Course Description: This course will explore the relationship between science and the law in the United States, using legal history to understand the role of eugenics, bioethics, public health, and medicine from the late nineteenth to the late twentieth century. The course will particularly focus on the theme of reproduction, including the legal and medical histories of sterilization, birth control, pregnancy, and abortion.

Learning Objectives: HIST 3377 (3 credits) satisfies one of Kennesaw State University’s and the Department of History and Philosophy’s upper division major requirements.

Required Reading:
Diane B. Paul, Controlling Human Heredity, 1865 to the Present (Humanity Books, 1995)
Wendy Kline, Building a Better Race: Gender, Sexuality, and Eugenics from the Turn of the Century to the Baby Boom (University of California Press, 2001)

The readings for each class meeting will also usually include short primary source selections or articles posted on Desire2Learn. These readings will introduce you to the types of evidence that historians use to construct their arguments and interpret the past. It is very important that you read the assigned documents; each class is centered on these texts. You are required to print out and bring the short reading assignments to class. You may also access them on your tablet, computer or smartphone. All assigned readings should be completed before class meets.

Class Meetings: This course will focus on short lectures and discussion. Your participation in discussion is a crucial part of the success of this class!

Topic Overview:
I. The Science of Eugenics and Heredity: Race and Gender at Stake
II. Sterilization
III. Medical Ethics and Reproductive Experimentation
IV. The Law and Medical Science of Reproduction
V. Bioethics: Modern Applications, Historical Influences
Course Assessments/Assignments:
Class Attendance and Participation: 15%
Primary Source Project and Presentation: 20%.
Midterm 1: 20%
Midterm 2: 20%
Final Paper: 25%

Class, Topic, and Reading Schedule

1. THE SCIENCE OF EUGENICS AND HEREDITY: RACE AND GENDER AT STAKE

T Jan 10: Course Introductions. What is eugenics? What is bioethics?
- Read Paul, chapter 1 (on D2L)
- Read Kuhse and Singer, “What is Bioethics? A Historical Introduction” (on D2L)
- Acquire books (see reading list above)

Th Jan 12: The Science of Eugenics and Heredity
- Read Galton, “Eugenics: It’s Definition, Scope and Aims” (on D2L)
- Read Noyes and Noyes, “The Oneida Community Experiment in Stirpiculture” (on D2L)

T Jan 17: The Dangers of Heredity? Problem Families, Crime, and Immigration
- Read Paul, pp 40-65
- Read Lombardo, pp. IX-19

Th Jan 19: Eugenics and Race: Sex, Marriage, and the Meeting of Science and the Law
- Read Paul, chapter 6

T Jan 24: Leading Eugenicists: Physicians, Scientists, the ABA, and the Eugenics Record Office

Th Jan 26: Fitter Families and Kellogg’s Corn Flakes: Eugenics in Pop Culture
- Read Lombardo, “From Better Babies to the Bunglers: Eugenics on Tobacco Road” from Lombardo, Paul A. A century of eugenics in America: from the Indiana experiment to the human genome era. Indiana University Press, 2011. (on D2L)

- Read “The Humanitarian Manifesto” (on D2L)
- Read selection from “Lucifer the Light-Bearer” (on D2L)
- Read Kline, pp. 16-31

Th Feb 2: “Voluntary Parenthood” and the “Better Babies” Campaigns: Controversies over Eugenics and Birth Control

- Read Havelock Ellis, “Birth Control and Eugenics” (on D2L)
- Read Robert Ingersoll, “On Birth Control” (on D2L)
- Read Margaret Sanger, “Birth Control and Racial Betterment” at https://www.nyu.edu/projects/sanger/webedition/app/documents/show.php?doc=143449.xml. (Link also on D2L)
- Read short selections from W.E.B. Du Bois etc. on black eugenics and birth control (on D2L)

T Feb 7: Eugenics, Disability and Degeneracy: Dr. Henry Haiselden and The Bollinger Baby

- Catch up on past reading or start Kline, chapter 5!

Th Feb 9: Positive Eugenics, Marriage, and Cold War Families

- Read Kline, chapter 5

II. STERILIZATION

T Feb 14: Sterilization Laws in the United States

- Read Sharp, “Vasectomy as a Means of Preventing Procreation in Defectives” (on D2L)
- Read H. Laughlin, “Model Eugenical Sterilization Law” (on D2L)
- Read Lombardo, chapters 4-7

Th Feb 16: Buck v. Bell – “Three Generations of Imbeciles is Enough”

- Read Lombardo, chapters 8-12

T Feb 21: The Legacy of Carrie Buck in the US and Beyond

- Read Lombardo, chapters 13-15
- Read Lawrence, Jane. “The Indian health service and the sterilization of Native American women.” The American Indian Quarterly 24, no. 3 (2000): 400-419 (on D2L)

Th Feb 23: Screening: No Mas Bebes film

T Feb 28: Exam 1
III. MEDICAL ETHICS AND REPRODUCTIVE EXPERIMENTATION

- *Work on presentations*

**T Mar 7**: STD Research in Guatemala
- *Work on presentations*

**Th Mar 9**: Syphilis, Race, and Tuskegee
- *Work on presentations*

**T Mar 14**: *Primary Source Presentations*

**Th Mar 16**: *Primary Source Presentations*

IV. THE LAW AND MEDICAL SCIENCE OF REPRODUCTION

**T Mar 21**: “Quickening” – The Medical History of the Fetus and Abortion Laws
- *Reading TBD*

**Th Mar 23**: Birth Control as Medicine: U.S. v. One Package of Japanese Pessaries
- *Read U.S. v. One Package court opinion (on D2L)*

**T Mar 28**: Abortion, Roe v. Wade, and Physician Ethics

**Th Mar 30**: NO CLASS, ENJOY SPRING BREAK~

**T April 4**: Spring Break

**Th April 6**: Spring Break

**T April 11**: The Hobby Lobby Case - The Rights of Personhood and Contraceptives as Abortifacients?
• Reading TBD

Th April 13: Exam 2

V. REPRODUCTIVE BIOETHICS – MODERN APPLICATIONS, HISTORICAL INFLUENCES

T April 18: Disability and Prenatal Testing – Historical and Ethical Dilemmas

• Read https://nursingclio.org/2014/07/29/prenatal-testing-and-counseling-the-new-front-of-the-abortion-wars/ (link also on D2L)
• Read Paul, pp 121-135
• For Thursday in preparation for our speaker, Read http://www.nytimes.com/2006/12/05/health/05essa.html (link also on D2L)

Th April 20: Considerations of Race and Gender for Clinical Ethics in Reproductive Medicine. Guest Speaker: Hanne Blank (Emory University)

T April 25: Embryos, Genetics, and Designer Babies

• Read Nathaniel Comfort - https://aeon.co/essays/the-dream-of-designing-humans-has-a-long-and-peculiar-history (link also on D2L)

Th April 27: The Long History of Surrogacy: The Baby M Case

May 4: Final Papers due on D2L at 5:00 pm
Other Course Policies

Use of the Syllabus: This syllabus provides a general plan for the course; deviations may be necessary subject to the instructor’s discretion. Any changes to assignments or readings will be announced in class, sent via email to the class, and posted to Desire2Learn. Each student is expected to carefully read this syllabus and understand it. It serves as a contract between the instructor and the student.

Grading: Students are evaluated on the following scale:

- A - (90-100)
- B - (80-89)
- C - (70-79)
- D - (60-69)
- F - (59 and below)

I—Indicates an incomplete grade for the course, and will be awarded only when the student has done satisfactory work up to the last two weeks of the semester, but for nonacademic reasons beyond his/her control is unable to meet the full requirements of the course. Incomplete grades are only valid after submission of the Incomplete Grade form (signed by both the instructor and student) to the Department Chair’s office.

Quizzes. Quizzes will be administered at the beginning of class on any date I choose. Late arrivals will not receive additional time. I am most likely to give quizzes if students do not appear to be completing the assigned material and/or actively participating. You cannot make up quizzes unless you have a doctor’s note or funeral program.

Exams. There will be three exams. Exams will consist of a mix of multiple choice, map identification, matching, short answer and/or short essay questions. Students who miss quizzes or exams for legitimate, approved reasons will be able to make up these events but must take the initiative to contact the instructor to arrange a suitable retest date.

Late Work: I will not accept late Reflection assignments – there are 11 separate opportunities throughout the semester to complete 3 reflections.

Make-Up Assignments: There are no make-up quizzes unless you provide a doctor’s note or funeral program. If you must miss an exam for any reason, discuss it with me in advance.

Electronic Communications. The University provides all KSU students with an “official” email account with the address “students.kennesaw.edu.” As a result of federal laws protecting educational information and other data, this is the sole email account you should use to communicate with your instructor or other University officials.

Attendance Policy: Students are solely responsible for managing their enrollment status in a class; nonattendance does not constitute a withdrawal.

Electronic Devices Policy: Check your student email and D2L every day. If you are going to take notes on your laptop, you need to be at the ready to provide those notes for people who are missing class for legitimate, approved reasons. I also ask you to sit near the front of the class, and for those behind you to let me know if you are internet surfing during lecture (and distracting everyone behind you). This
seemingly draconian policy is for your benefit. Recent pedagogical research has indicated that taking
notes by hand is far superior for learning lecture material. Finally, all ringers on all gadgets need to be
OFF during class, and no texting or headphones are allowed. You can audio-record my lectures (no video
please!).

**Classroom Etiquette:** In order that we create an optimal learning environment, I ask that you

- arrive in class on time
- If you are unable to attend class regularly and on time, please drop this course and take it at a
  more suitable time.
- use laptops *only* for taking notes
- turn off cellphones and refrain from texting, surfing the web, watching cat videos &c.
- In order that you get the most out of this class, I hope that you will speak up! Ask questions,
  answer questions, share your ideas -- we are here to learn. Please come to office hours, so that I
can get to know you and find out how things are going.

**Email Etiquette:** As a general rule, look at the syllabus BEFORE emailing your professors with a
question!

I do my best to answer all emails and emailed questions within a 24-hour time frame. However, I *may
choose to ignore emails* that do not meet the guidelines for proper email etiquette.

When emailing professors or university staff, remember to present yourself professionally at all
times. Here are a few guidelines based on the resource at the OWL Writing Lab (see
http://owl.english.purdue.edu/owl/resource/636/01/). These guidelines will serve you will in college and
in the professional world:

- include a clear and meaningful Subject line on your email so the recipient knows what it is about
  and can prioritize it - you might even include the class number in your Subject line i.e. Hist 2112
  Absence or Hist 2112 Exam Question
- include proper salutations, such as Dear Dr. Thompson
- use standard punctuation and spelling - DO NOT USE ALL CAPS - dont rite a txt msg 2 ur prof
- write in clear, short, paragraphs - get to the point and be specific - and clearly indicate which
class you are referencing
- be friendly and cordial, but don’t joke around - jokes may be inappropriate or could come off
  inappropriately in email
- sign your email with your FULL name

**Writing Center:** The KSU Writing Center helps students in all majors improve their writing.
Experienced, friendly writing assistants help with topic development, revision, research, documentation,
grahm, and more. For more information or to make an appointment, visit writingcenter.kennesaw.edu
or stop by English Building, Room 242 (Kennesaw campus) or Johnson Library, Room 121 (Marietta
 campus).

**English as a Second Language Policy:** One of the expectations of this class is that students will be able
to express their analyses in English, in writing. I realize that this may be challenging for non-native
speakers, and I am willing to work with students in this situation. However, I can’t help if I’m not aware
of the difficulty. If you have such a circumstance, please see me ASAP to discuss what options might be
available.
**ADA Compliance:** Students with qualifying disabilities under the Americans with Disabilities Act (ADA) and/or Section 504 of the Rehabilitation Act who require “reasonable accommodation(s)” to complete the course may request those from Department of Student Success Services. Students requiring such accommodations are required to work with the University’s Department of Student Success Services rather than engaging in this discussion with individual faculty members or academic departments. If, after reviewing the course syllabus, a student anticipates or should have anticipated a need for accommodation, he or she must submit documentation requesting an accommodation and permitting time for a determination prior to submitting assignments or taking course quizzes or exams. Students may not request retroactive accommodation for needs that were or should have been foreseeable. Students should contact the office as soon as possible in the term for which they are seeking accommodations. For more information please visit their website, sss.kennesaw.edu/sds. Contact information is as follows:

SDS Email: sds@kennesaw.edu
Primary number for Kennesaw campus: 470-578-2666
Primary number for Marietta campus: 678-915-7244

**Disruptive Behavior Policy:** Disruptive behavior in the classroom is unacceptable and will not be tolerated. Disruptive behavior includes (but is not limited to): internet surfing, sleeping, texting, making/receiving phone calls, listening to iPods or other devices, reading non-course-related materials, engaging in private conversations, yelling, name-calling or use of other defamatory language, entering/leaving class frequently without permission, and/or verbal/physical abuse. Students who engage in disruptive behavior will be asked to leave the classroom and may be removed from the course at my discretion.

**Academic Integrity Statement** Every KSU student is responsible for upholding the provisions of the Student Code of Conduct, as published in the Undergraduate and Graduate Catalogs. Section 5. C of the Student Code of Conduct addresses the university’s policy on academic honesty, including provisions regarding plagiarism and cheating, unauthorized access to university materials, misrepresentation/falsification of university records or academic work, malicious removal, retention, or destruction of library materials, malicious/intentional misuse of computer facilities and/or services, and misuse of student identification cards. Incidents of alleged academic misconduct will be handled through the established procedures of the Department of Student Conduct and Academic Integrity (SCAI), which includes either an “informal” resolution by a faculty member, resulting in a grade adjustment, or a formal hearing procedure, which may subject a student to the Code of Conduct’s minimum one semester suspension requirement. See also https://web.kennesaw.edu/scai/content/ksu-student-code-conduct. Plagiarism is your worst option if you are pressed for time. If you plagiarize or cheat, you will AUTOMATICALLY receive a failing grade for the course, and I will work with KSU’s administration to impose disciplinary consequences up to and including expulsion from the University.