty in French Algeria, 1830-1930*. Ithaca. 2019, 27-54.
6. Scott, Joan W. *Only Paradoxes to Offer*. Cambridge. 2021, Chapter 3.
7. Linton, Anne. "Hermaphrodite Outlaws: Ambiguous Sex and the Civil Code in Nineteenth-Century France." *Representations*, no. 138 (2017): 87-117
8. *Regulating Prostitution*
 - Corbin, Alain. "Commercial Sexuality in Nineteenth-Century France: A System of Images and Regulations." *Representations*, no. 14 (1986): 209-19.
 - Séquin, Caroline. *Desiring Whiteness: A Racial History of Prostitution in France and Colonial Senegal, 1848-1950*. Ithaca: Cornell University Press, 2024. 27-50.
9. Cole, Joshua H. "'There Are Only Good Mothers': The Ideological Work of Women's Fertility in France before World War I." *French Historical Studies* 19, no. 3 (1996): 639-72.
10. Pedersen, Susan. *Family, Dependence, and the Origins of the Welfare State Britain and France, 1914-1945*. Cambridge. 1993. Chapter 7.
11. Surkis, Judith. "Custody Battles and the Politics of Franco-Algerian Divorce, 1962-1992." *The Journal of Modern History* 94, no. 4 (2022): 857-897.
12. Robcis, Camille. "How the Symbolic Became French: Kinship and Republicanism in the PACS Debates." *Discourse* 26, no. 3 (2004): 110-35.
13. Robcis, Camille. "Catholics, the 'Theory of Gender,' and the Turn to the Human in France: A New Dreyfus Affair?" *The Journal of Modern History* 87 (2015): 892 - 923.

Additional Reading Material:

Grading Scheme:

Essay / Project / Final Assignment / Home Exam / Referat 70 %

Active Participation / Team Assignment 15 %

Attendance / Participation in Field Excursion 15 %

Additional information: