

IDS 2935: Quest 1  
Justice and Power: Law and Violence

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Course details

Time: TBA  
Location: TBA  
Quest 1 Theme: Justice and Power  
General Education: Humanities, Writing (2000 words)  
(note that a minimum grade of C is required for General Education and Writing credit)  
Course costs: purchase of My Kind of Town. All other readings will be uploaded onto the course Canvas site.  
Class resources: announcements, assignments, etc will be posted on the class Canvas site.

Course description

The United States prides itself on being a nation of laws, yet it is not clear what relation law has to justice or to power. Is law merely a tool of the powerful, or is it a way for the weak to obtain justice? Is law a neutral collection of rules (often represented by statutes of blind lady justice), or a means by which of dissent can be suppressed or a racial or religious minority confined?

This multidisciplinary Quest 1 course examines the shifting roles justice and power play in our nation's legal system by looking at the relationship between law and violence. We will ask:

- When law (i.e., the legal system) represents justice, and when it represents power?
- When violence enacts justice, and when it enacts power? and
- When law is opposed to violence, and when it is violence?

Several years ago, the law professor Robert Cover wrestled with questions like these in a famous essay, "Violence and the Word." We will use that essay as the starting and ending point for this course. We will read the article at the start of the course and wrestle with whether we agree with his arguments about the violence of law. Then we will look at nine famous moments in legal history and explore whether and how they ask us to reconsider our understanding of law and its relationship to violence. At the close of the semester, we will return to the Cover essay, to decide whether and how our views have changed, and explore why. Our discussions over the semester will help you see the extent to which humanistic inquiry lets us consider modern problems and give you tools that will help you reflect on the role of law in our society.

During the course, you will employ the methods of the humanities by learning to read and critique a variety of primary sources, including legal materials, news accounts, brief memoirs, poetry, and plays. You will learn to distinguish between primary and secondary sources, and discover how to read primary sources closely and compare them to other sources that offer a contradictory perspective. Along the way, you will begin to see how scholars build history out of often conflicting primary sources. You will also learn how to locate primary sources in the library and work on developing rubrics by which they are assessed.

Quest 1 and Gen Ed Descriptions and Student Learning Outcomes

**Quest 1 Description:** Quest 1 courses are multidisciplinary explorations of truly challenging questions about the human condition that are not easy to answer, but also not easy to ignore: What makes life worth living? What makes a society a fair one? How do we manage conflicts? Who are we in relation to other people or to the natural world? To grapple with the kinds of open-ended and complex intellectual challenges they will face as critical, creative, and self-reflective adults navigating a complex and interconnected world, Quest 1 students use the humanities approaches present in the course to mine texts for evidence, create arguments, and articulate ideas.

**Quest 1 SLOS:**

- Identify, describe, and explain the history, theories, and methodologies used to examine essential questions about the human condition within and across the arts and humanities disciplines incorporated into the course (Content).
- Analyze and evaluate essential questions about the human condition using established practices appropriate for the arts and humanities disciplines incorporated into the course (Critical Thinking).
- Connect course content with critical reflection on their intellectual, personal, and professional development at UF and beyond (Critical Thinking).
- Develop and present clear and effective responses to essential questions in oral and written forms as appropriate to the relevant humanities disciplines incorporated into the course (Communication).

**Humanities Description:** Humanities courses provide instruction in the history, key themes, principles, terminology, and theory or methodologies used within a humanities discipline or the humanities in general. Students will learn to identify and to analyze the key elements, biases and influences that shape thought. These courses emphasize clear and effective analysis and approach issues and problems from multiple perspectives.

**Humanities SLOS:**

- Identify, describe, and explain the history, underlying theory and methodologies used in the course (Content).
- Identify and analyze key elements, biases and influences that shape thought within the subject area. Approach issues and problems within the discipline from multiple perspectives (Critical Thinking).
- Communicate knowledge, thoughts and reasoning clearly and effectively (Communication).

**Writing requirement (WR 2,000)**

For courses that confer WR credit, the course grades have two components:

To receive writing credit, 1) a student must receive a grade of “C” or higher, and 2) you must turn in all papers totaling 2,000 words to receive credit for writing 2,000 words. The writing requirement ensures students both maintain their fluency in writing and use writing as a tool to facilitate learning.

PLEASE NOTE: a grade of “C-” will not confer credit for the University Writing Requirement.

The instructor will evaluate and provide feedback on the student's written assignments with respect to content, organization and coherence, argument and support, style, clarity, grammar, punctuation, and mechanics. Conferring credit for the University Writing Requirement, this course requires that papers conform to the following assessment rubric. More specific rubrics and guidelines applicable to individual assignments may be delivered during the course of the semester.

Student learning outcomes

By the end of IDS 2935, student will be able to:

1. Identify, describe and explain how the tools of the humanities can help with becoming a more informed citizen (Content SLO, Gen Ed Humanities and Quest 1)
2. Identify, analyze, and critically reflect on a variety of text-based resources including legal materials, news accounts, personal memoirs and recollections, poetry and plays (Critical Thinking SLO, Quest 1 and Humanities)
3. Identify, analyze, and critically reflect on the connection between course content and their intellectual and personal development at UF and beyond (Critical thinking SLO, Quest 1)

4. Develop and present clear and effective analyses in written form appropriate to the relevant humanities disciplines incorporated into the course (Communication SLO for Gen Ed Humanities and Quest 1).

### Course Policies and Student Resources

#### **Attendance Policy**

Students are expected to attend class regularly and to arrive on time. Unexcused absences from more than four classes will negatively affect your participation grade. For each unexcused absence beyond fourth, you will lose 10% of your participation grade (e.g. a 100% will become a 90%).

Requirements for class attendance and make-up exams, assignments, and other work are consistent with university policies specified at: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>.

#### **Academic Honesty**

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 (<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.

Plagiarism on any assignment will automatically result in a grade of "E" for the course. Plagiarism is defined in the University of Florida's Student Honor Code as follows: "A student shall not represent as the student's own work all or any portion of the work of another. Plagiarism includes (but is not limited to): a. Quoting oral or written materials, whether published or unpublished, without proper attribution. b. Submitting a document or assignment which in whole or in part is identical or substantially identical to a document or assignment not authored by the student." Students found guilty of academic misconduct will be prosecuted in accordance with the procedures specified in the UF honesty policy.

#### **Making Up Work**

Work is due at the start of class on the day specified in the syllabus. Papers turned in late on the day due drop 1/3 of a grade (from A to A-). Papers turned in a day after the due date will be subject to a full grade penalty (from an A to a B) for each 24 hour period it is late.

To be excused from submitting work at the assigned time, you must give 24 hours advance notice and/or meet the UF standards for an excused absence.

### **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 UF's standard online evaluations (summary results will be available to students here) as well as a course-specific evaluation that focuses on course content and the experience of the Quest curriculum. Class time will be allocated for the completion of both evaluations.

### **Class Demeanor**

Students are expected to arrive to class on time, stay the full class period, and behave in a manner that is respectful to the instructor and to fellow students. Electronic devices should be turned off and placed in closed bags. Opinions held by other students should be respected in discussion, and conversations that do not contribute to the discussion should be kept to a minimum.

### **Materials and Supplies Fees**

There are no additional fees for this course.

### **Counseling and Wellness Center**

Contact information for the Counseling and Wellness Center: <http://www.counseling.ufl.edu/cwc/Default.aspx>, 392-1575; and the University Police Department: 392-1111 or 9-1-1 for emergencies.

### **Writing Studio**

The writing studio is committed to helping University of Florida students meet their academic and professional goals by becoming better writers. Visit the writing studio online at <http://writing.ufl.edu/writing-studio/> or in 302 Tigert Hall for one-on-one consultations and workshops.

### Assignments and grading

#### **Required texts**

1. Robert Cover, "Violence and the Word," Robert M. Cover "Violence and the Word," Yale Law Journal 95 (1986): 1601 (on canvas site)
2. John Conroy, My Kind of Town (Chicago: Chicago Dramaworks, 2015) available at UF Bookstore and through Amazon.com
3. Other readings linked to through syllabus or uploaded onto Canvas site.

#### **Bi-weekly papers: 30% of grade (1500 words towards WR)**

Students will be graded according to the writing rubric below:

Grade	Prompt	Analysis	Organization	Writing	Comments
A	All portions equally addressed	Conclusions and points supported throughout Equal analysis of all portions of prompt	Logically organized Easy to follow/understand Few or no errors in syntax/sentence structure	Few to no errors in spelling, grammar, punctuation	Pluses or minuses reflect differences in the quality of analysis and number

					of minor errors
B	Most portions addressed OR all portions addressed but unequally	Partial analysis Generally equal analysis of all portions of the prompt Some quotes to advance analysis Quotes typically followed by interpretation	Generally well organized Generally easy to follow Errors in syntax/sentence structure sometimes weaken analysis	Repeated errors in one of the following: spelling, grammar, or punctuation	Pluses or minuses reflect differences in the quality of analysis and number of minor errors
C	Most portions not addressed OR portions addressed without support	Little analysis Unequal analysis Quotes not supported by interpretation	Generally well organized Large block quotes or paragraphs Several errors in syntax/sentence structure that significantly limit clarity	Errors in two or more of the following: spelling, grammar, punctuation	Pluses or minuses reflect differences in the quality of analysis and number of minor errors
D	Prompt not followed	No quotes No analysis Failure to address major parts of prompt	Organization is confusing	Errors in spelling, grammar, and punctuation	Pluses or minuses reflect differences in the quality of analysis and number of minor errors
E (failing)	Failure to turn in assignment				

**Midterm: document hunt (5%), production of group evidence rubric (5%), and 500 word essay (20%):** total for midterm: **30% of your grade** (assessed using writing rubric above) (**500 words towards WR**)

**Final exam essay:** 20% of your grade

**Class participation:** 20% of your grade

- attendance: if you miss a class without notifying the instructor and/or presenting documentation, your overall grade will be deducted by three points.
- contributions to class discussions: effective class participation entails sharing your impressions of the reading, exploring authors' arguments, offering critiques, and engaging in debates with other students. For each discussion, you will receive points as follow:
  - 3 points: sustained engagement
  - 2 points: limited contribution
  - 1 point: in attendance but no contribution; limited contribution but tardy
  - 0 points: absent

At the end of the semester, I will average your points and assign grades based on the spread (0-3).

All work in the course will receive letter grades, using the University of Florida's grade scale:

A	4.0	C	3
A-	3.67	C-	1.67
B+	3.33	D+	1.33
B	3.0	D	1
B-	2.67	D-	.67
C+	2.33	E	0.0

### Course Schedule and Assignments

Week	Topic Area
1 (8/20-8/23)	<p>Introduction to the course and the problem: Robert M. Cover "Violence and the Word," Yale Law Journal 95 (1986): 1601.</p> <ul style="list-style-type: none"> <li>• Tuesday lecture: Introduction to the course and discussion of the syllabus</li> <li>• Thursday class: Preliminary thoughts on Cover essay</li> <li>• Friday discussion class: At the start of class, students turn in one-page paper (<b>250 WR words</b>) on Cover essay, further discussion of Cover essay</li> </ul>
2 (8/26-8/30)	<p>Module 1: Law against violence in the context of political rebellion: Martial Law in Rhode Island during Dorr's Rebellion</p> <ul style="list-style-type: none"> <li>• Tuesday lecture: Overview of Dorr's Rebellion</li> <li>• Thursday class: Read excerpts from the <a href="http://library.providence.edu/dps/projects/dorr/docs/pcon.pdf">People's Constitution</a> at <a href="http://library.providence.edu/dps/projects/dorr/docs/pcon.pdf">http://library.providence.edu/dps/projects/dorr/docs/pcon.pdf</a> (prepared by the Rhode Island rebels)</li> <li>• Friday discussion section: Reaction papers handed back and discussed in light of the writing rubric on syllabus, At the start of class, students submit one-page paper on Dorr Rebellion (<b>250 WR words</b>)</li> </ul>
3 (9/2-9/6)	<p>Continue Module 1: Winner's Justice?</p> <ul style="list-style-type: none"> <li>• Tuesday lecture: Work through Justice Woodbury's dissent in Luther v. Borden (a case arising from the Dorr Rebellion)</li> <li>• Thursday class: discussion of Woodbury dissent</li> <li>• Friday discussion section: Reflection papers on Dorr Rebellion handed back and discussed (in light of the writing rubric on the syllabus)</li> </ul>
4 (9/9-9/13)	<p>Module 2: Law against violence in the context of criminal justice, the example of the Christiana Riot (anti Fugitive Slave Law)</p> <ul style="list-style-type: none"> <li>• Tuesday lecture: Background on the Fugitive Slave Act and Christiana Riot</li> <li>• Thursday class: discussion of "Freedom's Battle at Christiana," from <a href="http://hd.housedivided.dickinson.edu">Frederick Douglass' Paper</a> available at <a href="http://hd.housedivided.dickinson.edu">hd.housedivided.dickinson.edu</a></li> <li>• Friday discussion section: At the start of class, one-page reflection papers on Christiana Riot submitted; continued discussion of "Freedom's Battle at Christiana" (<b>250 WR words</b>)</li> </ul>
5 (9/16-9/20)	<p>Continue Module 2: different perspectives on Christiana</p> <ul style="list-style-type: none"> <li>• Tuesday: discussion of "Treason!" from the Memphis (TN) <a href="http://hd.housedivided.dickinson.edu">Appeal</a>, available at <a href="http://hd.housedivided.dickinson.edu">hd.housedivided.dickinson.edu</a></li> <li>• Thursday: comparison of the two perspectives</li> <li>• Friday discussion section: One page reflection papers handed back and discussed in light of the writing rubric on the syllabus</li> </ul>
6 (9/23—9/27)	<p>Module 3: Law as violence in the context of political rebellion, the example of the Espionage Act of 1917</p>

	<ul style="list-style-type: none"> <li>• Tuesday lecture: Background on the Espionage Act of 1917</li> <li>• Thursday class: discussion of Schenck v. United States, 249 U.S. 47, 49-51 (1917)</li> <li>• Friday discussion section: At the start of class, one page paper on Schenck submitted, continued discussion of Schenck (<b>250 WR words</b>)</li> </ul>
7 (9/30-10/4)	<p>Continue Module 3: Another point of view</p> <ul style="list-style-type: none"> <li>• Tuesday: discussion Abrams v. United States, 250 U.S. 616 (US Supreme Court 1919)</li> <li>• Thursday: how is Justice Holmes' opinion in Schenk different from his opinion in Abrams?</li> <li>• Friday discussion section: One page papers handed back and discussed in light of the writing rubric on the syllabus</li> </ul>
8 (10/7-10/11)	<p>Midterm Module: experiential learning</p> <ul style="list-style-type: none"> <li>• Tuesday: presentation on primary sources, referring to the materials used in the class to date</li> <li>• Thursday: presentation on primary source research in the library by UF librarian, students given primary source assignment</li> <li>• Friday discussion section: cancelled, Homecoming</li> </ul>
9 (10/14-10/18)	<p>Midterm Module: continued</p> <ul style="list-style-type: none"> <li>• Tuesday: students break into groups of 5 by topic to discuss and assess primary source materials discovered last week</li> <li>• Thursday: student groups come up with an evidence assessment rubric for primary source documents uncovered by their group</li> <li>• Friday: discussion section. At the start of class, students turn in two-page (<b>500 WR words</b>) analysis of the primary source they identified. In writing their papers, they will assess their documents using the evidence assessment rubric their group developed. Discussion of the evidence assessment rubrics.</li> </ul>
10 (10/21-10/25)	<p>Module 4: Law as violence in the context of political rebellion, the example of Sacco and Vanzetti</p> <ul style="list-style-type: none"> <li>• Tuesday: lecture on Sacco and Vanzetti case</li> <li>• Thursday: looking back Steve LeBlanc, "90 years on, legacy of Sacco and Vanzetti executions lingers," <a href="https://www.boston.com/news/history/2017/08/23/90-years-on-legacy-of-sacco-and-vanzetti-executions-lingers">https://www.boston.com/news/history/2017/08/23/90-years-on-legacy-of-sacco-and-vanzetti-executions-lingers</a></li> <li>• Friday discussion section: mid-term papers handed back, discussion of mid-term paper in light of the writing rubric on the syllabus</li> </ul>
11 (10/28-11/1)	<p>Continue Module 4: poets meditate on Sacco and Vanzetti and justice John Dos Passos, "They are Dead Now" Carl Sandburg, "Legal Midnight Hour" Edna St. Vincent Millay, "Justice Denied in Massachusetts" William Carlos Williams, "Impromptu: The Suckers"</p> <ul style="list-style-type: none"> <li>• Tuesday: discussion of Dos Passos and Sandburg</li> <li>• Thursday: discussion of Millay and Williams in comparison to Dos Passos and Sandburg</li> <li>• Friday discussion section: continued discussion of the representations of Sacco and Vanzetti case in the press and poetry</li> </ul>
12 (11/4-11/8)	<p>Module 5: Legalized violence in the context of criminal justice, the Scottsboro case (materials from <a href="http://www.famous-trials.com/scottsboboys">http://www.famous-trials.com/scottsboboys</a>)</p> <ul style="list-style-type: none"> <li>• Tuesday lecture: the Scottsboro trials and "legal lynchings"</li> <li>• Thursday discussion of Holland Ransdall, "Report on the Scottsboro Ala Case" (<a href="http://www.famous-trials.com/scottsboboys/2344-firsttrial-2">http://www.famous-trials.com/scottsboboys/2344-firsttrial-2</a>)</li> <li>• Friday discussion section: At the start of class, students turn in one-page (<b>250 WR words</b>) paper on one of the letters from Alabama</li> </ul>

	( <a href="http://www.famous-trials.com/scottsboboys/1603-letters">http://www.famous-trials.com/scottsboboys/1603-letters</a> ) , discussion of the letters
13 (11/11-11/15)	Continue Module 5 <ul style="list-style-type: none"> <li>• Tuesday lecture on <u>Powell v. Alabama</u> 287 U.S. 45 (1932)</li> <li>• Thursday discussion of Powell opinion</li> <li>• Friday discussion section: one-page papers handed back and discussed in light of the writing rubric on the syllabus</li> </ul>
14 (11/18—11/22)	Module 6: Legal violence in the context of criminal justice, the example of police torture and racial justice in late twentieth century Chicago Materials from the City Council Hearings, Resolutions, and Ordinance (Chicago Torture Archive <a href="https://chicagotorturearchive.uchicago.edu/">https://chicagotorturearchive.uchicago.edu/</a> ) <ul style="list-style-type: none"> <li>• Tuesday lecture on Burge police torture cases</li> <li>• Thursday: discussion of John Conroy, <u>My Kind of Town</u></li> <li>• Friday discussion section: At the start of class, students turn in one-page <b>(250 WR words)</b> paper on the Burge materials, discussion of Burge materials</li> </ul>
15 (11/25-11/29)	Continue Module 6: <ul style="list-style-type: none"> <li>• Tuesday: discussion comparing materials from torture archive to Conroy, <u>My Kind of Town</u> (play based on Burge torture cases)</li> <li>• Thursday: cancelled, holiday</li> <li>• Friday discussion section: cancelled, holiday. Papers from previous week will be graded according to the writing rubric and handed back through Canvas.</li> </ul>
16 (12/2-12/6)	Wrap up discussion <ul style="list-style-type: none"> <li>• Tuesday: Return to Cover: we will reconsider the Cover article in light of the semester's readings</li> <li>• Thursday &amp; Friday: reading period</li> </ul>
Finals week	Final exam: students submit a two-page (500 words) paper reassessing Cover and their earlier assessment of his article in light of modules over the semester