

EASTERN MICHIGAN UNIVERSITY  
DIVISION OF ACADEMIC AFFAIRS

**REQUEST FOR INCLUSION OF A COURSE IN THE  
GENERAL EDUCATION PROGRAM:  
EDUCATION FOR PARTICIPATION IN THE GLOBAL COMMUNITY**

---

DEPARTMENT/SCHOOL: POLITICAL SCIENCE COLLEGE: ARTS SCIENCES  
DEPARTMENT CONTACT: BARRY PYLE CONTACT PHONE: 734-487-0060  
CONTACT EMAIL: BARRY.PYLE@EMICH.EDU

---

1. Subject Code, Number, and Title: PLSC 215 Civil Rights and Liberties in a Diverse Society
2. Credit Hours 3
3. Course Description

We will survey how a wide variety of groups and individuals sought and currently seek legal protection and recognition through the Constitution, judicial interpretation and legislation. Exposure to these struggles will allow the student to experience a wide range of perspectives and critique how the legal system and society has dealt with clashes between diverse elements of the U.S.

4. This course is (check one):

- an existing course with no revisions (need not go through the input system)  
 an existing course with revisions (attach this form to Request for Course Revision form)  
 a new course (attach this form to Request for New Course form)

5. Check the General Education requirement this course is intended to meet. If the course is to be proposed for more than one requirement, submit a separate form for each one.

- Effective Communication**
- Quantitative Reasoning (*QR designation*)**
- Writing Intensive (*WI designation*)**
- Perspectives on a Diverse World**
- Global Awareness  
 U.S. Diversity
- Knowledge of the Disciplines**
- Arts  Humanities  
 Science  Social Science
- Learning Beyond the Classroom (*LBC designation*)**

- Self and Well Being
- Community Service, Citizenship, and Leadership
- Cultural and Academic Activities and Events
- Career and Professional Development
- International and Multicultural Experience
- Undergraduate Research

6. Rationale. Provide a concise, clear, jargon-free explanation of why this is a General Education course and how it fits into this specific area of the program. (The rationale should explain to students why they are taking the course. It should address both why it is part of the General Education program and why it fits into the particular category.) This rationale should appear on the general course syllabus provided here and should be included in specific course syllabi given to students.

**This course introduces students to issues of diversity in American society, workplace, schools, and community through an examination of the historical development of civil liberties and civil rights in the United States. As such, it fulfills the U.S. Diversity requirement of the General Education curriculum. The course explores how many different groups and individuals have used the guarantees of liberty and equal protection of the laws provided for in the U.S. Constitution and its amendments to challenge unjust laws, break down social intolerance, prejudice, and stereotypes, advance their socioeconomic interests, and participate more fully in the political and economic life of the nation. By reading and analyzing the decisions of the federal courts, particularly the Supreme Court, in key civil liberties and civil rights cases, students will acquire an understanding of the experiences of the various groups and cultures that have struggled, and continue to struggle, for freedom, equality and justice in the United States. They will also explore the social and ideological causes of the intense conflicts over civil liberties and rights that have shaped American history as well as those which shape our politics today. As a result of the study of major legal cases, students will leave the course with an understanding of the cultural complexity of American society as well as a deeper sense of their own civic and cultural identity.**

7. Clearly and concisely explain how this course meets each of the General Education outcomes for the requirement checked in number five (all outcomes should be addressed). To do this, (a) list the General Education outcomes for the requirement and explain how the course meets each outcome; and (b) explain, in general terms, the method(s) of evaluation to be used in the course and how these methods assess the degree to which students have met the General Education outcomes for this requirement see below).

## (7A) Outcomes and How the Course Meets Them

In the U.S. Diversity Course, students will...

1) Examine the complexity of their own cultural identities and how these relate to the cultural identities of others in the U.S.

General Explanation of How the Ideas Presented in the Course Fulfill Diversity Outcomes

The study of civil liberties and civil rights of necessity explores the history and experiences of various groups and individuals in American society. Since these experiences are integral to the cultural identities of many groups in contemporary America, examination of them will encourage students to consider their cultural identities and to compare them with the identities of other groups in the United States. For example, the course makes ample use of narratives to explore the history of racial inequality and exploitation in American society, beginning with the institution of slavery and the racist ideology that perpetuated it and continuing through to contemporary conflicts over attempts to rectify the consequences of racial discrimination through affirmative action. These narratives include an examination of the social and legal conflicts that gave rise to the Civil War (*Stanford v. Dred Scott* 1858), the reaction to the imposition of Jim Crow Laws (*Plessy v. Ferguson* 1896) and the beginning of the end of de jure (by law) racial discrimination (*Brown v. Board of Education* 1954 & *Loving v. Virginia* 1967 [anti-miscegenation laws]). Students will also learn how the Civil Rights Act of 1964 and the Voting Rights Act of 1965 were purchased with the considerable sacrifice of those involved in the civil rights movement. Through the intensive examination of the struggle of African-Americans against slavery and racism, students will acquire a deep understanding of the African-American experience and cultural identity. Similar explorations of the struggle for gender equality, sexual preference equality, ideological liberty, and religious equality will create an understanding of the cultural identities of other groups, including women, homosexuals, socialists, and members of minority religious communities, such as the Mormons and orthodox Jews, all of whom have struggled for political recognition and constitutional protection. As students learn about the history of discrimination in American society and how groups have struggled for the full legal protections provided for in the Constitution, they will realize how the experience of others relates to their own and how the protection of other groups in society is directly related to their own rights and liberties. Students will read the facts of each landmark legal case in the course, watch documentaries and movies to provide a visual perspective and hear class discussions that will reveal diverse experiences and identities. Class discussion will lead students to empathize with others and discover their thoughts and feelings concerning how society has treated those who may not be like them. Specific content of these discussions will change as new issues arise. For

Evaluation and Assessment of Student Achievement

### Class Discussion

- In-class discussions will focus on getting the students to think outside of their own experiences and consider the rich diversity of groups experience that is the basis for different cultural identities, values, beliefs and attitudes in the U.S. today.
- Students will be asked to analyze and empathize with the experience of various groups and their struggle to achieve legal and cultural recognition and acceptance. For example, regarding *Brown v. Board of Education*, they will be asked to express the arguments of the plaintiffs as well as to discuss the evidence regarding the long-term effects of racial segregation on the psychology of individuals and groups. In this way, students who have never experienced racial discrimination themselves will begin to consider the character of a segregated society and how the practice of segregation and legalized discrimination affected, and continues to affect, African-American identity.
- Students will also be asked to think outside of the issues and groups presented in their text and legal cases in order to ponder how society and the legal system may deal with them in the future. For example, class discussion will consider the public debate over same sex marriage and the legal arguments that have been made for and against it. Through involvement in debates on such burning issues, students will quickly realize that they are crucial participants in the legal and political process that determines rights and liberties in the U.S. and shapes the ways that groups interact with one another and with the government.

### Examinations

- Essay questions will require students to compare and contrast the experiences of multiple groups as well as

example, in recent years courts and society have begun to deal with the integration of Islam into U.S. society. Ten years ago this was not a major legal or social issue.

to consider legal and social alternative that might better resolve problems and conflicts present in a diverse society. For example, students could be asked to identify the divergent perspectives of African-Americans, women, and white males on the question of affirmative action, and to explain those differences in terms of the historical experiences and identities of those groups.

**In-Class Activity: Constitutional Convention**

- By working in small groups with a diverse group of students, individual students will be asked to develop their own solutions to the issues raised by diversity while confronting the different identities and experiences of others in their group. Possible topics that would involve exploration of the diversity of cultural identities in the United States include the applicability of the Constitution to immigrants and non-citizens (a topic particularly relevant to Latino identity and the immigrant experience in general), affirmative action (relevant for the cultural identity of women, African-Americans, Latinos, and Native Americans), and whether or not the Constitution should include economic and social rights in addition to civil liberties and rights.

students will...

General Explanation of How the Ideas Presented in the Course Fulfill Diversity Outcomes

Evaluation and Assessment of Student Achievement

2) Explore the causes and consequences of social intolerance in the U.S.

From the first day of class, students will learn about the interaction between legal inequality and social intolerance. That is, decisions to treat people differently under the law cause, perpetuate and, in some circumstances, serve as an excuse for social intolerance. The consequences of social intolerance go far beyond the legal realm. Intolerance rooted in legal status causes economic disparities (e.g., a women's right to own property), excludes ideas from public discourse (e.g., anti-conscription movements in WWI and WWII) and generates disparities in the recognition of social relationships (e.g., anti-miscegenation laws and same sex marriage). Specifically, the course addresses the founding of the Constitution and the establishment of the American form of government. This portion of the course illustrates how and why, in the original, the Constitution only provided protections for white male property owners and limited civil liberties and rights for all citizens. It demonstrates how the social intolerance of the time was reflected in the content of the Constitution and how that content had significant legal and political consequences for future citizens. Discussions in class will highlight the promise inherent within the Declaration of Independence and the Constitution and emphasize how that promise was unrealized both in the content of legal interpretation and incomplete enforcement by society. The founding period is replete with paradoxes that demonstrate intolerance based on identity and belief. Examples include Thomas Jefferson's belief in human equality while being a slave owner and adoption of the Alien and Sedition Acts (i.e., criminal punishments for speaking against the government) by Congress in 1798, just seven years after the First Amendment had guaranteed freedom of speech. The course will use these and other examples of intolerance to set the context for the long struggle to overcome the causes and consequences of intolerance. Once this groundwork is laid, the course exposes how court decision and congressional acts that conflicted with the principle of liberty for all continued to engender social intolerance throughout the 19<sup>th</sup> and the early part of the 20<sup>th</sup> century and how the recent struggle for civil rights and liberties is result of the intolerance of the past. Using lectures, the text, and websites we will examine how groups that encourage social tolerance and integration use the courts and legislatures to achieve their goals. To that end, students will come to realize how recent civil rights and liberty movements are a struggle to define the Constitution and realize its promise of equality and tolerance. The class will constantly evaluate where society is on the two dimensions of equality and tolerance and where it needs to go in the future.

**Class Discussion:**

- Unlike a law school approach to legal issues, this course takes a multi-disciplinary approach and depicts the law as rooted in society and politics and having an impact far beyond the courtroom and the law library. Class discussion will thus emphasize the social and historical contexts surrounding key cases. For example, students will be asked to explain the contrasting decisions of the Supreme Court in *Plessy v. Ferguson* (1896) which condoned *de jure* segregation and *Brown v. Board of Education* (1954) which overturned *Plessy* as a function of value change and shifting attitudes regarding race in American society. In addition, the critical role of *Brown* in creating an opening for the civil rights movement will be discussed. Such discussions will ensure that students understand the relationship between social tolerance and the character of legal decisions and legislation.

**Examinations:**

- Essay questions will ask students to draw a connection between law and social tolerance. For example, an exam question may ask students to reflect on a passage from *Plessy v. Ferguson* where the majority opinion describes the racial intolerance in society and asks whether the court can or should combat it with a legal decision. Students may also be asked to reflect on whether congressional statutes dealing with diversity issues affect the level of tolerance in society.

students will...

3) Examine the differences between social intolerance and institutionalized racism, ethnocentrism and exclusion

General Explanation of How the Ideas Presented in the Course Fulfill Diversity Outcomes

As noted above, law touches on both institutionalized and social intolerance. Throughout this course students will be exposed to the difference between *de jure* (by law) or institutionalized discrimination and *de facto* (by fact) discrimination cause by the impact of social intolerance. *De jure* discrimination represents the formalization of racism, ethnocentrism and exclusion by government and the institutions it regulates (e.g., businesses, unions, schools and other social and political institutions). *De facto* discrimination represents the values and attitudes of the population who make up society and the tangible expressions of them within society (e.g., racial segregation in housing cause by white flight, sexual harassment and isolation of minority views concerning religion and politics). For example, students will read and learn how the adoption of the 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> amendments and various civil rights acts were designed to eliminate *de jure* discrimination “worked” during the early years after the Civil War. They will also discover that these *de jure* solutions could not overcome social intolerance (i.e., *de facto* discrimination). In fact, the promise of these amendments was all but forgotten until the 1950’s and 1960’s. Students will come to understand that this struggle continues today and that it has expanded to included groups of different genders, sexual preference, races, ideological perspectives and citizenship status. By the end of the course, students will be well versed in the causal interrelationship between institutionalized racism and social discrimination and intolerance. That is, they will understand that sometimes the law drives social change (privacy and sexual preference rights) and, at times, changes in social attitudes and values drive changes in the law (civil rights movement). Students will also appreciate that any significant changes in social relationships between diverse groups demand the elimination of institutional discrimination and diminished levels of social intolerance. Most importantly, students will understand that they are a part of this process and that they can become direct participants in this process by remaining active in legal, political and social movements.

Evaluation and Assessment of Student Achievement

### **The Diversity Analysis Research Paper**

- The research will require students to select a cultural, racial or ideological group that has experienced discrimination, intolerance or ethnocentrism in the US. Each paper will:
  - Provide a description of the historical growth of the particular issue that includes a brief description of court decisions, acts of Congress or state legislatures and how dominant social and cultural perspectives help define the issue.
  - Describe the current state of the law as well as social and cultural perspectives. That is, what are the policies or perspective that society and law currently use to deal with this question of diversity or clash between competing interests, groups or individuals?
  - Consider the questions left unanswered by the current laws and policy. What are the challenges that law and society will face in the future? Is society equipped to meet those challenges?

students will...

4) Explore how Diversity affected and continues to affect income distribution, economic mobility, political access, and the democratic process in the U.S.

General Explanation of How the Ideas Presented in the Course Fulfill Diversity Outcomes

This course not only focuses on the legal aspects of rights and liberties but on their impact on society. The material presented in this course does not view legal recognition and actual socioeconomic and political impact as two different questions or issues. For example, the state based equality demanded by the 14<sup>th</sup> amendment and various civil rights acts mean very little if it is not implemented, enforced and supported in such a way that they change how diverse groups interact with each other. Rights and liberties also mean little if they do not bring about material and tangible changes in the lives of individuals and groups. Class discussion will make wide use of census data, sociological studies and judicial impact studies to illustrate the income disparities between the races and genders. Drawing upon the work of scholars such as Lani Guinier and Robert Dahl, lectures will also focus on the nature of political rights in the U.S. and whether tools like legislative redistricting and institutional reform (i.e., the adoption of different forms of representation like proportional representation) will bring about more political equality and, in turn, open the door to economic mobility and power. The course will also debate issues like affirmative action, comparable worth and wealth redistribution as methods designed to undo the impact of past intolerance and inequality.

Evaluation and Assessment of Student Achievement

### **The Diversity Analysis Research Paper**

A portion of the research paper asks students to research census data and sociological and political data that reflect differences in income distribution, economic mobility, political access, and the democratic process in the U.S. Students will learn research techniques and resources that will reveal these disparities. That is, students will use their papers to address the following:

- Questions of civil rights and economic equality
  - Income distribution & economic mobility
    - Has the struggle for racial, gender and other forms of equality impacted income distribution?
    - Do increased opportunities for various groups lead to increased equity in income distribution?
    - Do increases in economic equality and opportunity produce increases in economic mobility for groups?
- Questions of the impact of civil rights and liberties on political rights
  - Has the legal recognition of equality and civil rights translated into real access to the political process?
  - Do interpretations of the First Amendment provide diverse groups (i.e., political, religious and others) with sufficient access to the political process?

Request for Approval of a General Education Course (continued)

students will...

5) Develop an Awareness of Alternative Values, Views and Communications Styles in the U.S

General Explanation of How the Ideas Presented in the Course Fulfill Diversity Outcomes

Because students have to understand the facts and background of a case to understand legal decisions and their impact on diversity, the subject matter of the course demands that students learn about and analyze various and diverse groups that have sought legal and social recognition within the US legal and political system. By addressing a wide variety of topics and issues related to the phenomenon of U.S. diversity, students will be exposed to the values and views of various racial, religious and political groups in society. Moreover, the course will ask the students to address other groups not currently recognized or fully protected under law and ask them to discuss how the law and society should address the issues these groups raise (same sex marriage and the actions associated with “nontraditional” or nonwestern religions). For example, it is impossible to understand tolerance and legal recognition of the U.S. Communist Party without understanding communist ideology and the perceived threat it posed to American liberal democracy (*Schenck v. U.S.* 1919 and *Gitlow v. New York* 1925). Similarly, it is important to understand the Amish religion in order to comprehend the issues involved with the state’s mandate of education past the 6<sup>th</sup> grade (*Wisconsin v. Yoder* 1972). In addition, it is impossible to understand the adoption of the Civil Rights Act of 1964 and its continued implementation without understanding the civil rights movement and how it communicated its position to others in society. Students will also be exposed to the fact that the Court provides more protection for some forms of communication. For example, pure speech (i.e., talking) receives more protection when compared to symbolic speech (i.e., burning a flag) and hate speech (i.e., cross burning). In short, a significant byproduct of this course’s focus is exposure to a wide variety of values and views as well as communication styles.

Evaluation and Assessment of Student Achievement

**Examinations:**

- Because the facts of a case play a pivotal role in understanding legal decisions, students will be expected to understand and describe the values and views of the diverse groups that have sought to advance their liberties and rights through the courts. This knowledge will be assessed with multiple choice and essay questions.

**The Diversity Analysis Research Paper**

- The research will require students to select a cultural, racial or ideological group that has experienced discrimination, intolerance or ethnocentrism in the US: As a result, they will have a focused opportunity to investigate values and views of others and how those groups express those values.

**In-Class Activity: Constitutional Convention**

- Students will present their ideas to the class as a whole and argue for their adoption
- Among the objectives of this assignment are the following:
  - How to interact personally in a small group with a variety of values, beliefs and attitudes
  - How to conduct a thoughtful discussion of difficult issues in a large diverse group setting
  - Appreciation of the difficulty of constructing legal and policy solutions that work and one are accepted by enough people to actually be adopted
  - Understanding of the art and difficulty of compromise in a diverse society

Class Discussion

- In-class discussions will focus on getting the students to think outside of their own experiences and consider the rich diversity of cultural identities, values, beliefs and attitudes that permeate the US.
- Students will be asked to analyze and empathize with the experience of various groups and their struggle to achieve legal and cultural recognition and acceptance
- Students will also be asked to think outside of the issues and groups presented in their text and legal cases in order to ponder how society and the legal system may deal with them in the future. As a result, students will quickly realize that they are crucial participants in the legal and political process that determines rights and liberties in the US

Examinations

- Exams will be a combination of essay, short answer and multiple choice items.
  - Multiple choice and short answer questions will assess whether students acquired basic factual knowledge relating to legal principles and process as well as the impact of the law on society and culture
  - Essay questions will ask the students to incorporate and synthesize the material they have learned with their own thoughts prior to being exposed to the material and after. They will also be asked to contrast and compare the experiences of multiple groups and consider legal and social alternative that might better resolve the issues presented in a diverse society

Mock Constitutional Convention and Legislative Drafting

- Students will be asked to work in small groups to deal with specific issues pertaining to diversity and the Constitution, congressional legislation and culture. Students will attempt to amend the Constitution, rewrite congressional statutes and develop new policies to deal with the issues and problems presented by a diverse society.
- Small groups will present their ideas to the class as a whole and argue for their adoption
- Among the objectives of this assignment are the following:
  - How to interact personally in a small group with a variety of values, beliefs and attitudes
  - How to conduct a thoughtful discussion of difficult issues in a large group setting
  - Appreciation of the difficulty of construction legal and policy solutions that work and are accepted by enough people to actually be adopted

The Diversity Analysis Research Paper

- The research will require students to select a cultural, racial or ideological group that has experienced discrimination, intolerance or ethnocentrism in the US. Each paper will:
  - Provide a description of the historical growth of the particular issue that includes a brief description of court decisions, acts of Congress or state legislatures and how dominant social and cultural perspectives help define the issue.
  - Describe the current state of the law as well as social and cultural perspectives. That is, what are the policies or perspective that society and law currently use to deal with this question of diversity or clash between competing interests, groups or individuals?
  - Analyze how the law impacts(ed) the economic, social or political status of groups or individuals who make up a particular diverse element of society
  - Consider questions left unanswered by current laws and policy. What are the challenges that law and society will face in the future? Is society equipped to meet those challenges?

8. Attach a syllabus (1-inch margins and 10-12 pt. font). The syllabus must include the rationale from #6 above and clearly reflect the outcomes and methods of evaluation detailed in #7 above.

**Please submit all materials in electronic form.**

---

## Action of the Department/College

### 1. Department

Vote of department faculty:      For \_\_\_\_\_      Against \_\_\_\_\_      Abstentions \_\_\_\_\_

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Date

### 2. College

\_\_\_\_\_  
College Dean

\_\_\_\_\_  
Date

---

## Action of General Education Advisory Committee

Vote of General Education Committee:      For \_\_\_\_\_      Against \_\_\_\_\_      Abstentions \_\_\_\_\_

\_\_\_\_\_  
Chairperson, General Education Advisory Committee

\_\_\_\_\_  
Date

---

## Approval

\_\_\_\_\_  
Associate Vice-President for Undergraduate Studies and Curriculum

\_\_\_\_\_  
Date



**PLSC 215: Civil Rights and Liberties in a Diverse Society****SYLLABUS**

Instructor:

Office:

Phone:

Office Hours:

Section:

Time:

Place:

E-Mail:

**COURSE DESCRIPTION**

This course is an introduction to issues of diversity in education, the workplace, the home, and society in general from a legal perspective. The class seeks to provide students with the necessary skills to succeed in a modern society that requires knowledge of diversity and an appreciation of it to comprehend its effects, and the personal ability to deal with these principles as conscious adults. Upon its completion, students will appreciate diversity issues and the part they play in all of our lives. The goals of this course are to 1) examine and develop an awareness of the wide variety of cultural identities and alternative values in the U.S. and 2) explore issues of intolerance, exclusion and inequality suffered by various groups. To accomplish this goal, we will analyze how a wide variety of groups and individuals sought and currently seek legal protection and recognition through the Constitution. The course uses the medium of sociopolitical events and judicial decisions placed in a historical context to communicate how the U.S. has addressed, and continues to address, issues of diversity. However, these decisions are only a starting point. In order to fully understand the significance of constitutional decisions and statutes, the course will pay special attention to the political and sociological factors that gave rise to the disputes and the philosophical and ethnocentric perspectives and historical events that have determined their political and legal resolution. Specifically, the course treats landmark Supreme Court decisions and congressional legislation as quasi-resolutions of social conflicts between races, ideologies, religions, genders and sexual preferences. Exposure to these struggles will allow the student to experience and critique a wide range of perspectives and assess how legal and political institutions, and society as a whole, have dealt with clashes between diverse elements in the U.S. The course reveals the temporary character of these resolutions and portrays them as merely chapters in the evolving story of diversity within the U.S. experience.

**GENERAL EDUCATION RATIONALE**

This course introduces students to issues of diversity in American society, workplace, schools, and community through an examination of the historical development of civil liberties and civil rights in the United States. As such, it fulfills the U.S. Diversity requirement of the General Education curriculum. The course explores how many different groups and individuals have used the guarantees of liberty and equal protection of the laws provided for in the U.S. Constitution and its amendments to challenge unjust laws, break down social intolerance, prejudice, and stereotypes, advance their socioeconomic interests, and participate more fully in the political and economic life of the nation. By reading and analyzing the decisions of the federal courts, particularly the Supreme Court, in key civil liberties and civil rights cases, students will acquire an understanding of the experiences of the various groups and cultures that have struggled, and continue to struggle, for freedom, equality and justice in the United States. They will also explore the social and ideological causes of the intense conflicts over civil liberties and rights that have shaped American history as well as those which shape our politics today. As a result of the study of major

legal cases, students will leave the course with an understanding of the cultural complexity of American society as well as a deeper sense of their own civic and cultural identity.

### **COURSE OBJECTIVES**

1. To examine and increase awareness of the dimensions and complexity of diversity in American laws, institutions and cultures and the long-term effects it has upon each. Inclusive in this objective will be a discourse on students' own diversity and how it relates to other cultural identities from a legal perspective. This course will also assist students in developing an awareness of alternative values, views, and communication methods as they relate to legal diversity issues
2. To cultivate students' expertise in diversity issues in order to allow them to participate in credible discourse involving this subject and to objectively evaluate the origins and ramifications of diversity on an everyday basis as it relates to their own cultural identity. Additionally, students will develop an awareness of alternative values, views, and communication styles in the U.S.
3. To provide a forum for students to explore the ends, means and consequences of diversity, including the causes and consequences of social intolerance in the U.S. Further, students will be assisted in determining methods of analysis and evaluation of this subject through significant and insightful readings, discussions and case studies which involve an examination of the differences between social intolerance and institutionalized racism, ethnocentrism, and exclusion in the U.S.
4. To cultivate an appreciation by students of the role that diversity has played in the evolution of American law, institutions, culture, income distribution, economic mobility, political access, and the democratic process in the U.S. , as well as their own interaction to diversity as it affects them.

### **REQUIRED READING**

*Civil Rights and Liberties, Provocative Questions and Evolving Answers, Second Edition.* Harold J. Sullivan. Pearson Prentice Hall, 2005.

Selected and Abridged Case Law Provided in Course Pack and Online

### **EXAMS, ASSIGNMENTS & ATTENDANCE**

There will be three exams, a short final/discussion and two written assignments. Exams will cover both reading and lecture materials and are not cumulative. The exams will consist of essay, multiple choice and true or false questions. Exams must be taken at the regularly scheduled time unless another time has been previously approved by the instructor or in the case of a documented emergency. Each exam will constitute 20% of your grade and the final will make up 10%. The writing assignments will constitute 25% of your grade and class participation, 5%.

You are expected to attend every class, as attendance will be taken every class. More than in other classes, there is a direct correlation between attendance and grades since a lot of the lecture material is not covered by the assigned text. Consequently, the missing of class may impact your grade in this course.

### **Grading Criteria:**

1. Three traditional collegiate-level exams.
2. Final Exam will entail a short Multiple Choice Exam and an In-depth Discussion that will address the lessons learned in the class and we will draw conclusions concerning the larger issue of Diversity, Multiculturalism and the Law in American Society.
3. A five to six-page analysis of the evolution of a specific diversity issue or category of particular interest to the student. Topics must be approved by the instructor.
4. Class participation will be measured by the depth of participation/discussion and analysis of case studies. In addition, the class will conduct a mock constitutional convention at the end of the semester. This convention will address the legal and social questions covered by the course and ask students to develop alternative constitutional amendments, legislation or judicial opinions in small groups or committees. In turn, the small group or committee will present the proposed amendment to the class for discussion and approval.

**Grading System:**

- 60% Written Exams (20% each)
- 10% Final Exam/Discussion
- 25% Written Assignments (Law and Diversity Analysis Paper 15% and Mock Convention Thought Paper and Attendance at Mock Convention 10%)
- 05% Class Discussions and Attendance

**DIVERSITY ISSUE WRITING ASSIGNMENT**

The Diversity Analysis Paper has four specific parts. 1) A description of the historical growth of the particular issue that includes a brief description of court decisions, acts of Congress or state legislatures and how they impact dominant social and cultural perspectives that help define your particular issue. 2) Describe the current state of the law as well as social and cultural perspectives. That is, what are the policies or perspective that society and law currently use to deal with this question of diversity or clash between competing interests, groups or individuals? 3) What are the economic, social or political impacts on groups or individuals who make up this diverse element of society? 4) What questions are left unanswered by the current policy and what are the challenges that law and society will face in the future? Is society equipped to meet those challenges?

**CONSTITUTIONAL CONVENTION: SHORT PAPER AND TOPICS**

Students will be asked to work in small groups to deal with specific issues pertaining to diversity and the Constitution, congressional legislation and culture. Students will attempt to amend the Constitution, rewrite congressional statutes and develop new judicial policies to deal with the issues and problems presented by a diverse society. In turn, the small groups will present their ideas to the class as a whole and argue for their adoption.

**Short Thought Paper:**

I am asking you to write a short 3-4 page thought paper on your issue to make sure that you come to class prepared to discuss your issue. Once the committees are chosen, you will meet in your groups for an initial discussion and I will provide you with some background material and some insight. While this is not a research paper, it may help if you to do some outside reading and you may want to read or reread your text. Spelling and grammar will count. Please proofread your papers. The outline of the paper is simple:

I. Introduce your topic:

- A. Provide a brief description of the general issue.
- B. Describe how American government or the Constitution currently deals with the issue.
- C. Briefly describe the debate that surrounds the issue
- D. Why is the issue important and why does it deserve to be addressed by the convention?

II. What is your opinion?

- A. State your personal position. Be sure to sit down and give the issue some quite reflection. Think through your response and avoid giving a purely emotional reaction or the first thing that pops into your mind.
- B. Provide a few reasons for why you think your opinion is right.
- C. Provide a few reasons for why you think your opinion is wrong.

III. Conclude: To change or not to change? Why?

- A. Describe whether you would change the constitution and provide the reason why.
- B. Write your own amendment proposal.

**SUGESTED TOPICS:**

**Campaign Donation Caps & Publicly Financed Elections: Free Speech or Electoral Corruption?**

Many politicians constantly complain about the need to collect campaign donations. However, few politicians have sought to limit the influence of money. Well, here is your chance. People who support campaign donation caps and publicly funded elections argue that special interests are able to buy elections or members of the Congress and the president. Others argue that because only the rich can “afford” to donate to campaigns, governmental decisions tend to favor people who have money over those who do not. Accordingly, these people argue that it is necessary to limit the influence of campaign donations by either forcing candidates to accept smaller sums from more people or that the government itself should provide the funds for election campaigns. However, one problem with this solution is soft money (i.e., money spent on a candidate's behalf but not given to them). Some people argue that campaign donations are a form of political speech and should not be limited. They also believe that if a candidate cannot collect enough money, then he or she should not be running for office anyway.

**Governmental Censorship: Internet and other Methods of Communication**

A reoccurring problem is what does the first amendment protect and what can government censor. Some people believe that the marketplace of ideas, art and literature should not be censored because people should be free to access any information they chose. Others argue that censorship is important to protect women, children and the public as a whole from immoral, obscene, and information that is inconsistent with American Culture. Should the internet, books and the media be reviewed by a governmental agency to determine whether it is acceptable for public consumption? How should the Constitution be changed to either protect the freedom of access to information or protect society from “unacceptable” information?

**Adding to the Fourteenth Amendment: Gender, Sexual Preference or Other**

The fourteenth amendment provides racial and ethnic minorities’ equal protection under the law. In short, it protects racial and ethnic minorities from discrimination by national and state governments. Many people argue that other groups should be protected from discrimination. Which groups should be given protection against discrimination in the constitution? Should the constitution ban discrimination by private individuals as well as by government?

**Affirmative Action and Quotas: Equality or Inequality**

This is an issue that does not need much introduction. The question is simple: Should government promote racial equality through affirmative action or demand it through the use of quotas? Should the Constitution demand absolute neutrality (color-blindness) or allow for plans that help traditionally discriminated groups? Who are these groups and how should the Constitution help minorities? Should it?

**The Right to Privacy: Abortion and the Right of Life**

The Constitution does not provide a specific right to privacy. Should a right to privacy be included in the constitution and what should this right encompass? If you think the Constitution should protect abortion rights and the right to end your life, you must be specific about what it should protect. Which types of and under what conditions should the right to abortion and suicides be protected? Should abortion and voluntary suicide be a constitutional right?

**Economic and Social Rights: Minimum Standard of Living, Welfare Reform and Health Care**

The Constitution provides equal protection under the law but it does not provide a constitutional right to social, economic, or health care security. Should the Constitution protect people in economic trouble? Some people argue that a modern country should provide its citizens with a minimum standard of living and economic protection. These people argue that documents similar to the Constitution should not just protect liberties and political rights but that it should also protect people who are unable to succeed in the

market system. Others argue that a Constitutional right to economic security would undermine the market economy. They also argue that if the right of economic security is in the Constitution, people will lose their willingness to work in the market economy.

**Immigration, Guest Workers and Undocumented Aliens: The Rights of Non-Citizens**

In many ways, the Constitution has only applied to US citizens (e.g., the right to vote). Should it be altered to cover everyone in the country legally or illegally? As the world becomes more mobile and international borders fade, the US is faced with the difficult problem of how to regulate immigration and whether to protect the human rights of those from other countries. Some argue that the US should close its borders and save its jobs, rights and resources for only those who are legal citizens. Others urge the US to open its borders to those from other cultures and countries and provide them with constitutional, human and political rights.

**SCHEDULE OF TOPICS**

**Week 1-3.**

**I. Introduction: An Institutional and Cultural Context for Diversity in America**

- American Diversity and American Government: Race, Ethnicity and Ideology in the American Context
  - Founders and the Notion of Factions
  - Limited Government and Minority Rights
  - Importance of Governmental Structure and the Protection of Minority Rights
  - American History as a History of Increasing Diversity and Legal Recognition of Rights
  - Modern Notions of Diversity, Law and a Changing Society (Culture, Social and Economic Demographics Across Time)

Readings

- Declaration of Independence
- Federalist 10
- US Constitution

- The Judicial Process: Interpreting the Law

- Nature of Law
- Realities of Legal Interpretation and the Evolving Culture
- Amending the Constitution through Interpretation: Expanding and Contracting Civil Rights and Liberties

Readings

- Chapter One, pp 1-4
- *Marbury v. Madison* (1803)
- *McCulloch v. Maryland* (1819)

- U.S. Constitution Fourteenth Amendment: Incorporation, Due Process and Equal Protection

- How the Law Defines Equality, Liberty and Fairness Differently for Different Groups
- 14<sup>th</sup> Amendment and Race
- Extensions of the 14<sup>th</sup> Amendment: Gender, Sexual Preference and Fundamental Liberties (Abortion, Religion and Politics)

Readings:

- Chapter One, pp 7-15
- 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> Amendment
- Text of the Equal Rights Amendment

- A Brief Historical Sketch of Politics, Culture And Law: A Process of Promise and Failure

- Promise of Equality v. Realities of a Majority Culture and Prospective
- A Call to Political and Social Movements: The Need to Engage the Debate and Define the Terms
- Difficulties in Fulfilling the Promise by Overcoming Discriminatory Institutions, Ideologies and Culture: The Impact of *De Jure* (by Law) and *De Facto* (by Circumstance and Culture) Discrimination.
- How does Your Identity Fit with Those in the Past and Today

Readings

- Chapter One. Pp 16-20

**Suggested/Additional Readings:**

- ❖ *A Matter of Interpretation: Federal Courts and the Law*. Antonin Scalia, Edited by Amy Gutmann. Princeton University Press, 1998.
- ❖ *Corwin on the Constitution: On Liberty against Government, Vol III*. Edward S. Corwin, Edited by Richard Loss. Cornell University Press, 1988.
- ❖ *Implementing the Constitution*. Richard H. Fallon, Jr. Harvard University Press, 2001.
- ❖ *Living the Bill of Rights: How to Be an Authentic American*. Nat Hentoff University of California Press, 1999.
- ❖ *Marbury v. Madison: The Origins and Legacy of Judicial Review*. William E. Nelson. University Press of Kansas, 2000.
- ❖ *On Constitutional Ground*. John Hart Ely. Princeton University Press, 1996.
- ❖ *Spheres of Liberty: Changing Perceptions of Liberty in American Culture*. Michael Kammen. University Press of Mississippi. 2001
- ❖ *Taking the Constitution Away from the Courts*. Mark Tushnet. Princeton University Press, 1999.
- ❖ *The Bill of Rights, the Courts, and the Law: Third Edition*. David Bearinger, Editor. University of Virginia Press, 2003.
- ❖ *The Politics of Toleration in Modern Life*. Susan Mendus, editor. Duke University Press, 2000.  
*Multiculturalism and American Democracy*. Edited by Arthur M. Melzer, Jerry Weinberger, and M. Richard Zinman. University Press of Kansas, 1998.

**First Exam**

**Week 4-5**

**II. Political and Religious Diversity: Freedom of Participation, Faith and Conscience**

- Defining Speech as the Expression of Ideas and Values: Ideological Diversity and Political Freedom
  - Governmental Order v. Political Liberty
  - The Roots of Ideological Intolerance and the Free Market Place of Ideas
  - Ideological Diversity in a Time of Crises
  - Defining Speech as Individual Expression

Readings

- Chapter Two pp. 21-32
- Selected Portions of:
  - Holmes' in *Abrams v. US* 1919
  - *Schenck v. United States* (1919)
  - *Gitlow v. New York* (1925)
  - *Chaplinsky v. State* (1941)
  - *Tinker v. Des Moines* (1969)
  - *Thomas v. Chicago Park District* (2001)

**Suggested/Additional Readings:**

- ❖ *Eternally Vigilant: Free Speech in the Modern Era*. Editors Lee C. Bollinger and Geoffrey R. Stone. University of Chicago Press, 2001.
- ❖ *Free Speech, "The People's Darling Privilege": Struggles for Freedom of Expression in American History*. Michael Kent Curtis. Duke University Press, 2000.
- ❖ *The Irony of Free Speech*. Owen Fiss. Harvard University Press, 1996.

- Does the Constitution Ban “Dangerous” or Different Ideas? Communication, Communism and Burning Flags and Crosses
  - Protecting National Symbols or Limiting Expression
  - Hate Speech and the Right of Expression: Can the Protection of the Diversity of Opinion Go too Far?
  - When Does an Intolerant Expression become an Illegal One and Should it?

Readings

- Chapter Two pp. 32-43
- Selected Portions of:
  - *Barrenblatt v. US* (1959)
  - *Texas v. Johnson* (1989)
  - *R.A.V. v. St. Paul* (1992)
  - *Virginia v. Black* (2003)

**Suggested/Additional Readings:**

- ❖ *CAMPUS HATE SPEECH ON TRIAL*. TIMOTHY C. SHIELL. UNIVERSITY PRESS OF KANSAS, 1998.
- ❖ *Fighting Words: Individuals, Communities, and Liberties of Speech*. Kent Greenawalt. Princeton University Press, 1996.
- ❖ *FLAG BURNING AND FREE SPEECH: THE CASE OF TEXAS V. JOHNSON*. ROBERT JUSTIN GOLDSTEIN. UNIVERSITY PRESS OF KANSAS, 2000.
- ❖ *HATE SPEECH: THE HISTORY OF AN AMERICAN CONTROVERSY*. SAMUEL WALKER. UNIVERSITY OF NEBRASKA PRESS, 1994.
- ❖ *THE BOUNDARIES OF FREEDOM OF EXPRESSION & ORDER IN AMERICAN DEMOCRACY*. EDITOR THOMAS R. HENSLEY. THE KENT STATE UNIVERSITY PRESS, 2001.
- ❖ *WHEN THE NAZIS CAME TO SKOKIE: FREEDOM FOR SPEECH WE HATE*. PHILIPPA STRUM. UNIVERSITY PRESS OF KANSAS, 1999.

## **DISCUSSION OF THE: DIVERSITY ISSUE AND THE LAW PAPER – PICKING A TOPIC AND A SHORT COURSE ON RESEARCH**

**Week 6-7:**

- Religious Establishment: Questions of the Establishment of Religion and its Impact of Diversity of Religious Faiths
  - Religious Intolerance: The Dangers of a Single or Select Number of State Religions
  - Governmental Preferences and Neutrality Toward Religion: Institutionalized Religious Tolerance
  - Respecting Religious Faiths and Traditions without Accommodating their Practice

Readings:

- Chapter 3 pp. 65-71
- Selected Portions of:
  - *Everson v. Bd. Ed.* (1947)
  - *McGowan v. Maryland* (1961)
  - *Lamb’s Chapel v. School District* (1993)
  - *Stone v. Graham* (1980)
  - *McCreary County, KY, et al. v. ACLU* (2005)

**Suggested/Additional Readings:**

- ❖ *One Nation under Law: America's Early National Struggles to Separate Church and State*. Mark Douglas McGarvie. Northern Illinois University Press, 2004.
- ❖ *Separation of Church and State*. Philip Hamburger. Harvard University Press, 2002

➤ **Freedom of and from Religion:** Protecting Religious Beliefs and the Actions Associated with those Faiths

- Religious Tolerance and American History
- Religious Faith and Practice: A Distinction without a Difference?
- Protection Governmental Preferences and Neutrality Toward Religion: Thwarting Institutionalized Intolerance
- Respecting Religious Faiths and Traditions without Accommodating their Practice
- Protecting “Minority and Non-Traditional Faiths” in American Society: The Struggle for Social Tolerance

Readings:

- Chapter 3 pp. 72-96
- Selected Portions of:
  - *Cantwell v. Connecticut* (1940)
  - *Engel v. Vitale* (1962)
  - *Wisconsin v. Yoder* (1972)
  - *Goldman v. Weinberger* (1986)
  - *Edwards v. Aguillard* (1987)
  - *Employment Division v. Smith* (1990)

**Suggested/Additional Readings:**

- ❖ *Judging Jehovah's Witnesses: Religious Persecution and the Dawn of the Rights Revolution*. Shawn Francis Peters. University Press of Kansas, 2000.
- ❖ *Religious Freedom and Indian Rights: The Case of Oregon v. Smith*. Carolyn N. Long. University Press of Kansas, 2000.

## Second Exam

### Week 8-9

#### Equality and the Constitution

- An Uncertain Past: Overcoming Institutionally Imposed Racial Inequality
- An Uneasy and Unjust Compromise: Institutionalizing Racism through the 3/5<sup>th</sup>'s Clause and the Twenty Year Ban on the Regulation of Slavery.
  - Abolitionists and Racist: The Struggle to Overcome a Culture of Racism
  - The Civil War and the Failure of Reconstruction
  - Race and Equality in the Time of War
  - Beginning the Second Reconstruction and the Civil Rights Movement in the 20<sup>th</sup> Century: Ending *De Jure* or Institutionalized Discrimination

Readings

- Chapter 4 pp. 97-107
- Selected Portions of:
  - *Dred Scott v. Stanford* (1857)
  - *Plessy v. Ferguson* (1896)

- *Korematsu v. US* (1944)
- *Brown v. Board of Education of Topeka* (1954)
- *Brown v. Board of Education II* (1955)
- *Loving v. Virginia* (1967)
- *Furman v. Georgia* (1972)

### Suggested/Additional Readings:

- ❖ *By Order of the President: FDR and the Internment of Japanese Americans*. Greg Robinson. Harvard University Press, 2002.
- ❖ *Race, Place, and the Law, 1836-1948*. David Delaney. University of Texas Press, 1998.
- ❖ *Racism*. Albert Memmi. University of Minnesota Press, 1999
- ❖ *The Anatomy of Racial Inequality*. Glen Loury. Harvard University Press, 2002.
- ❖ *The Monochrome Society*. Amitai Etzioni. Princeton University Press, 2001.
- ❖ *The Papers of Martin Luther King Jr.* Compiled by the The Martin Luther King, Jr. Papers Project, the Martin Luther King, Jr. Papers Series will be a definitive fourteen-volume edition of King's most significant correspondence, sermons, speeches, published writings, and unpublished manuscripts. Four Volumes Available. University of California Press, 1992-2000.
- ❖ *The Shifting Wind: The Supreme Court and Civil Rights from Reconstruction to Brown*. John R. Howard SUNY Press. 2001.

### ➤ Using the Law to Protect, Promote and Enforce Racial Equality: Overcoming Social Intolerance and the Legacy of Intolerance

- The Importance of Federal Legislation: Civil Rights and Voting Rights Acts
- Challenges in Overcoming *De Facto* and *De Jure* Racial Discrimination in Voting: Ensuring Political Access to the Democratic Process
- Regulating the Intolerance and Discriminatory Behavior of Private Individuals and Society: Insuring and Creating Economic Mobility and Opportunity
- Ending Discrimination in Employment: Impacting Income Distribution and Economic Mobility
- Affirmative Action and Quotas: A Distinction with or without a Difference.
- Current Battles at the Supreme Court over Racial Diversity and Intolerance

#### Readings

- Chapter 4 pp. 107-123
- Selected Portions of:
  - *Reynolds v. Sims* (1964)
  - *South Carolina v. Katzenbach* (1966)
  - *Shaw v. Reno* (1993)
  - *Heart of Atlanta Motel v. U.S.* (1964)
  - *Regents of the University of California v. Bakke* (1978)
  - *Adarand Constructors v. Pena* (1995)
  - *Grutter v. Bollinger* (2003)
  - *Gratz v. Bollinger* (2003)

### Suggested/Additional Readings:

- ❖ *Beyond Affirmative Action Reframing the Context of Higher Education*. Robert A. Ibarra. The University of Wisconsin Press, 2002.
- ❖ *Civil Rights and Public Accommodations: The Heart of Atlanta Motel and McClung Cases*. Richard C. Cortner. University Press of Kansas, 2001
- ❖ *Enforcing Civil Rights: Race Discrimination and the Department of Justice*. Brian K. Landsberg. University Press of Kansas, 1997.
- ❖ *The Bakke Case: Race, Education, and Affirmative Action*. Howard Ball. University Press of Kansas, 2000.

**Diversity and the Law Paper is Due****Week 10**

- Gender Equality and the Law: Overcoming Social and Institutional Intolerance and Gaining Political and Economic Rights
  - Defeating Legal Barriers to Economic and Political Participation
  - The Struggle to Move from a “Chivalry” based Paternalism to Legal Equality
  - Ending Social Exclusion and Creating Economic Mobility: Discrimination in the Workplace and Education: Title VII & IX
  - Sexual Harassment and Gender Equality:

## Readings:

- Chapter 4 pp. 123-132
- Selected Portions of:
  - 19<sup>th</sup> Amendment
  - *Muller v. Oregon* (1908)
  - *Frontiero v. Richardson* (1973)
  - *United States v. Virginia* (1996)
  - *General Electric v. Gillbert* (1976)
  - *Harris v. Forklift Systems* (1993)

**Suggested/Additional Readings:**

- ❖ *Affirmative Action on Trial: Sex Discrimination in Johnson v. Santa Clara*. Melvin I. Urofsky. University Press of Kansas, 1997.
- ❖ *Fighting Words: Black Women and the Search for Justice*. Patricia Hill Collins. University of Minnesota Press, 1999
- ❖ *Further to Fly: Black Women and the Politics of Empowerment*. Sheila Radford-Hill. University of Minnesota Press, 2000.
- ❖ *Roe v. Wade: The Abortion Rights Controversy in American History*. N. E. H. Hull and Peter Charles Hoffer. University Press of Kansas, 2001
- ❖ *The Rights of Women, Third Edition*. Susan Deller Ross, Isabelle Katz Pinzler, Deborah A. Ellis, and Kary L. Moss. Southern Illinois University Press, 1993
- Women in the Barracks: The VMI Case and Equal Rights*. Philippa Strum. University Press of Kansas, 2002

**Picking a Topic for the Mock Constitutional Convention****Week 11**

- Diversity and the Notions of Substantive Due Process and Equality: Expanding the Scope of the Notion of Privacy Liberty and Equality in the Constitution
  - Substantive Definitions of Liberty Applied to the Constitution
  - Origins of a Right of Privacy
  - Abortion as a Constitutional Right
  - Sexual Preference and the Notions of Liberty and Privacy
  - The Right to Die and the Uncertain Future of a Constitutional Right to Privacy

## Readings:

- Chapter 5
- Selected Readings:
  - *Griswold v. Connecticut* (1965)
  - *Roe v. Wade* (1973)

- *Planned Parenthood v. Casey* (1992)
- *Bowers v. Hardwick* (1986)
- *Lawrence v. Texas* (2003)
- *Cruzon v. Missouri Department of Health*
- *Washington v. Glucksberg* (1997)

### Suggested/Additional Readings:

- ❖ *Equality for Same-Sex Couples: The Legal Recognition of Gay Partnerships in Europe and the United States*. Yuval Merin. University of Chicago Press, 2002.
- ❖ *The Constitutional Underclass: Gays, Lesbians, and the Failure of Class-Based Equal Protection*. Evan Gerstmann. University of Chicago Press, 1999.
- ❖ *The Gay Rights Question in Contemporary American Law*. Andrew Koppelman. University of Chicago Press, 2002.
- ❖ *The Rights of Lesbians and Gay Men, Third Edition*. Nan D. Hunter, Sherryl E. Michaelson, and Thomas B. Stoddard. Southern Illinois University Press, 1992.
- ❖ *Your Right to Privacy, Second Edition*. Evan Hendricks, Trudy Hayden, and Jack D. Novik. Southern Illinois University Press, 1990

## Exam 3

### Week 12

- New and Evolving Issues of Equality: Disabilities, Economic Inequality, Non-Citizens and the Future of Civil Rights and Liberties in the US
  - Rights of the Disabled
  - Rights of Undocumented Aliens
  - Diversity and the Distribution of Resources: Is there a Need for a Legal Remedy?
  - Economic Equality and Inequality in Political Participation
  - Evaluating the Progress and the Future Promise of Increased Equality and Liberty: Income Distribution, Political Power and Impact of Multiculturalism on American Law, Culture and Society.

#### Readings:

- Chapter 6
- American's with Disabilities Act
- Selected Readings:
  - *Foley v. Connelie* (1978)
  - *Bragdon v. Abbott* (1998)
  - *McConnell v. Federal Election* (2003)
  - *San Antonio School District v. Rodriguez* (1973)

### Suggested/Additional Readings:

- ❖ *Immigrants in Courts*. Joanne I. Moore and Margaret E. Fisher, Foreword James M. Dolliver. University of Washington Press. 1999.
- ❖ *The Miner's Canary: Enlisting Race, Resisting Power, Transforming Democracy*. Lani Guinier and Gerald Torres. Harvard University Press, 2002.
- ❖ *The New Electoral Politics of Race*. Matthew Streb. The University of Alabama Press, 2002.
- ❖ *The Rights of Aliens and Refugees, Second Edition*. David Carliner, Lucas Guttentag, Arthur Helton, and Wade Henderson. Southern Illinois University Press, 1990.
- ❖ *The Rights of the Poor*. Helen Hershkoff and Stephen Loffredo. Southern Illinois University Press, 1997.
- ❖ *How Democratic is the American Constitution?*. Robert A. Dahl. Yale University Press, 2002.
- ❖ *Thicker Than Blood: How Racial Statistics Lie*. Tukufu Zuberi. University of Minnesota Press, 2001
- ❖ *Voting With Dollars: A New Paradigm for Campaign Finance*. Bruce Ackerman and Ian Ayres. Yale University Press. April 2002.

## Mock Paper Due

**Week 13-15**

- Mock Constitutional Convention and Legislation Exercise
  - Turning in a Short Thought Paper
  - Deliberations in Small Groups – Choosing an Amendment, Legislation or a Different Judicial Interpretation of the Law
  - Presentation and Discussion to the Entire Class
  - Voting and Assessing the Likelihood of and Difficulties Encountered in Dealing with Issues of Diversity, Liberty and Equality in the US

**Final Exam/Discussion**



\_\_\_\_\_ none \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. Equivalent Courses: (List by Subject Code, Number and Title) Students may not earn credit for both a course and its equivalent.

\_\_\_\_\_ none \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

9. Course Restrictions:

a. Academic/Class Level (Check all those who **will be allowed** to take the course as part of their academic program.):

Undergraduate

Graduate

Freshperson \_\_\_\_\_ x \_\_\_\_\_

Certificate \_\_\_\_\_

Sophomore \_\_\_\_\_ x \_\_\_\_\_

Masters \_\_\_\_\_

Junior \_\_\_\_\_ x \_\_\_\_\_

Specialist \_\_\_\_\_

Senior \_\_\_\_\_ x \_\_\_\_\_

Doctoral \_\_\_\_\_

**Note: Only** 400-level undergraduate courses can be taken by graduate students as part of their graduate program. **Only** Certificate

And Masters students may take these courses. If this is a 400-level course to be offered for graduate credit, attach Approval Form for 400-level Course for Graduate Credit.

**Note: Only** 500-level graduate courses can be taken by undergraduate students.

b. Will only students in certain majors/programs be allowed to take this course? Yes \_\_\_\_\_ No  x

If yes, list the majors/programs

\_\_\_\_\_  
 \_\_\_\_\_

c. Will Departmental Permission be Required? Yes \_\_\_\_\_ No  x   
 (Note: Department permission requires the department to enter authorization for every student registering.)

d. Is admission to a specific College Required?

College of Business Yes \_\_\_\_\_ No  x

College of Education Yes \_\_\_\_\_ No  x

10. Will the course be offered for General Education credit? Yes \_\_\_\_\_ No  x

If yes, attach Request for Approval of a General Education Course.

### C. Relationship to Existing Courses

**Within the Department:**

11. Will this course will be a requirement or restricted elective in any **existing** program(s)? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, list the programs and attach a copy of the programs that clearly shows the place the new course will have in the curriculum.

Program \_\_\_\_\_ Required \_\_\_\_\_ Restricted Elective \_\_\_\_\_

Program \_\_\_\_\_ Required \_\_\_\_\_ Restricted Elective \_\_\_\_\_

12. Will this course replace an existing course? Yes \_\_\_\_\_ No  \_\_\_\_\_

**NOTE: Complete #13 only if the answer to #12 is "Yes." Complete #14 only if the answers to #12 and #13b are both "Yes."**

13. (Complete only if the answer to #12 is "Yes.")

a. Subject Code, Number and Title of course to be replaced:

\_\_\_\_\_

b. Will the course to be replaced be deleted? Yes \_\_\_\_\_ No \_\_\_\_\_

14. (Complete only if the answers to #12 and #13b are both "Yes.") If the replaced course is to be deleted, it is not necessary to submit a Request for Graduate and Undergraduate Course Deletion.

a. When is the last time it will be offered? Term \_\_\_\_\_ Year \_\_\_\_\_

b. Is the course to be deleted required by programs in other departments?  
Contact the Course and Program Development Office if necessary. Yes \_\_\_\_\_ No \_\_\_\_\_

c. If yes, do the affected departments support this change? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, attach letters of support. If no, attach letters from the affected department explaining the lack of support, if available.

**Outside the Department:** The following information must be provided. Contact the Course and Program Development office for assistance if necessary.

15. Are there similar courses offered in other University Departments? Yes \_\_\_\_\_ No  \_\_\_\_\_  
If yes, list courses by Subject Code, Number and Title

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. If similar courses exist, do the departments in which they are offered support the proposed course?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, attach letters of support from the affected departments. If no, attach letters from the affected department explaining the lack of support, if available.

---

## D. Course Requirements

17. Attach a detailed Sample Course Syllabus including:

- a. Course goals, objectives and/or expected student outcomes
  - b. Outline of the content to be covered
  - c. Student assignments including presentations, research papers, exams, etc.
  - d. Method of evaluation
  - e. Grading scale (if a graduate course, include graduate grading scale)
  - f. Special requirements
  - g. Bibliography, supplemental reading list
  - h. Other pertinent information.
-

**E. Cost Analysis** (Complete only if the course cannot be implemented without additional University resources. Fill in Estimated Resources for the sponsoring department(s). Attach separate estimates for other affected departments.)

Estimated Resources:	Year One	Year Two	Year Three
Faculty / Staff	\$ _____	\$ _____	\$ _____
SS&M	\$ _____	\$ _____	\$ _____
Equipment	\$ _____	\$ _____	\$ _____
Total	\$ _____	\$ _____	\$ _____

**F. Action of the Department/College**

**1. Department**

Vote of department faculty: For \_\_\_\_\_ Against \_\_\_\_\_ Abstentions \_\_\_\_\_  
(Enter the number of votes cast in each category.)

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Date

**2. College/Graduate School**

**A. College**

\_\_\_\_\_  
College Dean Signature

\_\_\_\_\_  
Date

**B. Graduate School**

\_\_\_\_\_  
Associate Dean Signature

\_\_\_\_\_  
Date

**G. Approval**

\_\_\_\_\_  
Assistant Vice-President for Academic Administrative Services Signature

\_\_\_\_\_  
Date