

**IDS 2935 Law, (In)justice, & Social Problems Spring 2024**  
**Section UF08 (# 21754 ) UF-ONL**  
**Section 2SL1 (# 21752) UF-Res.**

UF QUEST 2/Social and Behavioral Sciences  
General Education Credits: Social and Behavioral Sciences, Diversity  
Note: A minimum grade of C is required to earn General Education and Diversity credit  
Website: <http://elearning.ufl.edu/> (Canvas Login)

**CHECK ANNOUNCEMENTS REGULARLY**

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**Course Description**

Law, (In)justice and Social Problems will review the defining characteristics shared by social problems. It will examine various contemporary societal problems to see how law and (in)justice contribute to them and/or help alleviate them. The course will consider various social problems. It will explore how law and justice are used to help name, claim, frame and blame to advance calls (i.e., “there oughta be a law against that”) for change and to fashion proposed solutions. The proposed solutions may be functional or dysfunctional for resolving the underlying problematic conditions (or they may contribute to new problems). The course will attend to the developments in basic American law on due process and equal protection over time that address fairness and social inequalities. By using the law lens, students will be exposed to an important social institution and understand its promise and limitations in dealing with societal challenges in fair and nondiscriminatory ways. The course will integrate themes from sociology, criminology and criminal justice, law, history and philosophy to help students understand the underlying social problems as well as societal reactions to them, which may be more or less just (and more or less effective). **The overarching goal of this course is to foster critical thinking and analysis.**

**Required Readings/Materials**

Required course materials will include introductory chapters written specifically for this course, book chapters, government documents, journal articles, court cases, videos, and online postings. With only a few exceptions, all the material will be available through modules in the class Canvas website. Some material will be left for the students to locate online so they can practice accessing relevant material. **NO TEXT IS ASSIGNED.**

Reading and video assignments are posted in Canvas under the respective Modules. **Because of ongoing changes in the relevant law (including important cases currently being considered on appeal), the outline presented below remains tentative AND IS SUBJECT TO ADJUSTMENT. You will receive periodic updates of the schedule. Check class announcements in Canvas regularly.**

**TENTATIVE Course Calendar/Schedule of Topics (and assignments)**

Topic Area (and Reading/Material to be covered)

PART I

**Module I: Intro to Law, (In)justice, and Social Problems** Jan. 8 -Jan 25

Readings/Materials/Videos posted in Canvas under Module I:

1. Video: IDS 2935 Welcome Video

2. Rdg: Update on syllabus features and the court cases previewed in the Welcome Lecture
  3. Rdg: An Intro to Social Problems and Social Structure, ch. 1
  4. Rdg: Horton et al. on Credibility of Info and How to Lie with Statistics
  5. Video: Lecture 1 on Intro to Social Problems
  6. Video: Lecture 2 on Critical Analysis of Social Problems
  7. Rdg.: An Intro to Social Problems and Social Structure, ch. 2 and Note-taking Guide
  8. Rdg: Criminal Law and the Legal System
  9. Video: Lecture 3 on Social Structural Context of Social Problems
  10. Video: Lecture 4 on Defining Law
  11. Video: Lecture 5 on Components of a Legal System
  12. Video: Lecture 6 on Constitutional Interpretation
  13. Stop WOKE Act and court decision 2022
  14. Video: Lecture 7 on the Stop WOKE Act
  15. Video: Follow the embedded link in: [How Structural Racism Works Project.docx](#)
  16. Rdg: 2 Overviews of Critical Race Theory
  17. Video: Lecture 8 on Critical Race Theory
  18. Video: Lecture 9 on Similarities and Differences between CRT & Structural Racism
- A. **Assignment: Baseline Quest\_2\_... Survey to set up the Reaction Paper. Due Jan. 16**
- B. **Graded Assignment: Analysis of a Political Document Claiming a Social Problem and Advocating a Solution Jan. 24**

## Module II: The Role of (In)justice in Social Problems and Social Movements Jan 26 – Feb. 1

- A. Readings/Materials posted in Canvas:
1. Rdg: 10 things about Boston Tea Party—illegal collective action against a legal injustice to illustrate a social problem’s evolution
  2. Rdg: Rodney King beating trial. The Rodney King Case and riots—a social order problem which law both contributed to and dealt with to try to get it right
  3. Video: Lecture on the Role of Injustice for the Underlying Condition
  4. Rdg: Excerpts from the Ferguson Report, a report from the U.S. Dept. of Justice
  5. Rdg: What Kind of Movement is Black Lives Matter?
  6. Video: Lecture on Social Movements and BLM
  7. Rdg: Update on BLM social movement

## Module III: Concepts of Justice in Law Feb. 2 – Feb. 17

- A. Readings/Videos posted in Canvas (TBA)
1. Rdg: Procedural Due Process and Mental Illness: Parham v. JR
  2. Rdg: An Overview of Economic and Noneconomic Substantive Due Process
  3. Video: Three Dimensions of Justice in Law
  4. Video: From Procedural Justice to Substantive Justice
  5. FIND and READ King’s “Letter from a Birmingham Jail”
  6. Video: Follow Links to 2 videos on Rawls
  7. Video: Highlighting Rawls
  8. Video: Civil Disobedience and Justice
- B. **Graded Assignment: Analysis of a Breaching Experiment (30 pts) Feb. 7**

- C. Begin working on: **Rawls' Veil of Ignorance Paper**
- D. Quiz/Exam 1 over Module I, II, and III. Option tentatively set for Wed. evening Feb. 14, Sat. morning Feb. 17

## PART II

### Module IV: Justice and Social Problems Involving Liberty Interests Feb. 19 – Feb. 29

- A. Readings and videos posted in Canvas
  1. Rdg: Pandemic, Epidemic, Endemic, Outbreak.docx
  2. Rdg: A brief history of vaccination.docx
  3. Rdg: When the Supreme Court Ruled a Vaccine Could be Mandatory.docx
  4. Rdg: mandatory school vaccination case Zucht v. King 1922.docx
  5. Rdg: vacc\_mandatres\_chptr13 malone and hinmna.pdf
  6. Video: Social Problems and Liberty Interests
  7. Rdg: Recent Laws Creating Private Causes of Action for Liberty Interests
  8. Video: Private Causes of Action or Vigilante Justice?
  9. Rdg: Update on Private Causes of Action
- B. Graded Assignment: Rawls Veil of Ignorance Paper Feb 29**

### Module V: Substantive Due Process and Social Problems (Substantive due process and social problems—"bad" laws and "unjust" outcomes, or "good" laws and unintended consequences? Mar. 1–Mar. 8

- A. Readings posted in Canvas
  1. Rdg: Right of privacy in marital matters: Boddie v conn majority excerpts.pdf
  2. Rdg: Extending privacy to birth control outside of marriage: Eisenstadt v Baird syllabus.docx
  3. Rdg: Extending privacy to same-sex relations: Lawrence v Texas syllabus.docx
  4. Rdg: Extending privacy to abortion: Roe v. Wade.Doc.x
  5. Video: Privacy Rights and Substantive Due Process
  6. Rdg: THE UNDOING OF ROE V. WADE: Dobbs v. Jackson Women's Health Organization
  7. Video: Post Dobbs TBA
  8. **A Selective Timeline for the Development of a Constitutional Right to Privacy**
- B. Begin working on: Analysis of Reproductive Rights Issues**

### Module VI: Procedural Due Process and Social Problems Mar. 18-27

- A. Readings posted in Canvas
  1. Video: Link to Scottsboro Boys video.docx
  2. Rdg: The fundamental fairness approach in Powell v. Ala2 (1).pdf
  3. Rdg: The selective incorporation approach to right to counsel in Argersinger v Hamlin excerpt.docx
  4. Rdg: Legal assistance matters: seronetal.legalcounsel.pdf
  5. Video: Lecture on Due Process When the Stakes Are Higher
  6. Rdg: Miranda violations (proc. unfairness) and forced confessions in Mincy v Arizona excerpt.docx
  7. Procedures matter: Race\_and\_Wrongfgul\_Convictions.pdf
  8. Video: Lecture on Procedures Matter

9. Rdg to illustrate Criminal Justice as a Social Problem TBA
10. Video on Criminal Justice as a Social Problem TBA
- B. **Analysis of Reproductive Rights Issues due March 21**
- C. **Graded exam: Quiz 2 (30 pts) over Modules IV, V, VI. Options tentatively set for Sat. morning on March 23 and Wed. evening March 27**

### PART III

#### Module VII: Equal Protection Law as the Institutionalized Response to Discrimination March 28 to the end

- A. Readings and video posted in Canvas introducing Equal Protection
  1. Rdg: 14<sup>th</sup> Amendment to the United States Constitution.docx
  2. Rdg: The separate-but-equal approach: Plessy v Ferguson excerpt.docx
  3. Rdg: The integration approach: Brown v. Board of Education.docx
  4. Rdg: Levels of Scrutiny under the Equal Protection Clause.docx
  5. Video: Lecture on Introducing Equal Protection
- B. Readings and videos posted in Canvas on Strict Scrutiny
  1. Rdg: Race and marriage: Loving v Va.excerpt.docx
  2. Rdg: War and Ethnicity and the mistake of internment camps for Japanese Americans: Korematsu v. U.S.docx
  3. Rdg: Going beyond equal protection to foundational due process: Harper v. Va Bd of Elections.docx
  4. Video: Lecture on Strict Scrutiny
  5. Rdg: Update on Affirmative Action TBA
- C. Readings posted in Canvas on the Development of Intermediate Scrutiny
  1. Rdg: Sexism in family legal matters upon death: Reed v Reed excerpt.docx
  2. Rdg: Federal military benefits and sexism: Frontiero v Richardson summary.docx
  3. Rdg: Pregnancy and work disability: Geduldig v Aiello excerpt.docx
  4. Rdg: Criminal law: CraigvBoren (1).pdf
  5. Rdg: Scrutiny of gun regulations.docx changed in 2022
  6. Rdg: Update: Retreating on originalism and the 2<sup>nd</sup> amendment? TBA
  7. Video: Lecture on the Development of Intermediate Scrutiny
- D. Readings/Materials posted in Canvas on Rational Review Used for Most Kinds of Differential Treatment in Law
  1. Poverty and ethnicity and education: san Antonio v rodr (1).pdf
  2. Immigrant and education: Plyler v doe.excerpt[2].docx
  3. Welfare and need-based programs: GRAHAM v richardson.escrpt2a].docx
  4. Video: Lecture on Applications of Rational Basis Review
- E. Readings/Materials and videos posted in Canvas on Discriminatory Treatment and Disparate Impact in the EEOC
  1. EEOC and Employment Discrimination and Harassment Law Overview.docx
  2. Disparate Impact and the EEOC: Davis\_v\_City of-Dallas(1984T).doc.rtf
  3. Video: Mod 5 EEOC and Policing.video2
- F. Graded work due: **Reaction Paper due April 10**

**G. Exam 3 (30 points) over materials for Module VII. Options tentatively scheduled for Wednesday evening on April 24 and Saturday morning April 27**

**Assigned Work**

The graded work will consist of a combination of exercises, writing assignments, reaction papers, and tests/quizzes. The weekly module in which the graded work is due is listed under "Writing Assignments" below and in the "Proposed Course Calendar/Schedule of Topics (and assignments)" above. The point-value of each graded activity is indicated below. The total number of points projected to be available across all graded work for the class is 220. **DO YOUR OWN WORK! THE ASSIGNMENTS ARE NOT GROUP ACTIVITIES.**

*Writing Assignments (Use a recognized "Style Format," like APA, on all submissions):*

**Baseline Quest\_2\_Attitude .... Survey (a necessary step to set up the Reaction Paper). (3 pts)**

Early in the course, students will be required to go online to take Time 1 survey that is being used in several Quest II courses. Some of the questions regard health issues in society. As a survey, there are no right or wrong answers. Your answers will not be stored with identifying information. The survey will serve two purposes. First, it will provide an opportunity for us to learn about survey methodology. Second, it will provide a baseline for a reaction paper, an assignment that we are encouraged to include in a Quest II course. About 10 of the questions will be used later for that reaction paper. We will provide alternative ways for you to keep a copy of your responses to those items and still maintain your confidentiality. **You are to complete the Baseline Survey before midnight on Jan. 16.**

**Reaction Paper on Change and Stability in Views about a Social Problem (12 pts)**

After we cover the challenge of mandatory vaccinations in class, you will be asked to use some of your answers to the Time 1 Social Problems Survey to write a reaction paper. The first part of that short paper will ask you to discuss how much or little your views have changed and provide reasons for the stability or change in your assessment. The target length for that will be 2 paragraphs. After reconsidering your original point of view and drawing a conclusion, the second part of your reaction paper will ask you to find and cite an additional source relevant to your reaction, discuss the credibility/reliability of that source and its information, and show how it supports and/or undercuts that conclusion. The target length for this second part is 2 paragraphs. **It is scheduled to be due on April 10.**

**Analysis of a Political Document Claiming a Social Problem and Advocating a Solution (25 pts)**

This writing assignment will ask you to use the materials about the natural history of social problems and critical analysis tools. You will be asked to apply those to identified features of a press release to critically analyze the claims made in the press release about a problem for which "there ought to be a law." Remember that critical analysis addresses features that contribute to our understanding as well as those that interfere with our understanding of a social problem. Target length is 8-10 paragraphs. **Its due date is Jan. 24 before midnight.**

There will also be an **extra-credit opportunity** from a CNN video that will ask you to conduct a propaganda analysis from a major media player.

**Analysis of a Breaching Experiment (30 pts)**

Breaching experiments are premised on the “disruption of normal routines” to reveal “the accepted rules of daily behavior.” You will be asked to analyze a video clip to discuss what it reveals about breaching experiments and the culture and structure of race relations. The target length will be 10 paragraphs. **It is due before midnight on Feb. 7.**

**Rawls Veil of Ignorance Paper (30 pts.).** This paper will ask the students to conduct their own mind experiment using Rawls’ justice model. It will have you use the original position, veil of ignorance, and his difference principle to analyze issues regarding the “social contract” about a social problems issue. There will be 3 parts to the assignment. The target length will be 10 paragraphs. **It will be due on Feb. 29 before midnight.**

**Analysis of Reproductive Rights Issues (30 points).** This short paper assignment will be to use the development of reproductive and sexual privacy case law to provide an analysis (which can include positive and/or negative viewpoints) of proposed legislation. You will be asked to consider how enactment of new bills might alleviate a social problem or create a new one. The target length will be 10 paragraphs. **Its projected due date is March 21 before midnight.**

#### *Quizzes/Exams:*

Three exams/quizzes will be given during the course, none of which will be a “cumulative exam” (but information covered early in the course will be used throughout). All the quizzes will use multiple choice and true-false response formats. **ALERT: Because this year’s course has a lower cap for enrollment, only two (2) options for each quiz will be scheduled. Disregard info about 3 options that is contained in the Welcome Video. We will try to maintain the quiz schedule, but sometimes events require adjustments. SO BE SURE TO CHECK ANNOUNCEMENTS.**

Quiz 1 will cover material from Module I – III. It will be worth 30 points. Quiz options are tentatively set for Wed. evening at 7:30 p.m. Feb. 14 and for Sat. morning at 7:30 a.m. on Feb. 17.

Quiz 2 will cover materials from Modules IV – VI. It will also be worth 30 points. Quiz options are tentatively set for Sat. morning at 7:30 a.m. on March 23 and for Wed. evening at 7:30 p.m. on Mar. 27.

Quiz 3 will cover materials from Module VII. It will be worth 30 points. Quiz options are tentatively scheduled for Wed. evening at 7:30 p.m. on April 24, and Saturday morning at 7:30 a.m. on April 27.

The exams/quizzes will open under Quizzes in Canvas. They will be open-note and will be timed (so you will need to be prepared like you were taking a closed-book test). This keeps exams from being large-scale, high-risk ventures for students and avoids the problems associated with camera-monitored closed-book exams.

The trade-off, however, has two downsides. First, there will be less flexibility about when they are offered. You will be able to choose one of two comparable but different options; you may choose either one. You will have a set amount of time to complete an option within one of those windows. If the timing doesn’t work for you and you have a legitimate excuse (e.g., illness, or university sanctioned activities, or a distant time zone) that you can document, contact the instructor ahead of time so we can make other arrangements. The second downside is that the quizzes will be used for assessment purposes only. Because it is impractical to review quizzes with so many students one-by-one, “cushion” questions are built into the quizzes to make up for the constraints on reviewing them with students. Each quiz will give you a chance to earn 33 points, but the base for computing the grade will only be 30 points.

**DO YOUR OWN WORK! DO NOT GO ONLINE OR ENTER CHAT ROOMS OR EMAIL ANYONE OTHER THAN THE INSTRUCTOR OR TA DURING THE EXAM. IT RAISES QUESTIONS ABOUT WHETHER YOUR SUBMISSION IS YOUR OWN WORK. SINCE WE HAVE NO WAY OF CONFIRMING WHY YOU GO ONLINE OR INTO A CHAT ROOM, THE BURDEN OF PROOF WILL BE ON YOU. IF YOU CANNOT ESTABLISH THAT IT WAS YOUR OWN WORK, I WILL NOT ENTER A SCORE.**

### **Grading**

#### *Grading Scale:*

The grading will be done on a point system. At this juncture it is projected to be based on 220 points: 90 points across three tests/quizzes and 130 points across five writing assignments (25 points for the analysis of the political document, 30 points for the “veil of ignorance” analysis, 30 points for analyzing a breaching experiment, 30 points for the paper on reproductive privacy and personhood bills, and 15 points for the reaction paper that incorporates items from the baseline survey). The points will be used for final letter grade cut-offs: A=90%+, B+=87-89%, B=80-86%, C+=77-79%, C=70-76%, D+=67-69%, D=60-66%, E=<60%. No minuses will be given. Percentages computed from the total points earned across all the graded work that are .5 or higher (e.g., 89.5%) will be rounded up to assign the final letter grade.

#### *Paper Grading:*

Since this is not a composition course, the content of your ideas is what is important for the grading. Ideas and analyses, however, are only as good as the way in which they are expressed. It is important to structure and develop your written work and use basic shared features of written English so your ideas come through clearly.

Be sure to follow the specific instructions for, and to answer every question posed in, each assignment. **NOTE: The grading rubrics are based on the assigned material for the course; include outside materials only when the assignment specifically calls for you to do that.**

### **Various Other Policies and Matters**

#### *Timely Participation and Making Up Work:*

Yet again we open a new term with yet another Covid variant taking off to mix with other seasonal viruses. With the number of people in the two sections, the odds are high that some of us will take ill at some point during the semester. Because of asynchronous online delivery, attendance is not an issue, but timely participation is important. We will work with you if you do get ill. To be excused from submitting work or taking a quiz/exam at one of the assigned time options, you will be expected to notify the instructor in advance unless there are exceptional circumstances. If you have a scheduling conflict and can provide documentation showing need (like illness) for a scheduling adjustment, contact us in a timely way so we can work out other arrangements as warranted. You are at a major research university engaging in higher education, so you are expected to take responsibility for meeting deadlines and getting your work done. BTW, a family cruise does not warrant adjustments for due dates.

#### *Extra Credit:*

Some extra credit will be available during the term. Extra credit points you earn will be added to your final point total, and they may help you cross a letter grade cut-off to improve your final grade (but that is not guaranteed). You do not have to do extra credit; it may only help your grade if you do so.

*Students Requiring Accommodations:*

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352 392-8565; [Accommodations - Disability \(ufl.edu\)](https://www.ufl.edu/disability)) and provide appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the instructor when requesting accommodation. Students should follow this procedure as early as possible in the semester. (Remember that some graded work is due early on in the term so it is important to have the accommodations in place quickly.)

*Course Evaluation:*

Students are asked 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) as well as a course-specific evaluation that focuses on course content and the experience of the Quest curriculum.

*University Honesty Policy and Your Rights and Responsibilities:*

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.'" Please inform yourself about your rights and responsibilities, including academic honesty guidelines, formal and informal procedures for hearing academic dishonesty cases, the grievance procedure, and confidentiality of student records. See: [Student Honor Code and Student Conduct Code | SCCR \(ufl.edu\)](https://www.ufl.edu/honorcode). You are obligated to report any condition that facilitates academic misconduct to appropriate personnel.

This course is NOT designed in a way that permits the use of chatbot apps or AI to complete your work. **The use of chatbot applications to write your assignments will be considered "unauthorized aid."** Consistent with academic integrity and professional ethics, you need to conduct your own independent critical analysis to complete the written assignments.

Student records are confidential. Only information designated "UF directory information" (see University Regulation 6C1-4.007) may be released without your written consent. UF views each student as the primary contact for all communication. If your parent or anyone else contacts me about your grade or performance or for any information that is not "UF directory information," I will ask the person to contact you.

You may raise matters or concerns you have about the course with your instructor, the Quest office, or the university ombudsman (<http://www.ombuds.ufl.edu/>).

*Class Demeanor even online:*

Please conduct yourself in a manner that is respectful to the teaching staff and to fellow students in your communications. The class is focused on topics about which reasonable persons disagree. You may be encouraged to take positions opposite from those you hold to help sharpen your arguments and see the strengths and weaknesses of your own position. Indeed, that is a contribution of the adversarial approach adopted by law and is a hallmark of critical analysis.



## Quest 2 and General Education Descriptions and Student Learning Outcomes

### *Quest 2 Description:*

Quest 2 courses provide an opportunity for students to engage in thought-provoking Gen Ed coursework that builds on and expands their Quest 1 experience with the Arts and Humanities. If courses in Quest 1 ask “What does it mean?”, those in Quest 2 ask “What can we do?” Thus, rather than offer introductory/survey courses to specific fields, Quest 2 courses invite students to encounter important real-world issues that cut across disciplines and introduce scientific methods and discourse for students to become familiar with the ways that data, methods, and tools from diverse fields can be brought to bear on pressing questions facing human societies and/or the planet today.

### *Social and Behavioral Description:*

Social and behavioral science courses provide instruction in the history, key themes, principles, terminology, and underlying theory or methodologies used in the social and behavioral sciences. Students will learn to identify, describe and explain social institutions, structures or processes. These courses emphasize the effective application of accepted problem-solving techniques. Students will apply formal and informal qualitative or quantitative analysis to examine the processes and means by which individuals make personal and group decisions, as well as the evaluation of opinions, outcomes or human behavior. Students are expected to assess and analyze ethical perspectives in individual and societal decisions.

Each Quest 2 course will have the following general course objectives [note the mandatory university requirement for Quest 2 courses]. [Note, however, that they all feed **an overarching goal: the development of critical thinking and analysis.**]

1. Address in relevant ways the history, key themes, principles, terminologies, theories, or methodologies of the various social science ... disciplines that enable us to address pressing questions and challenges about human society and/or the state of our planet.
2. Present different social science ... methods and theories, and consider how their biases and influences shape pressing questions about the human condition and/or the state of our planet.
3. Enable students to analyze and evaluate (in writing and other forms of communication appropriate to the social ... sciences) qualitative or quantitative data relevant to pressing questions concerning human society and/or the state of our planet.
4. Analyze critically the role social ... sciences play in the lives of individuals and societies and the role they might play in students' undergraduate degree programs.
5. Explore or directly reference social ... science resources outside the classroom and explain how engagement with those resources complements classroom work.

### *Diversity Description:*

“In Diversity courses, students examine the historical processes and contemporary experiences characterizing social and cultural differences within the United States. Students engage with diversity as a dynamic concept related to human differences and their intersections, such as race, gender identity, class, ethnicity, religion, age, sexual orientation, and (dis)abilities. Students critically analyze and evaluate how social inequities are constructed and affect the opportunities and constraints across the US population. Students analyze and reflect on the ways in which cultures and beliefs mediate their own and other people's understandings of

themselves and an increasingly diverse U.S. society.” Source: 2023-2024 Undergraduate Catalog, University of Florida at pp. 66-67.

Diversity Student Learning Outcomes include:

Identify, describe, and explain the historical processes and contemporary experiences characterizing diversity as a dynamic concept related to human differences and their intersections, such as (but not limited to) race, gender identity, class, ethnicity, religion, age, sexual orientation, and disability (Content). These are incorporated in the specific course objectives and SLOs in the *Student Learning Objectives* section below.

Analyze and evaluate how social inequities are constructed and affect the opportunities and constraints of different groups in the United States. Analyze and reflect on the ways in which cultures and beliefs mediate understandings of an increasingly diverse U.S. society (Critical Thinking). These are incorporated in the specific course objectives and SLOs in the *Student Learning Objectives* section below.

Academic Freedom and Politics in the Classroom, especially regarding “diversity” designated courses

The ongoing tempest over “woke” universities warrants a little analysis, even if for no other reason than the label is a kind of name calling. An objective definition from a dictionary gives important clues to the term’s origination and meaning, and its appropriation and reframing in political conflict over education.

“*Woke* is now defined in this dictionary as ‘aware of and actively attentive to important facts and issues (especially issues of racial and social justice),’ and identified as U.S. slang. It originated in African American English and gained more widespread use beginning in 2014 as part of the Black Lives Matter movement. By the end of that same decade it was also being applied by some as a general pejorative for anyone who is or appears to be politically left-leaning.” See: [What Does 'Woke' Mean? | Merriam-Webster](#) [retrieved 1/7/23].

The drift from the original usage to a “left-leaning” characterization invites wokeness to be associated with “liberal” which, by mis-association conflates wokeness with liberal arts. Again, a basic objective dictionary definition helps sort out the conflation as it provides historical context.

“The liberal in liberal arts, a cornerstone of the education of so many has very little to do with political leanings; its roots can be traced to the Latin word *liber*, meaning ‘free, unrestricted.’ Our language took the term from the Latin *liberales artes*, which described the education given to freeman and members of the upper classes, and involved training in the mind (grammar, logic, geometry, etc.). The lower classes were educated in the servile arts, which were mechanical or occupational in nature. The phrase liberal arts has been part of our language for a very long time, with use dating back to the 14<sup>th</sup> century.” See: [Liberal Arts | Definition of Liberal Arts by Merriam-Webster](#).

Every course on social problems has to deal with the social and political conflict over definitions of what is problematic. It is to be expected that labels like wokeness may be employed as part of that conflict. A social problems course has to deal with inequalities that occur because of individual bias and discrimination and because of ways in which disparate outcomes are institutionalized at the group level. Note that the university requirements, particularly for diversity designated courses, direct that the course “identify, describe, and explain the historical processes and contemporary experiences characterizing diversity... [and that includes] intersections, such as (but not limited to) race, gender identity, class, ethnicity ...” In other words, I have the obligation, both for academic integrity reasons and because of imposed regulations on this course, to deal with issues that some consider to be “woke,”

no matter if the original meaning or the pejorative name-calling is being employed. A social-problems analysis demands that we critically analyze such labels, especially when they are used to advance political agenda. We will see that political battles are an inherent part of the natural history of any social problem. Conducting a critical analysis examines definitions to clear up blurred conceptual distinctions to help unmask the politicization of learning. The current politicized environment conflates a dimension of race analysis that needs to be addressed head-on early on.

We will do that in various ways. You will be assigned material on structural/institutional/systemic racism and critical race theory so you can make up your own mind. Please recognize from the outset that in their academic development structural racism and critical race theory are not one and the same. Moreover, theories are used to explain for empirical conditions; learning about the conditions themselves is something different. You will also be given an assignment to examine a political press release about “wokeness” in education. You will be exposed to majority and minority positions in the law, and you will be encouraged to apply the adversarial legal model, which rests on competing arguments in dealing with issues.

**A Heads-up about a governmental intrusion into the classroom.** In 2021 Florida enacted amendments to its Campus Free Expression Act that address student recordings of lectures.

FS 1004.097(3)(g):

(g) Notwithstanding s. 934.03 [on the interception and disclosure of various communications] and subject to the protections provided in the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. s. 1232g and ss. 1002.22 and 1002.225, a student may record video or audio of class lectures for their own personal educational use, in connection with a complaint to the public institution of higher education where the recording was made, or as evidence in, or in preparation for, a criminal or civil proceeding. A recorded lecture may not be published without the consent of the lecturer.

FS 1004.097(4):

CAUSE OF ACTION.

A person injured by a violation of an action prohibited under this section may bring an action:

(a) Against a public institution of higher education based on the violation of the individual's expressive rights in a court of competent jurisdiction to obtain declaratory and injunctive relief and may be entitled to damages plus court costs and reasonable attorney fees, which may only be paid from nonstate funds, reasonable court costs, and attorney fees.

(b) Against a person who has published video or audio recorded in a classroom in violation of paragraph (3)(g) in a court of competent jurisdiction to obtain declaratory and injunctive relief and may be entitled to damages plus court costs and reasonable attorney fees, with the total recovery not to exceed \$200,000.

The law is more likely to address face-to-face course delivery. Note that the law **only** provides that students have the **right to make recordings of class “lectures” for some purposes** (personal use for education, for university complaints, or for lawsuits). Be careful about recording other class activities or exchanges or “publishing” (sharing) them without permission. I will NOT be using the Zoom recording function for office hour sessions with students, and you should not either. Office hours are not “lectures” under the law. Many details about how the law will be implemented remain untested in court. Be careful about posting (publishing?) materials from your classes so you don’t get into trouble. Note the law’s cause of action provisions can be used to file complaints or lawsuits against students. We will return to the issue of creating private causes of action to advance what some people see as a liberty

interest later when we talk about the nature of justice and due process and the law. We will consider the debate over legal liberty interests and whether providing for private causes of action alleviates a social problem or creates a new one or both so that students can decide for themselves about the justice of this legal development.

### **A Note on Learning and Electronic Devices.**

Be careful about how you use electronic devices even in online courses. The prospect of chatbox apps has already been discussed. Even innocent screen shots of exam questions raise suspicion that someone may be cheating. Similarly stay out of chat rooms regarding assignments that require your independent work. Consult a TA or the instructor if you have questions. In course-related online exchanges, be professional in how you share or use information.

### **Other Information and Resources**

#### *Materials and Supplies Fees*

There are no additional fees for this course.

#### *Counseling and Wellness Center:*

The contact information for the Counseling and Wellness Center is:

[Homepage - UF Counseling and Wellness Center \(CWC\) \(ufl.edu\)](#); 392-1575

You may also contact the University Police Department (392-1111) or in emergencies dial 9-1-1.

#### *Writing Studio:*

The writing studio (302 Tigert Hall) is committed to helping UF students meet their academic and professional goals by becoming better writers. Visit the writing studio online at:

<http://writing.ufl.edu/writing-studio/>.

#### *Communications:*

Sent messages are not completed communications until they are received. If you leave an important message and get no response, follow up to make sure it has been received. The best way to contact me is through email. My old ears don't always pick up voice mail and messages too often get garbled. **Please email through the e-learning Canvas website so that I can keep class matters organized and separate from the numerous other emails that come in every day.** For confidentiality reasons, be sure to use the Canvas message system and not a private provider like gmail. I am supposed to be careful about conducting business through email providers outside the UF services.