Gender and Law Term Paper Requirements

- Provide legal analysis of a specific gender law topic selected by you, subject to approval by the instructor through grading of your preparatory worksheet*
- Maximum 1,000 words, excluding works cited (suggested minimum = 800 words)
- Minimum five distinct sources (this earns a C-grade for evidence – see rubric)
- Formal APA style for in-text citations and works cited list entries
- Header information to include: your name, your assigned state and country, your topic area and topic question*, an original title in academic style; and total word count

Prior to completing the preparatory term-paper worksheet, review thoroughly:
1) the requirements and guidelines in this document
2) the term paper grading rubric
3) APA citation style rules (guidance provided in Canvas Library Module/Lib Res Guide)
4) legal writing samples and notes on how to use them
5) the preparatory worksheet requirements

* the prep worksheet requires you to identify topic and question; see examples on the next page

Basic Requirements

This paper will provide both positive and normative analysis of US (assigned state and/or federal), and/or foreign (assigned country), and/or applicable international law, and associated feminist perspectives, relating to the course topic(s) identified in your worksheet. This will involve research, exposition and analytical discussion, incorporating application of at least one feminist legal theory studied in this course. IR majors must select a topic relating to foreign, comparative or international law.

The best papers will:
- Substantiate all statements of fact and argument with evidence from at least ten primary and secondary cited sources (including various kinds of law AND academic and media commentary).
- Analyze applicable constitutional, statute, treaty and case law (although for civil law countries the latter may be less significant, depending on the topic)
- Discuss historical and current legal issues, and implications for women and other minorities in light of social/economic/political outcomes (and extent of non/compliance)
- Pay attention to relevant political, social and cultural context as a means to discuss intrinsic and instrumental qualities of the law (in other words, bring it back to law – see guidelines below)
- Provide normative as well as positive analysis from one or more feminist perspectives
- Integrate relevant comparative analysis.
- Relevantly apply more than one feminist legal theory and/or traditional legal theory
- Incorporate diverse perspectives/dissenting opinions from legislative debate, case law and academic discussion
- Consider key feminist concepts, such as the public-private divide and other dichotomies inherent in traditional law
- Incorporate feminist and legal terminology throughout
- Demonstrate objectivity* (as much as possible) in research, substance and style
- Be well organized and well written, in formal, academic style with APA-style citation

*A few tips on appropriate style: avoid first or second person; include diverse perspectives; anticipate your “opposition”; organize well and use diverse transitions; avoid unnecessary or pretentious wording and wordy structures, such as the passive voice. NEVER use hollow, self-evident language like “more must be done” – you are an academic not a politician or bureaucrat. Instead, how about: Connecticut needs to revise the 2008 statute** to reverse the case law culminating in Smith vs. Jones (2010) **. The United Kingdom, meanwhile, should …

[** which you have previously named and discussed]
Gender and Law Term Paper Guidelines

Adapted from the New York Law School Center for International Law’s “advice on paper topics”

- Find a topic that interests you personally. There is nothing more boring than researching and writing about a topic in which you have no interest.

- Don’t avoid a topic simply because you know little about it. If you have an interest in a certain topic, then you must do what everyone else does — read all about it. Doing the background research and then reading and understanding the materials could take a significant amount of time. But it is well worth it. Furthermore, you are in this course to learn and apply legal principles, and to learn about specific areas of the law.

- After choosing a certain topic, focus on one question that you would like to answer. The preparatory work sheet requires you to ask a specific question on a specific aspect of law within your chosen course topic. For example:

  - Topic: Gender and International Trade
  - Question: What are some of the legal (and political/economic/social) impediments in (YOUR STATE/YOUR FOREIGN COUNTRY/US FEDERAL GOVERNMENT/INTER-GOVERNMENTAL ORGANIZATIONS) to having the World Trade Organization create enforceable labor standards that will benefit women?
  - Topic: Gender and Pay
  - Can certain legal responses by governments (YOUR STATE/YOUR FOREIGN COUNTRY/THE US/IGOs) help reduce the gender wage gap?
  - Topic: Trafficking of Women and Girls
  - To what extent have (YOUR STATE/YOUR FOREIGN COUNTRY/US and INTERNATIONAL) laws reduced, or not, the incidence of sex trafficking/forced prostitution?

- Within this question area, identify more questions as a means to guide your research, with reference to substantive law and legal theory, and both positive and normative analysis. Such questions may also help you to organize your paper, and you should add to them as you conduct your research. For example:

  - What is the substance of the law (statute, case, constitutional, treaty) in your assigned state and/or country, and/or at the international and/or US federal level? What outcomes have emerged?
  - What historical developments have led to this? Does this help explain the differences and similarities over time or across jurisdictions? If not, what does?
  - How effective is enforcement/what is the level of compliance in your state/country/the US and/or globally? Why?
  - What might the various branches of feminist legal theory say in terms of positive and normative analysis?
  - What have specific feminist theorists (individual or group) said about this issue?
  - What have positive and normal analysis have traditional legal theorists offered? (Avoid repeating your analysis of the letter of the law, but, for example, you might consider dissenting opinions in case law, or commentaries written by academics or practitioners.)
  - What is your conclusion about the status quo and, if relevant, needed changes to legal substance or procedure?

- Focus on the legal issues in your research paper. While the context of your chosen topic will require some social, political, economic and/or environmental analysis, connect this closely to your discussion of the law.