

SENIOR WRITING SEMINAR: LEGAL HISTORY (LAW 590-3)
SPRING 2020 SYLLABUS

INSTRUCTOR: Prof. Douglas Lind (dlind@siu.edu)

CLASSROOM AND MEETING TIME: online via Zoom, Mon/Wed 1:00-12:15 pm

COURSE DESCRIPTION: This three-credit course provides students with a broad understanding of major moments in legal history framed in the context of the history of the production, distribution and reception of legal information, from Magna Carta to today.

LEARNING OBJECTIVES: The lecture portion of this course focuses on the study of physical objects and their importance in the study and research of legal history. Research, writing and other communication skills will be honed via writing assignments and in-class reporting. As a writing seminar, students will learn advanced research, writing, citation, and legal analysis skills, culminating in a substantial independent research paper.

REQUIRED TEXTBOOK: None (reading as assigned); Bluebook Citation Manual highly recommended but not required.

OFFICE HOURS: In person meetings by appointment, but walk in meetings always welcome when available.

ATTENDANCE AND CLASS PREPARATION: The law school attendance policy is followed. Attendance is **mandatory** for all scheduled class meetings and is signified by signing the attendance sheet or my taking attendance virtually. Students may miss up to four 75 minute in person classes in the semester. Absences in excess of that number will result in sanctions and possible dismissal from the course, in consultation with the Associate Dean. There is no excused or unexcused absence policy at SIU, but absences may impact the class participation mark. Small seminars only function well when all students are prepared and willing to participate. If a student is substantially unprepared for class, the student may be counted as absent. Class preparation is based on completion of the syllabus assignments and any other assignments communicated in advance by the instructor, and academic preparedness and effort.

GRADING POLICIES:

- Written Assignments (totaling 7500 words):
 - Ungraded, writing assignments
 - Independent Legal Research Paper (85% of course grade)
- Class Participation (15% of course grade)
- Assignments are not graded anonymously in this course in order to provide the most direct writing feedback
- This course is graded on the SIU Law curve for upper division courses dependent on enrollment
- There will be mandatory individual meetings to review early drafts of the final paper
- Late submissions are subject to a penalty for each full day or portion of a day late

SENIOR WRITING COURSE CREDIT: This course satisfies the Senior Writing course graduation requirement. School of Law Rule IV.5(a) states that “the purpose of the senior writing requirement is to

further refine students' skills in legal research, legal writing, and legal analysis in a course that requires substantial legal research and an advanced legal writing project involving significant, sophisticated legal analysis and research.”

Class Management System & Technical Requirements

Students will need access to SIU VPN to access resources available on the law library's website. Here is the link to SIU Tech page to request VPN access: <https://oit.siu.edu/networkengineering/services/vpn/>

Workload Expectations

The American Bar Association standards for accrediting law schools contain a formula for calculating the amount of work that constitutes one credit hour. According to ABA Standard 310(b)(1), “a “credit hour” is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time.”

EMERGENCY PROCEDURES: *We ask that you become familiar with **Emergency Preparedness @ SIU**. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and through text and email alerts. To register for alerts, visit: <http://emergency.siu.edu/>.*

DISABILITY POLICY. *SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact DSS immediately at 618-453-5738 or disabilityservices.siu.edu. You may request accommodations at any time, but timely requests help to insure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreements for each course to the School of Law Registrar's Office to ensure the School of Law provides the proper classroom and examination accommodations. Accommodation [request](#) and [renewal](#) forms can be found here: <https://law.siu.edu/academics/>.*

SALUKI CARES. *The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-2461, or siucares@siu.edu, <http://salukicare.siu.edu/index.html>. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is judiray@siu.edu, and her phone number is 618- 453-3135.*

COVID-19. *As a condition of on-campus enrollment, all SIUC students are required to engage in safe behaviors to avoid the spread of COVID-19, including the requirement that all students wear a mask in campus buildings, including classrooms, laboratories, and studios when others are present, regardless of social distancing. Students are expected to follow physical or social distancing guidelines by keeping at least 6 feet from others, and practicing good hand hygiene. Failure to comply with this policy may result in dismissal from the current class session. If the student refuses to leave the classroom after being dismissed, the student may be referred to the Office of Student Rights and Responsibilities. SIUC will follow federal, state and county public health recommendations and mandates in all decisions relating to university operation. Students should regularly review the link for the [SIUC COVID-19 response](#).*

January 18 – April 21

M,W 11-12:15 (27 classes)

Class 1 (Wednesday 1/20):

Class intro / syllabus review

Discussion topics: Legal information throughout history: production, distribution, reception

Control of information throughout history

What is “legal authority”?

Class 2 Monday 1/25:

Discussion topics: Law books as textual artifacts (show and tell)

“Learning to see” / Stoddard’s Law.

“Form affects meaning”

Early law book production

Development of the production of primary law (cases, statutes, regulations)

Class 3 Wednesday 1/27

Discussion topics: Intro to scholarly research and topic selection

Finding “legal authority”

Identifying and acknowledging inherent bias

200 word assignment on finding bias in news media – due before next class

Class 4 Monday 2/1:

Discussion topics: Review media bias assignment

Research think tanks, policy groups and other biased sources

DUE BEFORE CLASS 5: 200 word assignment: What is Magna Carta and why is it important today?

Class 5 Wednesday 2/3:

Discussion topics: Magna Carta

Topic selection status reports

DUE BEFORE CLASS: (300 words assignment). Hamurabi, Library of Alexandria, Pagans, papyrus, codex, Pinakes (for each name or topic explain what who/what they/it are and why they are important to this class) List sources

Class 6 Monday 2/8:

Discussion topics: Information in the ancient and classical world. Alexandria through Constantine

Classes 7 & 8 Wednesday 2/10 and Monday 2/15:

Discussion topics: Source gathering

- Periodicals – legal and nonlegal
- Books – online and print
- Online collections of legal history
- Nonlegal sources

DUE BEFORE CLASS: (300 words assignment) – explain how movable type printing press changed history. Or, discuss Henry's challenge of papal authority and how that changed history. List sources

Classes 9 & 10 Wednesday 2/17 and Monday 2/22:

Discussion topics: 16th and 17th centuries. Reformation, printing press, political and social issues

Class 11 Wednesday 2/24:

Discussion topics: Finalizing paper topics and status of research progress

DUE BEFORE CLASS: (400 words assignment) Discuss Viner and Blackstone, how they are bibliographically connected? Why do we care about them today? Who was Langdell and why is he important today? Why is James Kent important?

Class 12 Monday 3/1:

Discussion topics: Legal education: Viner/Blackstone through Langdell and today

DUE BEFORE CLASS: (500 word assignment) discuss how technology played a role in any of these 19th century topics (to be provided by Lind). Or pick your own topic. List sources.

Classes 13 & 14 Wednesday 3/3 and Monday 3/8:

Discussion topics: 19th century topics (slavery, Dred Scott, Civil War) in the context of the industrial revolution and increased production and distribution of legal information

Class 15 Wednesday 3/10:

Outlines and initial list of sources due

Topic and research status reports

Discussion of outlines

Classes 16, 17, 18, & 19 Monday 3/15 through Wednesday 3/24:

Write.

Class 20 Monday 3/29:

Draft due

Classes 21 & 22 Wednesday 3/31 and Monday 4/5:

Required conferences with Prof. Lind

Classes 23-26, Wednesday 4/7- Tuesday 4/20:

Write

FINAL PAPERS ARE DUE WEDNESDAY APRIL 21