

<p><b>AMH 3558: American Legal History</b>  Fall 2018, Tuesday 2-3, Thursday 3  Room: Flint 105</p>	<p>Professor: Elizabeth Dale  Keene Flint Hall, Room 025  <a href="mailto:edale@ufl.edu">edale@ufl.edu</a>  Professor Dale's office hours:                                  Wednesday: 3d per  Thursaday: 4<sup>th</sup> per</p> <p>Teaching assistant: Brittany Sealey <a href="mailto:b.sealey13@ufl.edu">b.sealey13@ufl.edu</a>  Teaching assistant office hours: Tues: 4<sup>th</sup> per, Keene Flint 09</p>
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Required books:

Hall, et al., American Legal History (2017)  
Welch, Black Litigants in the Antebellum South (2018)  
Fountain, The Great Betrayal (2015)  
Rothstein, The Color of Law (2016)  
Winkler, We the Corporations (2018)  
And other cases and materials linked to in the schedule or added during the semester

Course description:

The history of law in the United States deals with many types of law, and covers all manner of people, problems, places, and things. AMH 3558 offers an overview of law from the colonial period to the present, it explores how and why law changes over time, its relation to society, and the impact it has on people's lives. We will explore the many faces of law looking at a mix of statutes, court opinions, articles, and historical studies.

Attendance:

Attendance is expected and absences will have an impact on your participation grade (see discussion below). If you know you will miss class the day an assignment is due, you should consult the instructor or Teaching Associate **beforehand**. Unexpected illnesses and emergencies do happen. If you become ill or are otherwise unable to make class the day an assignment is due, please email the instructor or Teaching Associate **as soon as possible (ideally before class)**.

Grading scale

Grade	Grade Points	
A	4.00	<p>Additional information about UF's grading policies is available here:  <a href="https://catalog.ufl.edu/UGRD/academic-regulations/grades-grading-policies/#gradingpoliciestext">https://catalog.ufl.edu/UGRD/academic-regulations/grades-grading-policies/#gradingpoliciestext</a></p>
A-	3.67	
B+	3.33	
B	3.00	
B-	2.67	
C+	2.33	
C	2.00	
C-	1.67	
D+	1.33	
D	1.00	
D-	0.67	
E	0.00	

Grading and assignments

Reading assignments listed on the course schedule should be completed for the date listed on the schedule, so that you are prepared to discuss the material in class.

Homework assignments are due at the start of class on the due date set out in the syllabus. Papers turned in after class on the day due will be marked down half a grade (for example, from an A to an A-). Papers turned in a day late will be marked down a full grade (for example, from an A to a B). Papers turned in two days late will be marked down two full grades (from an A to a C). Papers turned in five days late will be given an F.

1. Class participation (based on a mix of attendance and discussion): 25% of grade
2. Reaction papers (2 of 4): 25% of grade
3. 5-7 page paper (1 of 2): 25% of grade
4. Take home final (5-7 page paper): 25% of grade

### Students Requiring Accommodations

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, [www.dso.ufl.edu/drc/](http://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.

### 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 semester, 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/>.

### Class Demeanor

Students are expected to arrive to class on time and behave in a manner that is respectful to the instructor and to fellow students. Please avoid the use of cell phones. Opinions held by other students should be respected in discussion.

### University Honesty Policy

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 honor 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 (<https://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 or Teaching Assistant in this class.

### Course schedule

Week	Readings	Homework
1 Thurs Aug 23	Thurs: Hall, et al., American Legal History, "Dale's Laws," pages 7-12	
2 Tues Aug 28 Thurs Aug 30	Tues: Hall, et al., pages 52-54 ("In re Wm Wootten," "South Carolina Servant Regulations"); discussion of reaction paper Thurs: NO CLASS	Reaction paper 1 posted
3 Tues Sept 4 Thurs Sept 6	Tues: Hall, et al, pages 102-104 ("Jemmison case, Virginia Manumission Act) Thurs: Hall, et al, pages 174-183 ("The Advent of the Corporation")	Reaction paper 1 due Sept 6
4 Tues Sept 11 Thurs Sept 13	Tues: Welch, <u>Antebellum Black Litigants</u> Thurs: <u>Davis v. Fitchett</u> , 5 Fla. 261 (1853)	

5 Tues Sept 18 Thurs Sept 20	Tues: Thirteen, Fourteen, Fifteenth Amendments; Hall, et al., Bradwell v. Illinois, pages 326-328 Thurs: Minor v. Happersett, pages 328-33	Reaction paper 2 posted
6 Tues Sept 25 Thurs Sept 27	Tues: <a href="#">Elk v. Wilkins</a> (U.S. S. Ct. 1884) Thurs: Hall, et al., "The End of Civil Rights" pages 275-282,	First assignment posted (Sept 25) Reaction paper 2 due Sept 20
7 Tues Oct 2 Thurs Oct 4	Tues: <a href="#">Plessy v. Ferguson</a> (U.S. S. Ct. 1896) Thurs: Hall, et al., "Civil Rights Act and 14 <sup>th</sup> Amendment," page 274, The Civil Rights Act of 1875, page 275	First 5-7 page paper due Oct 4
8 Tues Oct 9 Thurs Oct 11	Tues: Hall, et al., "The Growth of Economic Regulation," pages 375- 381: "The Origins of Substantive Due Process," pages 398- 400 Thurs: Hall, et al., Munn v. Illinois, pages 402-405; "Liberty of Contract," pages 411-412	
9 Tues Oct 16 Thurs Oct 18	Tues: Fountain, <a href="#">Great Betrayal</a> Thurs: <a href="#">Tennessee v. Nashville Baseball Assoc</a> , 141 Tenn. 456 (1918)	Reaction paper 3 posted
10 Tues Oct 23 Thurs Oct 25	Tues: Hall, et al., "Liberty of Contract and Workplace Regulation,{ pages 412-419 Thurs: Hall, et al., "Toward a Federal Police Power," pages 419-422.	Reaction paper 3 due Oct 25
11 Tues Oct 30 Thurs Nov 1	Rothstein, <a href="#">Color of Law</a> Thurs: <a href="#">Buchanan v. Warley</a> (U.S. S. Ct. 1917)	
12 Tues Nov 6 Thurs Nov 8	Tues: Hall, et al, World War I and Civil Liberties, pages 429-437; "The Flag Salute Cases," 441-447 Thurs: Hall, et al., "Ordered Liberty," 503-506	Second 5-7 page paper posted
13 Tues Nov 13 Thurs Nov 15	Tues: Hall, et al., "Liberty of Contract," 411-419 Thurs: Hall, et al., "Towards a Federal Police Power," 419-422	Second 5-7 page paper due, Nov 29
14 Tues Nov 20 Thurs NO CLASS	Tues: Hall, et al., "The New Deal and the Rise of Legal Liberalism" 485-505	Reaction paper 4 posted
15 Tues Nov 27 Thurs Nov 29	Tues & Thurs: <a href="#">We the Corporations</a>	Reaction paper 4 due Nov 29
16 Tues Dec 4 Thurs NO CLASS	<a href="#">Citizens United v. FEC</a> (2010)	Take home final posted Dec 4
Finals week		Take home final (5-7 page paper) due at 9:30 am on Dec 12

### Counseling and Wellness Center

College can be difficult, sometimes our personal lives can be stressful. Contact information for the Counseling and Wellness Center: <http://www.counseling.ufl.edu/cwc/Default.aspx>, 392-1575. If there is an emergency, you can also contact the University Police Department: 392-1111 or 9-1-1.