



POLS 4131: Civil Liberties and Rights
Georgia State University

Summer Semester 2017 CRN 53411

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Office Location: Langdale 1029

Office Hours: MWR 2:00-3:45PM and by
appointment

Class Time: MTWRF 4:30PM-6:50PM

Class Location: Aderhold Learning Center 204

“The liberties of our country, the freedom of our civil constitution are worth defending against all hazards: and it is our duty to defend them against all attacks.”

~Samuel Adams~

Course Description:

This course provides a broad overview of the development of constitutional law in areas related to civil liberties, criminal rights, and civil rights. To achieve this, the course will focus on an examination of legal principles in these areas and the key U.S. Supreme Court decisions from which these principles are derived.

Course Objectives:

After completing this course, students should:

- Possess an ability to read and understand Supreme Court decisions
- Have an understanding of the core principles and key precedents in the areas of civil liberties criminal rights and civil rights
- Be able to critically think about legal issues related to individual and group rights under the Constitution
- Be able to develop sophisticated arguments in response to questions on legal principles

Required Texts:

Epstein, Lee and Thomas G. Walker. 2016. *Constitutional Law for a Changing America: Rights Liberties, and Justice, 9th Edition*. Washington, D.C.: CQ Press (Blue Book)

They will be required to turn in two (2) briefs prior to the second exam and the two (2) additional prior to the final exam.

****Note: Completing all four (4) of these briefs does not guarantee full credit for the participation component of the grade. Each of the briefs will be graded for quality and assessed on a ten (10) point scale. The total participation grade will be a sum of the four (4) individual brief grades.****

2. Case Briefs (20%) – Students are highly encouraged to prepare notes for each case they are assigned in the form of a “brief”. A case brief is essentially a manner of breaking down the case into major components that one needs to understand in order to apply a case to other questions or problems. Students will be required to submit four (4) written briefs at the end of each week of class, totaling to twelve (12) written case briefs for the semester. Assignments will be turned in to the professor in physical copy in class at the beginning of class on Friday.

Students will also submit an electronic copy of their case briefs through iCollege’s Dropbox interface. This program automatically runs the documents through software checking for plagiarism violations. Any violations of this will be prosecuted to the fullest extent. I **WILL NOT** accept emailed copies of your case briefs. Late assignments **WILL NOT** be accepted.

3. Examinations (20% each for 60% of final grade) – There will be three (3) examinations in this course. Each exam will cover material from that portion only. On the exam students are responsible for all material from lecture as well as assigned readings. Specific exam format will be given prior to the first exam. Exams will be in class each week on Monday, giving students’ time to digest and study material from the unit before over the weekend. Exams will be given the first half of the lecture period, and the second half of the class will be devoted to new lecture material. **No make-up exams will be given without formal documentation of a valid University approved absence, and then only in the most extreme of circumstances.** Further, the instructor reserves the right to alter both individual questions and the format of any make-up exam, and in the rare case that a make-up is given, it must be taken within one week of the original exam date.

Extra Credit:

Students must remember that this is a college level course, and that the students in this class are all adults and responsible for their own grade performance. As such, the burden for this class (learning and engaging in the material as well as performing and keeping up with assignments), lies with the student. Students that choose not to engage (intellectually and physically) cannot expect extra assistance.

From time to time, extra credit assignments will be offered to the class as both in and out of class actions. As such, these assignments will be extended in class with the guidelines announced and discussed. Students who choose not to be in class will not be allowed to participate in these additional assignments.

These assignments will not be offered at the end of the semester to individual students seeking to “bring up” or “raise” their grades, and such requests are unacceptable. My policies are very open as am I, to working with students throughout the entire semester when they are struggling, but end of the semester “epiphanies” about grades are not an excuse for needing extra credit assignments. This policy is fair to both myself and the other conscientious students in class.

Grade Appeals:

Mistakes happen when scoring and entering grades for the class. Thus, I utilize a standard grade appeals procedure. All appeal must be submitted typed in standard fonts, no more than one week after the grade is returned. The appeal must be submitted with the original graded work attached. Successful appeals will include the mistakes being appealed clearly highlighted/marked for review.

Academic Honesty:

Once again, this is a college level course and as such the expectations of academic honesty are numerous. As a result in this class, the Georgia State University’s policy as available here (<http://www.gsu.edu/~wwwfwb/sec409.html>) will strictly be adhered to. Any observed violations of such standards will be grounds for failing the course and be reported to both college and departmental authorities for review in accordance with University policy. Such a report can lead to additional disciplinary policies.

All written submissions for this class are required under new department policy to be submitted through the iCollege Dropbox interface. This program automatically runs the documents through software checking for plagiarism violations. Any violations of this will be prosecuted to the fullest extent. **Note:** Submission to the Dropbox does not count as “turning in” the assignment to the instructor, a physical copy must be submitted to the instructor as outlined above.

Electronic Devices:

Laptop computers and other technology are not allowed in this classroom. Cellphones, tablets, and other electronic devices including MP3 players and iPods should be stored away from sight. Cell phones should be placed on silent (Not vibrate) and only emergency calls should be answered. Text-Messaging is also a serious violation. Students that are caught using any of these devices during class will be asked to leave the class for the remaining time period. Students will also lose any participation credit they have accrued for that days’ lecture.

Office Hours:

I encourage you all to attend my office hours as they are a useful forum for additional interaction with the material as well as the instructor. While not required, it is recommended for students that are struggling or successfully engaging with the material. For those that are lacking in full comprehension of the materials, I am here for you to engage and bring better understanding. For those that have a mastery of the subject matter, I am also here for you to discuss the deeper issues and implications of the material covered in the course. If these hours are inconvenient, do not hesitate to contact me and make an appointment.

Announcement and Email Correspondence:

Students are required to activate their GSU email addresses and regularly check it for any official correspondence for this course. This is a University sanctioned requirement that under the law all official method of contact must occur on this forum. Students are also asked to contact the instructor through the Outlook mail interface rather than iCollege to increase efficiency in response and likelihood of receipt by the instructor.

Written Submission Guidelines:

All written assignments are due at the beginning of class period on Fridays. Students will also submit a digital copy in the iCollege Dropbox for Academic Honesty evaluations. All assignments must be typed or printed according to the following guidelines. If these are not followed, points will be deducted:

- Name and title of paper should be printed at the top of the first sheet of paper.
- Standard letter (8 1/2 x 11") paper
- Use with 1" margins
- Use size 11 or 12 point font
- Use only Times New Roman, Calibri, or Arial fonts
- Double-sided printing is allowed, but paper should be neat, stain-free, and without hole-punches or tears
- Black ink only
- Double spacing only
- Work must be stapled in the upper-left corner of the page. Your assignment will not be accepted without it being stapled
- Pages should be numbered and fastened in the appropriate order
- Do not, for any reason, write on your typed work with a pen or pencil prior to turning in
- No late or emailed assignments will be accepted
- Wikipedia is NOT a valid source of information for any academic assignment

Students with Disabilities:

Students with disabilities requiring any accommodations must be registered with the Office of Disability Services before an instructor can modify instructions or expectations. The Office of Disability Services may be contacted at 404-413-1560 or in the Student Center East Suite 205. Any student with a disability who may require special accommodations is requested to make an appointment with the instructor at the beginning of the semester. Students must self-identify so that arrangements can be made according to University policy.

Withdrawal and Hardship Policies:

The last day to withdraw from a course and receive a "W" is **May 19th, 2017**. All students who withdraw on or before this date will receive a "W"; students that withdraw after this date will receive a "WF" (Withdraw Fail). Exceptions to this policy are listed on the Registrar's website (<http://registrar.gsu.edu/registration/withdrawals/>). Students can receive a maximum of 6 "W"

in their academic career at Georgia State; after receiving 6 they will automatically receive a “WF”.

Classroom Behavior:

It is the expectation of the instructor that students will behave in a professional and polite manner in this class. Many of the issues that are discussed are ones that individuals often have strong personal and emotional feelings about. Yet, it should be understood that we are in a classroom and the function is to discuss the Constitution, civil liberties, civil rights, and its issues not our own personal views or biases. More importantly, when personal views are discussed in topics relevant to the course, it is expected that all students will be respectful of each other’s views.

Miscellaneous Notes and Policies:

- Students will be allowed to eat during the class period, but please be conscious of your food choices since smells and sounds may distract your fellow students.
- It is university policy to be in accordance with FERPA which states that, “Final grades on an assignment will not be given out over the phone or via email at any time by the instructor”.
- To improve the classroom environment students may periodically be asked to give feedback concerning the lecture, the instructor, or the course in general. Your constructive assessment of this course, on these and end of semester evaluations, plan an indispensable role in shaping education at Georgia State University. Upon completing this course, please take time to fill out the online course evaluation.

**** This Syllabus lays out a general plan for the course. It is not by any means final, and deviations might be necessary!****

Course Schedule with Readings:

Unit I

May 8

Part I: Introduction and Syllabus, Judicial Review

Reading: E and W pg. 45-65

Part II: Standing, Jurisdiction, and Justiciability

Cases:

Marbury v. Madison (1803)

May 9

Part I: Incorporation of the Bill of Rights

Reading: E and W pg. 66-87 and pg. 95-131

Part II: The First Amendment and the Free Exercise Clause

Cases:

Barron v. Baltimore (1833)

Sherbert v. Verner (1963)

Hurtado v. California (1884)

Wisconsin v. Yoder (1972)

Palko v. Connecticut (1937)

Employment Division v. Smith (1990)

Duncan v. Louisiana (1968)

City of Boerne v. Flores (1997)

Cantwell v. Connecticut (1940)

Burwell v. Hobby Lobby (2014)

May 10

Part I: First Amendment and Establishment

Part II: The Establishment Clause cont.

Cases:

Everson v. Board of Education (1947)

Abington Township v. Schempp (1963)

Lemon v. Kurtzman (1971)

Zelman v. Simmons-Harris (2002)

Edwards v. Aguillard (1987)

Reading: E and W pg. 131-190

Santa Fe Independent School Dist. v. Doe (2000)

Lee v. Wiseman (1992)

Town of Greece v. Galloway (2014)

VanOrden v. Perry (2005)

May 11

Part I: First Amendment and Speech

Part II: Regulation of Speech and Types of Speech

Cases:

Schneck v. US (1919)

Abrams v. US (1919)

Gitlow v. NY (1925)

Dennis v. US (1951)

Brandenburg v. Ohio (1969)

Reading: E and W pg. 191-292

US v. O'Brien (1968)

Texas v. Johnson (1989)

Chaplinsky v. New Hampshire (1942)

Cohen v. California (1971)

McCullen v. Coakley (2014)

May 12

Part I: Types of Speech cont.

Part II: Types of Speech and Exam I Review

Cases:

Snyder v. Phelps (2011)

US v. Alvarez (2012)

Tinker v. DeMoines (1969)

Morse v. Frederick (2007)

Reading: E and W pg. 191-292

West Virginia v. Barnette (1943)

Bates v. State Bar of Arizona (1977)

Boy Scouts of America v. Dale (2000)

Unit II

May 15

Part I: Exam I

Part II: First Amendment and the Press

Cases:

Near v. Minnesota (1931)

New York Times v. US (1971)

Hazelwood School District v. Kuhlmeier (1988)

Reading: E and W pg. 293-334

Branzburg v. Hayes (1972)

New York Times v. Sullivan (1964)

Hustler v. Falwell (1988)

May 16

Part I: Obscenity

Part II: The Right to Keep and Bear Arms

Cases:

Roth v. US (1957)

Miller v. California (1973)

New York v. Ferber (1982)

Reno v. ACLU (1997)

Brown v. Entertainment Merchants Assoc. (2011)

Reading: E and W pg. 335-378 and pg. 387-396

US v. Williams (2008)

US v. Miller (1939)

District of Columbia v. Heller (2008)

McDonald v. City of Chicago (2011)

May 17:

Part I: Privacy (Origins and Abortion)

Part II: The Right to Privacy (Sexual Privacy and the Right to Die)

Cases:

Griswold v. Connecticut (1965)

Roe v. Wade (1973)

Planned Parenthood v. Casey (1992)

Whole Women's Health v. Hellerstadt (2016)

Reading: E and W pg. 390-460

Bowers v. Hardwick (1986)

Lawrence v. Texas (2003)

Obergefell v. Hodges (2015)

Cruzan v. Missouri Department of Health (1990)

May 18

Part I: Rights of the Accused: The Fourth Amendment

Part II: Rights of the Accused: The Fourth Amendment

Reading: E and W pg. 463-514

Cases:

Katz v. US (1967)

US v. Jones (2012)

Illinois v. Gates (1983)

Florida v. Jardines (2013)

Safford Unified School District #1 v. Redding (2009)

Terry v. Ohio (1968)

Mapp v. Ohio (1961)

May 18

Part I: Rights of the Accused: The Fourth Amendment

Part II: Exam II Review

Reading: E and W pg. 463-514

Cases:

US v. Leon (1984)

Hudson v. Michigan (2006)

Birchfield v. North Dakota (2016)

Utah v. Strieff (2016)

Unit III

May 22

Part I: Exam II

Part II: Rights of the Accused: The Fifth Amendment

Reading: E and W pg. 514-534

Cases:

Escobedo v. Illinois (1964)

Miranda v. Arizona (1966)

Missouri v. Siebert (2004)

May 23

Part I: Rights of the Accused: The Sixth Amendment

Part II: Rights of the Accused: The Sixth and Eighth Amendment

Reading: E and W pg. 536-596

Cases:

Powell v. Alabama (1932)

Gideon v. Wainwright (1963)

Betterman v. Montana (2016)

Batson v. Kentucky (1986)

Sheppard v. Maxwell (1966)

Gregg v. Georgia (1976)

Atkins v. Virginia (2002)

Williams v. Pennsylvania (2016)

May 24

Part I: The Fourteenth Amendment and Racial Discrimination

Part II: The Fourteenth Amendment and Racial Discrimination

Reading: E and W pg. 601-678

Cases:

Plessy v. Ferguson (1896)

Sweatt v. Painter (1950)

Brown v. Board of Education I and II (1954-55)

Swann v. Charlotte-Mecklenberg Brd of Edu (1971)

Loving v. Virginia (1967)

UC-Davis v. Bakke(1978)

Grutter v. Bollinger (2003)

Fisher v. University of Texas (2016)

May 25

Part I: The Fourteenth Amendment and Racial Discrimination

Part II: The Fourteenth Amendment and Gender Discrimination

Reading: E and W pg. 669-689

Cases:

Shelby County v. Holder (2012)

Foster v. Chatman (2016)

Bradwell v. Illinois (1872)

Reed v Reed (1971)

Craig v. Boren (1976)

United States v. Virginia (1996)

US v. Windsor (2013)

May 26

Part I: The Fourteenth Amendment and Other Types of Discrimination

Part II: Exam III Review

Reading: E and W pg. 640-643 and pg. 688-716

Cases:

Cleburne v Cleburne Living Center (1985)

Romer v. Evans (1996)

San Antonio Independent School District v.

Rodriguez (1973)

Plyler v. Doe (1982)

Shelley v. Kraemer (1948)

Burton v. Wilmington Parking Authority (1961)

Moose Lodge No. 107 v. Irvis (1972)

May 29 - No Class. University Holiday.

Final Exam: Friday, June 2, 2017 from 4:15PM -6:45PM