



General Education and I-Series Course Submission and Review

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ENGL289B The Rites of Discovery: Science, Law and Literature 1492 to 1992

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General Information	
Title	The Rites of Discovery: Science, Law and Literature 1492 to 1992
Course Number	ENGL289B
College	ARHU - Arts and Humanities
Department	English
Submitted By	Thomas Colborn Moser Jr
CORE Information	
CORE Fundamental Studies	None
CORE Distributive/Advanced Studies	None
CORE Diversity	No
General Education Information	
Fundamental Studies	None
Distributive Studies	I-Series Humanities
Linked Course	
Diversity	Understanding Plural Societies
Regular or One-Term	Regular
Course Questions	
General Questions	

Please give a brief description of the course:

This is a course not about the history of scientific discoveries but rather about the history of the concept of 'discovery', which originally meant simply to "uncover" or "make manifest" something but that has come to assume, in modern times, a more narrow meaning in that the object of discovery must be new or previously unknown. The evolution of a modern concept of discovery is a story that belongs in part to the history of science, but in this course we will place this evolution also in the legal context of the history of European colonialism and cultural encounter with Native peoples in the Americas, Africa, and Asia. We will trace the history of this idea from the sixteenth-century legal debate about the European 'rights of discovery' to the culture wars surrounding the 500th anniversary of Columbus's landfall in the New World in 1992 by exploring primary and secondary sources relating to the history of international law, science, and literature.

Please list any pre- or co-requisites for this course:

None

If there are pre- or co-requisites, please justify them with respect to their appropriateness for a General Education course:

N/A

Please list any restrictions (e.g. majors only) placed on this course:

None

What is the approximate course size (students/academic year)?

120

Please describe how student learning will be assessed (i.e. exams, homework, papers, group projects, etc.):

This class is designed as a lecture course for up to 120 students a semester, with weekly discussion sections run by TAs. In those sections, T.A.'s will continually assess learning through discussion of materials and ideas presented in lecture, and through quizzes, exercises, recitations, short response writings, and a reading journal. Exams will include multiple choice questions, identifications of concepts, as well as short and long essay questions. In addition, there will be two essay assignments which will allow assessment of how well students are keeping up with the reading, the lectures, and the discussion sections, as well as of how well they are integrating the materials.

Comments on the course that you feel may be useful for the review process. Also, if this is an existing course that you are planning on making changes to via VPAC (i.e. changing the title), please list those proposed changes here:

ENGL289B is being submitted by Tom Moser on behalf of Prof. Ralph Bauer who alone should receive credit for the the course should it be approved.

I-Series**Please list the instructor(s) who will be teaching this course:**

Prof. Ralph Bauer. TAs will be assigned as needed from among English graduate students.

Please write 2 or 3 sentences that can be used to advertise your I-Series course to students:

How is it possible that Europeans since the sixteenth century have claimed to 'discover' (and appropriate) things that they knew to be known and possessed by others? In this course, we will explore how the evolution of the modern scientific concept of 'discovery' has itself been shaped by the history of Europe's colonial encounters with the Americas and (later) Africa and Asia from the sixteenth to the late twentieth century by reading a variety of legal, scientific, and literary texts.

Describe the approaches to be used in this course to engage students:

Students will be asked to engage in brief writing exercises about the readings in both lectures and discussion sections. In lectures and outside class, they will be exposed to visual and cinematographic materials to accompany and contextualize the historical reading materials. In section, they will be engaged in discussions that connect the historical materials with contemporary issues involving scientific discovery and indigenous rights. In addition, we will have several guest speakers expert on a particular topic, issue, or archive covered in this course. Finally, we will conduct several field trips in order to illustrate issues of cultural property in the situations of colonial contact, including visits to the Smithsonian Museum of the American Indian.

What role will teaching assistants (graduate or undergraduate) play in the active engagement of students?

T.A.s will meet with students once a week in discussion sections; they will answer questions about issues presented in lecture and discuss the readings; they will work with students on drafts of their papers; and they will help students prepare for exams.

Learning Outcomes

Learning outcomes are phrased as "*At the completion of this course, students will be able to...*". Answers are

expected to demonstrate how the course will (1) give students the ability to meet the learning objective and (2) determine that students were successful in meeting the learning objective.

Learning outcomes in **this color** are **REQUIRED**

I-Series

As the centerpiece of the University's new General Education program, I-Series courses will become the intellectual and pedagogical marker for which the University of Maryland is known: broad, analytical thinking about significant issues. In branding the University's General Education curriculum, the signature courses begin the process of defining what is unique about education at the University of Maryland. Through these courses, students will be challenged from their first moments on campus to master the intellectual tools needed to wrestle with matters of great weight and consequence, the so-called Big Questions.

A signature course could take students inside a new field of study, where they may glimpse the utility, elegance and beauty of disciplines that were not previously represented in the general education curriculum. Students may be able to see how such areas of investigation could become a subject for extended study, a major, or even a lifetime commitment. By addressing both contemporary problems and the enduring issues of human existence, the signature courses will speak to the University's historic role both as a timeless repository of human knowledge and as a source of solutions to burning issues of the day. At their best, the signature courses might do both. The I-Series offers extraordinary opportunities for increasing the level of intellectual discourse on campus and for providing occasions where new pedagogical methods may be introduced. The possibilities are large and exciting.

Must address **at least 4** of the following Learning Outcomes.

At the completion of this course, students will be able to...

Identify the major questions and issues in their I-series course topic.

Many still tend to think of the history of science as a story of 'progress' that follows on the heels of the 'discovery' of new facts. More recently, however, historians of science have investigated the cultural and social contexts in which a modern (i.e. empiricist) model of science took shape since the 'Scientific Revolution' of the seventeenth century. In this course, students will explore the intersections between the histories of science and international law with regard to European colonialism in the Americas, Asia, and Africa. Students will learn to think critically about the cultural contexts of the history of science, about the history of Western attitudes towards non-Western ("Native") peoples, and about the colonial history of foundational European legal concepts such as *res/terra nullius* and *vacuum domicilium*. In addition, they will explore the role that Western technologies of representation (print, copper engraving, photography, etc.) played in the formation of these scientific and legal ideologies. Students will demonstrate their level of understanding the major questions, concepts, and issues of this course in a mid-term and a final exam consisting in part of essays questions, in two papers, and in a reading journal.

Describe the sources the experts on the topic would use to explore these issues and questions.

In this course, we will read some of the key texts in the histories of modern science and international law as they converge over the concept of discovery by influential authors such as Francisco de Vitoria, Francis Bacon, and John Locke. In the first segment of this course, we will read primary sources (primarily Spanish sources in English translation) from the fifteenth and sixteenth centuries dealing with the European discovery of the New World and the legal and epistemological questions raised by it, as well as early modern Native American critics. Along with this, we will read secondary sources by modern intellectual and legal historians as well as literary critics. In the second segment, we will read primary documents relating to the English discovery and conquest of America to Protestant theories of international law, the Protestant missionary project in America, and its scientific backers in England. Also, we will read contemporary historiography by historians and literary critics. In the third segment, we will read primary documents dealing with westward expansionism in the early United States, focusing on Thomas Jefferson's interest in science and his involvement in the Lewis & Clark expedition and Chief Justice John Marshall's ruling in the 1823 US Supreme Court landmark case *Johnson v. M'Intosh*, as well as secondary sources by legal historians such as Stuart Banner, Steven Newcomb, and Robert Miller. In the final segment, we will read historical and literary discourses that appeared around the time of the 500-year anniversary of Columbus landfall. In addition, we will explore the legacy of the European 'doctrine of discovery' in several contemporary legal cases over Native American land disputes. Students will demonstrate their ability to describe the sources experts on the topic would use in their final paper, which will require them to engage with some of the primary and the secondary sources relevant to the topic.

Demonstrate an understanding of basic terms, concepts, and approaches that experts employ in dealing with these issues.

Demonstrate an understanding of the political, social, economic, and ethical dimensions involved in the course.

Students will be encouraged to think about the social, economic, and ethical dimensions in the history of modern international law and property rights from a (geo-) political, transnational, and cross-cultural perspective, as well as about the legacies of European colonialism, including the

colonial history of foundational European legal concepts such as *res/terra nullius* and *vacuum domicilium*. Students will demonstrate their level of understanding of the political, social, and economic, and ethical dimensions involved in this course in short in-class writing assignments, in the two required course papers, as well as in the midterm and final exam.

Communicate major ideas and issues raised by the course through effective written and/or oral presentations.

Short response papers to individual readings will encourage students to reflect upon specific historical moments in the intersection of law and science in colonial situations. Two longer papers will invite them to make connections between readings and think about continuities and changes in the history of Western international law and science as they relate to the issue of discovery in colonial situations.

Articulate how this course has invited them to think in new ways about their lives, their place in the University and other communities, and/or issues central to their major disciplines or other fields of interest.

Students will be encouraged to engage with the contemporary legacies of the European 'doctrine of discovery' in disputes over indigenous rights to land, natural resources, and labor here in the United States and in the world. They will be invited to reflect on their own choices as consumers in a global economy and on their own and society's attitudes toward non-Western forms of knowledge and belief systems. They will demonstrate their ability to articulate how this course has invited them to think in new ways in short in-class writing assignments and in their reading journal.

Humanities

Courses in the humanities disciplines study history and the genres of human creativity, and they include courses in the practice of architecture and the visual, literary and performing and creative arts. Under "Humanities," students will find courses in cultures and literatures in any language, creative writing, art, architecture, art history, classics, history, linguistics, philosophy, and the performing arts (dance, music, theatre) and their histories.

Must address **at least 4** of the following Learning Outcomes.

At the completion of this course, students will be able to...

Demonstrate familiarity and facility with fundamental terminology and concepts in a specific topical area in the humanities.

ENGL289B introduces students to the basic vocabulary and concepts of the legacies of the colonial encounters between multiple cultures in the Americas from the late fifteenth to the twenty-first century—legal concepts such as the 'right to dominion,' the 'rights of discovery', *res/terra nullius*, *vacuum domicilium*, and the rights of preemption, as well philosophical concepts such as natural law, empiricism, inductivism, and hermeneutics. The course begins with readings and discussions relating to the European 'age of discovery,' including the legacy of the medieval canon-law tradition, Aristotelian concepts of science and natural slavery, humanist conceptions of natural law and *bildung*, as well as Renaissance utopianism and primitivism; the relationship between early modern European expansionism, the Scientific Revolution, global economic (under-) development, the evolution of international law and property rights, and the rise of slavery. Other important terms and concepts that will be considered include cultural relativism, cultural absolutism, ethnocentrism, and cultural hybridity. This learning outcome will be assessed a mid-term and final exam, which asks students to identify critical terms and concepts, as well as to provide examples from the course readings/materials that demonstrate their ability to use them.

Demonstrate understanding of the methods used by scholars in a specific field in the humanities.

ENGL289B introduces students to the ways in which scholars in the Humanities understand and make sense of textual evidence, in the broadest sense of the term (including literary as well visual, archeological, and other cultural objects). More specifically, the aim of this course is to cultivate inter-disciplinary, comparative, and trans-cultural analytical faculties and vocabularies in students and to teach them to think and write from a historical perspective. The learning outcome for this goal will be assessed by way of paper assignments that ask students to respond to comparative topics/questions.

Demonstrate critical thinking in the evaluation of sources and arguments in scholarly works, or in the evaluation of approaches and techniques in the visual, literary, or performing arts.

ENGL289B encourages students to think critically about how concepts evolve in various discursive traditions and in response to historical experiences. Apart from reading archival materials from the various historical periods and geo-cultural locations, as well as modern scholarship, students will be exposed to modern films dealing with representations of historical issues and cultural artifacts (such as museum objects) to which are attached divergent cultural significance by different groups of people. Why, for example, are some Native American communities objecting to the public display of their artifacts or to the photographic or cinematic 'capture' of their culture? Why were late nineteenth- and early twentieth-century Americans obsessed with documenting Native American culture in photograph and film? How is the rise of the photographic and cinematic media related to a modern ideology of discovery? This learning outcome will be assessed by (a) journal entries on student reactions to film screenings and museum visits; as well as (b) the critical papers; and (c) essay questions included in midterm and final

exams.

Describe how language use is related to ways of thinking, cultural heritage, and cultural values.

Conduct research on a topic in the humanities using a variety of sources and technologies.

Demonstrate the ability to formulate a thesis related to a specific topic in the humanities and to support the thesis with evidence and argumentation.

ENGL289B is a writing-intensive course, with two 5–7 page formal critical/argumentative papers, an informal weekly reading journal, and occasional in-class writing assignments. The in-class writing assignments and the journal are intended to generate questions and ideas for the formal papers. Each formal paper will involve one preliminary draft on which students will receive a comment. The criteria for comment on and evaluation of papers are as follows: 1. does the paper closely engage and work with a primary text (i.e. readings and/or movie screenings)? 2. does it articulate an original and interesting idea, thesis, or claim about the primary reading? 3. does it develop a coherent and persuasive argument? 4. does it support its points with specific textual evidence? 5. does it pay attention to literary/rhetorical form, style, and language? 6. does it display awareness of the text's historical context? 7. does it provide a critique of authorial perspective? 8. does it scrutinize the text's strategies of representation? 9. does it use language effectively, lucidly, and grammatically? 10. does it accurately document its sources?

Demonstrate understanding of the creative process and techniques used by practitioners in a specific field of the visual, literary, or performing arts.

Understanding Plural Societies

Life in a globally competitive society of the twenty-first century requires an ability to comprehend both theoretical and practical dimensions of human difference. From that perspective, Understanding Plural Societies is the centerpiece of the University's Diversity requirement. Courses in this category speak to both the foundations—cultural, material, psychological, historical, social, and biological—of human difference and the operation or function of plural societies.

Must address **at least 4** of the following Learning Outcomes.

At the completion of this course, students will be able to...

Demonstrate understanding of the basis of human diversity: biological, cultural, historical, social, economic, or ideological.

ENGL289B emphasizes the different historical experiences with the geopolitical consequences and legacies of the European 'age of discovery'—both for those who have been doing the 'discovering' and those who have been 'discovered'. In particular, it will investigate the role that race and gender played in the evolution of the modern concept of discovery. In other words, it interrogates the borderlines between subjects and objects of scientific discovery and their consequences for the development in international law and property rights, as well as for the evolution of 'ethnic', colonial, and postcolonial literatures. For example, it investigates the paradox that the discourse of economic liberalism arose in the context of seventeenth- and eighteenth-century justifications of (racial) slavery. Moreover, it explores the language of gender and sex in the literature of discovery. Students will demonstrate their understanding of human diversity by responding to paper assignments that ask them to compare texts from various cultural and gender traditions with respect to experiences with scientific discovery, innovation, and 'progress.'

Demonstrate understanding of fundamental concepts and methods that produce knowledge about plural societies.

ENGL289B exposes students to authors, from the late fifteenth century to the present, who write about (often radically different) cultural experiences with and reactions to one of the most fundamental concepts of knowledge production on which modern Western culture prides itself—the notion that knowledge is produced by scientific 'observation' and 'discovery'. As such, it exposes students to some of the insights, concepts, and methodologies of modern, postcolonial anthropology (primitivism, co-evalness, cultural relativism, cultural absolutism, familiarization, de-familiarization, etc.) that problematize and de-naturalize normative ethnological (ethnocentric) ways of thinking while yet encouraging students to contemplate and articulate their own positions on which cultural values they hold to be relative and which cultural values they hold to be universal, whether they relate to values of science and knowledge or to moral values of justice. Thus, students engage with the debate, emerging during the sixteenth-century Spanish conquest of the New World, about the possibility of a 'just war', international law, natural law, and so on. Also, students are exposed to readings that de-familiarize apparently familiar narratives and concepts of Western history from the point of view of the experiences of 'marginal' subjects in the cultural geography of modern Western economic and social development—the 'discovery' of the 'New World' from the point of view of Native American writers; the 'industrial Revolution' from the point of view of African slaves; or nationalism and global capitalism from the point of view of mid-twentieth century Latin America. Students will

demonstrate their understanding of these fundamental concepts and methods of modern cultural anthropology and geography by identifying terms and giving examples from the readings in mid-term and final exams, as well as by using these terms, concepts, and methodologies in their paper assignments.

Explicate the processes that create or fail to create just, productive, egalitarian, and collaborative societies.

Analyze forms and traditions of thought or expression in relation to cultural, historical, political, and social contexts, as, for example, dance, foodways, literature, music, and philosophical and religious traditions.

ENGL289B will invite students to think about the historical origins of disciplinary and epistemological divides between the humanities and the sciences in early modern and modern colonial and postcolonial cultures. It will also encourage students to think about the history of modern property rights with regard to the objects of modern science—mainly natural resources, cultural mores, and the human body. Moreover, it will explore the particular literary poetics and rhetorical forms of postcolonial and 'ethnic' writing as it arose in response to Western scientific and legal discourses. Finally, it will expose students to the political and ideological significations of material culture (food, clothes, talismans, etc.) as markers of difference in situations of (post-) colonial conflict. Students' ability to analyze the cultural and geo-political contexts of these forms and traditions of expression will be assessed in two papers and essays questions contained in the mid-term and final exam.

Articulate how particular policies create or inhibit the formation and functioning of plural societies.

Use a comparative, intersectional, or relational framework to examine the experiences, cultures, or histories of two or more social groups or constituencies within a single society or across societies, and within a single historical timeframe or across historical time.

ENGL289B exposes students to multiple comparative and relational frameworks, mainly across societies and literary traditions, both within a single time frame and across time. Why does the United States dedicate a national holiday to Christopher Columbus, a man who never set foot on any of the territory it now occupies? On what grounds did critics object to the 1992 quincentenary celebration of Columbus's landfall in the Caribbean? Why is it that still today much of contemporary international diplomacy is focused on an attempt to reconcile divergent conceptions of intellectual property in Western and non-Western cultures? How is it that Western companies can claim patents on natural resources (such as Basmati rice) known and used by non-Western cultures for millennia? And why have these claims ultimately failed in our contemporary global environment? Students' ability to use these comparative cultural frameworks will be assessed in two papers and essay questions in the midterm and final exam.

Use information technologies to access research and communicate effectively about plural societies.

Course Syllabus

View the course syllabus [here](#).

Note: Your browser may download the syllabus, in which case you will have to open it in a separate program, i.e. Adobe Acrobat or Microsoft Word, in order to view it.

Another Note: Some people are uploading Word .docx files (newer Word format). If your computer doesn't have a fairly recent version of Word installed (2007 or later), your computer won't know what to do with a .docx file and may try to open it as a "zip" file. You will have to either upgrade your version of Word, or install Microsoft's Compatibility Pack to allow earlier versions of Word to open the file.

Review and Sign-Off

Submission Status

Department Review

College Review

Faculty Board: I-Series

Submitted by	Date	Comments
Thomas Colborn Moser Jr	October 9, 2012	This is the first submission of this new I-course proposal.

Reviewer	Date	Vote	Comment	
Thomas Colborn Moser Jr	October 9, 2012	Slam-Dunk Approval	This is a great course and a welcome addition to the department's Gen Ed I-course offerings.	Edit
Theresa M. Coletti	October 9, 2012	Slam-Dunk Approval		
Oliver Gaycken	October 9, 2012	Slam-Dunk Approval		
Jennifer Melissa Dunsmore	October 10, 2012	Slam-Dunk Approval		
Scott A. Trudell	October 12, 2012	Slam-Dunk Approval		
Shirley W. Logan	October 13, 2012	Slam-Dunk Approval	This course should be a bit hit.	
Amanda Dykema	October 15, 2012	Slam-Dunk Approval		
	October 15, 2012	Slam-Dunk Approval		
William A. Cohen	October 17, 2012	No Vote		

Approved

Sign-Off Status: **Approved** by William A. Cohen on October 17, 2012

Comments: This is an ambitious and beautifully conceived course.

Reviewer	Date	Vote	Comment	
Thomas Colborn Moser Jr	October 31, 2012	Slam-Dunk Approval		Edit
	November 1, 2012	Slam-Dunk Approval		
Alene Moyer	November 1, 2012	Slam-Dunk Approval		
	November 2, 2012	Slam-Dunk Approval		
Minglang Zhou	November 2, 2012	Slam-Dunk Approval	Syllabus lists only lecture hours but not discussion session hours.	
Maxine Grossman	November 2, 2012	Slam-Dunk Approval		
Daniel Marcus Greene	November 2, 2012	Slam-Dunk Approval	Same quibble as Minglang. Terrific besides.	
Wendy A. Jacobs	November 2, 2012	Slam-Dunk Approval		

Wendy A. Jacobs November 2, 2012 Slam-Dunk Approval

Elsa Barkley Brown November 2, 2012 Slam-Dunk Approval

Approved

Sign-Off Status: **Approved** by Alene Moyer on November 2, 2012

Comments:

Approved

Sign-Off Status: **Approved** by Donna B. Hamilton on December 11, 2012

Comments: The I-Series Faculty Board has enthusiastically endorsed this course. One reviewer spoke for many: Exciting interdisciplinary course, which integrates multiple media & active learning in innovative ways... Regardless of students' majors, their learning will be enhanced by studying the intersections laid out in this proposal.

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For questions and comments, please contact [Doug Roberts](#)