

DePaul University College of Law

Spring 2008
Wednesday 2:30-4:10

Professor Donald H.J. Hermann
Phone: 321-362-8383

SEMINAR: SAME SEX MARRIAGE

Course Description

This course will examine one of the most controversial subjects in American society: same sex marriage. The social, ethical, and religious dimensions of this subject will be explored through readings of some of the most significant monographs on the subject. Litigation and legislative activity dealing with civil unions and same-sex marriage will be examined in detail. Students will research and write a paper dealing with legal dimensions of the subject and will deliver to the seminar a summary report on their research and writings.

Course Materials:

- E. J. Graff, What is Marriage For? BEACON PRESS (2004).
George Chauncey, Why Marriage? BASIC BOOKS (2004).
Evan Wolfson, Why Marriage Matters, SIMON & SCHUSTER (2004).
Jonathan Rauch, Gay Marriage, HENRY HOLT (2004)
Michael Mello, Legalizing Gay Marriage, TEMPLE UNIV. PRESS (2004)
Daniel Pinello, America's Struggle for Same-Sex Marriage, CAMBRIDGE UNIV. PRESS (2006)

SEMINAR SCHEDULE

Week 1	Jan. 16, 2008	Introduction and Film, "I Can't Marry You"
Week 2	Jan. 23, 2008	E. J. Graff, <u>What Is Marriage For?</u>
Week 3	Jan. 30, 2008	George Chauncey, <u>Why Marriage?</u>
Week 4	Feb. 6, 2008	Evan Wolfson, <u>Why Marriage Matters</u>
Week 5	Feb. 13, 2008	Jonathan Rauch, <u>Gay Marriage</u>
Week 6	Feb. 20, 2008	Michael Mello, <u>Legalizing Gay Marriage</u>
Week 7	Feb. 27, 2008	Daniel Pinello, <u>America's Struggle for Same-Sex Marriage</u>
Week 8	Mar. 5, 2008	No Class: Writing Assignment
Week 9	Mar. 12, 2008	No Class: Writing Assignment
Week 10	Mar. 19, 2008	SPRING BREAK
Week 11	Mar. 26, 2008	No Class: Writing Assignment
Week 12	Apr. 2, 2008	Paper Presentations – Group 1
Week 13	Apr. 9, 2008	Paper Presentations – Group 2
Week 14	Apr. 16, 2008	Paper Presentations – Group 3
Week 15	Apr. 23, 2008	Paper Presentations – Group 4

SCHEDULE OF RESEARCH AND WRITING ASSIGNMENTS

[All Assignments Must Be Typed]

- Week 2 Discussion of papers & direction on topic choice for week 3.
- Week 3 Submit a typewritten statement of the paper topic.
- Week 4 Assignment to Topic Area – Panel Presentations. Obtain approval of typewritten statement of topic.
- Week 5 Submit typed bibliography of books, law review articles, medical journal articles, cases, statute, and newspaper/magazine articles on topic.
- Week 6 Submit initial outline and obtain approval of outline.
- Weeks 8-11 Preparation of paper for presentation – no class.
- Weeks 12-15 Presentation of papers according to the schedule developed in class. Presentations should last no longer than fifteen minutes. Presentations should involve an overview of your paper including a statement of your thesis, main arguments considered, and a statement of your conclusion or policy recommendation.
- Week 17 Final Paper Due (Paper length should be 25 to 30 pages.) (Documentation should be in Blue Book form as footnotes or endnotes).

Possible Paper Topics:

Massachusetts Litigation and Reaction
New Hampshire Litigation and Reaction
Civil Union Opinions and Legislation
Defense of Marriage Act: Constitutionality
Defense of Marriage Act: Conflicts of Law
Hawaii: Opinions and Response
New Jersey Litigation and Legislation
Vermont Litigation and Legislation
Washington Litigation
New York Litigation
Same-Sex Marriage in California
Europe and Same-Sex Marriage
Taxation Issues and Same-Sex Couples
Medical Issues and Same-Sex Couples
Achieving Benefits of Marriage Through Available Legal Means

**Submit final paper (typed and double spaced)
May 14, 2008
Noon**

Paper should be placed in the take-home final box in an envelope. Do not e-mail your paper.