

AMH 3558: American Legal History

INSTRUCTOR: ELIZABETH DALE

Available online only edale@ufl.edu

3 CREDITS

Spring 2024 Online only

Tuesday periods 5-6

Thursday periods 6

OFFICE HOURS (by zoom): Wednesday @ 6th period; Thursday @ 5th period; AND BY APPT.

COURSE WEBSITE @ CANVAS SITE THROUGH E-LEARNING

COURSE COMMUNICATIONS: OUTSIDE of class, questions for me should come through email (edale@ufl.edu), during class, please raise your hand.

REQUIRED TEXTBOOKS:

American Legal History (5th edition) (ALH)

Barclay, Mark of Slavery

Rose, No Right to Be Idle

Ladd-Taylor, Fixing the Poor

Engel and Munger, Rights of Inclusion

ADDITIONAL RESOURCES: *As assigned and linked to in the syllabus and/or canvas site.*

PREREQUISITE KNOWLEDGE AND SKILLS: 3 History credits.

COURSE GOALS AND/OR OBJECTIVES: *By the end of this course, students will have been introduced to the idea that law works in society, sometimes shaping it, and sometimes being shaped by it They will explore the ways in which law in the United States has evolved through time and space, considered the sources of legal claims, and explored key issues., examining how legal claims have been asserted, and by whom. The legal history of the United States is a big topic. To make it manageable, this course will focus on disability in the law.*

HOW THIS COURSE RELATES TO THE LEGAL HISTORY CERTIFICATE & HISTORY MAJOR: This course counts toward Group A for students who are pursuing the Legal History Certificate. It counts as an AMH course for History majors and minors.

INSTRUCTIONAL METHODS: *This is a discussion class. Sometimes class discussion will be supplemented with brief overview lectures by the professor. Typically, the whole class will meet and discuss together, there may be occasional breakout sessions to focus discussion. Students will be expected to complete the readings before class and contribute. **Please note:** A big component of engaged learning is also active listening. Shy students who are often careful listeners, but I would advise you to challenge yourself to come out of your shell at least once per class and engage with a question or problem that I or another student has posed. For more gregarious students, I ask you to practice active listening, and engage directly with comments that other students have made, to make sure you are not dominating the discussion with all your own ideas.*

COURSE POLICIES:

ATTENDANCE POLICY: Regular attendance and active participation in discussion is required. That said, things happen in life, and I understand you need to balance different priorities. Attendance will not be taken (though please be aware canvas automatically records whether you log in to class and the assignments), at the same time, your participation is crucial to our discussions and your learning experience, so poor attendance and a failure to contribute actively to class discussions will have a negative impact on your grades (see below).

QUIZ/EXAM DATES/POLICIES: *Deadlines depend on the type of assignment, as follows:*

- **Reaction papers:** *Due by the start of class on the day the item(s) the paper discusses are assigned. The window for Reaction papers begins Jan. 16 and ends April 4.*
3-5-page paper: Due within a window 4/9 to 4/18
Final paper: *Take home final paper. The final **paper must be turned in by NOON on Friday, May 3 at the latest.***
- **Participation:** Assessed throughout the semester. **To help you assess your participation, I will give everyone preliminary participation grade before Spring Break.** This is simply advisory; it will be replaced by your final participation grade.

MAKE-UP POLICY: Assignments are due in windows to give you the utmost flexibility. Thus, the expectation is you will manage your schedule to meet the deadlines. In a situation where that is impossible, make ups **may be arranged on a case-by-case basis, students seeking a make-up opportunity must notify the professor as soon as possible but no later than the last day of the relevant assignment window.**

ASSIGNMENT POLICY: See headings “**Makeup policy**” and “**Assignments**”

ONLINE COURSE EVALUATION: STUDENTS are expected to provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semesters, but students will be given specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu/results>.

UF POLICIES:

UNIVERSITY POLICY ON ACCOMMODATING STUDENTS WITH DISABILITIES Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, www.dso.ufl.edu/drc) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the instructor when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

UNIVERSITY POLICY ON ACADEMIC CONDUCT: UF students are bound by The Honor Pledge which states, "We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: "On my honor, I have neither given nor received unauthorized aid in doing this assignment." The Honor Code (<http://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the instructor. **PLEASE NOTE** use of AI is considered an Honor Code violation.

CLASS DEMEANOR AND NETIQUETTE: All members of the class are expected to follow rules of common courtesy in all email messages, threaded discussions, and chats. Consideration and respect are particularly important in an online course, where some of the visual cues we read to help us sense others' intent or distress can be less clear.

Sometimes the materials we read for this class may be troubling, describe conditions that are painful or shocking, or use terms that now are deemed offensive. We will need to work together to build a classroom environment based on trust and confidentiality, while also fostering rigorous discussions of the materials we read for class. This requires holding space for people's diverse experiences and viewpoints, while engaging each other in respectful and critical debate.

GETTING HELP:

For issues with technical difficulties for Canvas, please contact the UF Help Desk at: <http://helpdesk.ufl.edu> or (352) 392-HELP (4357)

Any requests for make-ups due to technical issues **MUST** be accompanied by the ticket number received from the Help Desk when the problem was reported to them. The ticket number will document the time and date of the problem. You **MUST** e-mail the professor within 24 hours of the technical difficulty if you wish to request a make-up.

Other resources are available at the Dean of Students Office, <https://dso.ufl.edu> for:

- Counseling and Wellness resources
- Disability resources

GRADING POLICIES:

Papers and participation will receive letter grades. Rubrics (on canvas) will be used to grade reaction papers, the 3-5-page paper, and the final paper.

Papers will be given letter grades, using the following scale:

A	4
B+	3.33
B	3
B-	2.67
C+	2
C	2.33
C-	1.67
D+	1.33
D	1
D-	0.67
E	0

Please note: A course grade of C- does not count as a passing grade for major, minor, Gen Ed, Gordon Rule, or basic distribution requirements see <https://catalog.ufl.edu/ugrad/current/regulations/info/grades.asp>

Assignment	Percent of grade
4 one-page discussion papers	25% for all four combined (two must be turned in before spring break)
One 3–5-page paper	25 % of grade
Take-home final paper	25% of grade
Participation	25% of grade

COURSE SCHEDULE:

Week	Day, Assignment	Notes
Week 1	1/9: Intro to the course 1/11: Kim E. Nielsen, "Introduction" (online course reserves)	

Week 2	1/16: Massachusetts Body of Liberties: https://history.hanover.edu/texts/masslib.html 1/18: Kim E. Nielsen, Chapter 2 (online course reserves)	Discussion paper window opens.
Week 3	1/23: New York Charter of Liberties (ALH pp. 34-35) 1/25: Nielsen, Chapter 4 (online course reserves)	
Week 4	1/30: Jefferson, Notes on the State of Virginia" (ALH, pp. 104-106) 2/1: ALH pp.222-227	
Week 5	2/6 <u>Mark of Slavery</u> , Intro, chapters 1-3 2/8: <u>Mark of Slavery</u> , chapters 4-5 & conclusion	
Week 6	2/13: State v. Mann (ALH pp. 227-229) 2/15: ALH pp.187-191	
Week 7	2/20: ALH pp. 383-386, 412-414 2/22: ALH: pp. 414-419	
Week 8	2/27 <u>No Right to Be Idle</u> , Intro, chapters 1-5 2/29: <u>No Right to Be Idle</u> , chapters 6-7 & conclusion.	2 discussion papers must be turned in by the end of this week.
Week 9	SPRING BREAK	
Week 10	3/12 Jacobson v Massachusetts (link online through Canvas) 3/14: <u>Buck v. Bell</u> (link online through Canvas)	
Week 11	3/19: <u>Fixing the Poor</u> , Intro, chapters 1-4 3/21 <u>Fixing the Poor</u> , chapters 5-6 & conclusion.	
Week 12	3/26 Schoen, "Between Choice and Coercion: Women and the Politics of Sterilization in North Carolina, 1929-1975" <u>Journal of Women's History</u> (online link through Canvas) 3/28: Klein, Compensating victims of forced sterilization: lessons from North Carolina (online link through Canvas)	
Week 13	4/2: <u>Rights of Inclusion</u> , Intro, chapters 1-3 4/4: <u>Rights of Inclusion</u> , chapters 4-5	Discussion paper window closes 4/4
Week 14	4/9 <u>Rights of Inclusion</u> , chapter 6, conclusion 4/11: Fry v. Napoleon Community Schools (2017) (link online through Canvas)	3–5-page paper assignment posted 4/9
Week 15	4/16 Wrap up discussion of books. 4/18: Mía Mingus talk (link online through Canvas)	3–5-page paper assignment due 4/18

Week 16	4/23: TBA 4/25: Reading Day	Final paper assignment will be posted by 4/20
Week 17	FINALS WEEK Final paper due Friday May 3 at Noon	

Final notes: This syllabus represents current plans and objectives. As we go through the semester, those plans may need to change to enhance the class learning opportunity. Any such changes, which I will communicate during class time and via Canvas, are not unusual and should be expected.

The Department of History is working to inform students about events and funding opportunities. You can learn about these opportunities by following @UFHistory on [Instagram](#), [Twitter](#), [LinkedIn](#), or [Facebook](#).