

**PLSC 215-0 Winter 2017**  
**MW 11:00-12:15**  
Pray-Harrold 420  
[CRN: 21279]

**Civil Rights and Liberties in a Diverse US**

Dr. Henschen  
601 Q Pray-Harrold  
Hours: MW 12:30-1:30 (office) and by  
email and appointment  
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In this course we will examine how groups and individuals have sought legal protection and recognition through judicial interpretation of the U.S. Constitution and legislation. Exposure to these struggles will allow us to examine a range of perspectives and explore how the legal and political systems have dealt with clashes over civil liberties and civil rights.

**Book: REQUIRED**

Dierenfield, Bruce J. 2008. *The Civil Rights Movement* (rev. ed.). Harlow, England: Pearson Longman.

The Halle Library received an eFellows grant to experiment with providing library e-book versions of books used as course readings. Although most books assigned for courses are not available to purchase in library e-book versions, they were able to purchase *The Civil Rights Movement*. The version that was purchased is multiple user—meaning that the entire class can access and read the book at the same time. Generally, library e-books cannot be downloaded—but students can read them online by using their login.

The long link provided below will work from off campus.

The Civil Rights Movement

<http://ezproxy.emich.edu/login?url=http://www.emich.ebib.com/patron/FullRecord.aspx?p=1397585>

**Article: Required**

You will access the additional required reading (as noted in the syllabus) from CQ Press/CQ Researcher. To access these readings, log on to my.emich and go to the Halle Library link. Under “Find Articles, Books & More in Esearch” type in CQ Researcher; click on “search.” The first listing that will appear will be “The CQ Researcher.” After clicking on that, type the title of the article in the search bar; you will be given a link to the article and an option to save it “to favorites.”

**Cases: Required:** To jump start class discussions, you will also be responsible for reading summaries of specific Supreme Court cases (as noted on the syllabus) which you can access online.

When accessing Supreme Court cases online, an easy way to find them is to enter the case title (i.e., X v. Y) into your search engine. You will find a number of sources for the case. One is the Oyez Project at IIT Chicago-Kent College of Law: [www.oyez.org/](http://www.oyez.org/). The site gives a brief overview of the case, the legal question that is addressed, and the Court's ruling.

**Note: We will be watching a number of documentaries that help to tell the story of the civil rights movement and illustrate the balancing of interests involved in issues of civil liberties. You will be responsible for the material covered in these DVDs, just as you are responsible for class lectures and the reading.**

## **Reading, Assignments, and Exam Schedule**

### **January**

4/Wednesday            Civil Rights and Liberties: An Introduction

### **Civil Rights: Guarantees of Government Action**

The Struggle for Equal Treatment: Race

9/Monday                Equal Protection and Jim Crow

*Plessy v. Ferguson (1896)*

*Brown v. Board of Education of Topeka (1954)*

*Brown II (1955)*

*The Civil Rights Movement*, chapters 1-3

11/Wednesday        Little Rock, the Montgomery Bus Boycott, and Sit-Ins

*The Civil Rights Movement*, chapters 4-6

16/Monday             MLK, Jr. Campus-Wide Celebration; no classes

18/Wednesday        Freedom Rides

*The Civil Rights Movement*, chapter 7

*Freedom Riders*

23/Monday             *Freedom Riders*

25/Wednesday        Ole Miss, Birmingham, and the March on Washington

*The Civil Rights Movement*, chapters 8-10

The Civil Rights Movement Has Begun: Victories—and the Challenges Ahead

30/Monday            The 1964 Civil Rights Act and Freedom Summer

*The Civil Rights Movement*, chapter 11

**February**

1/Wednesday        *Freedom Summer: Mississippi 1964*

6/Monday            *Freedom Summer: Mississippi 1964*

8/Wednesday        Constitutional Challenges to the 1964 Civil Rights Act

*Heart of Atlanta Motel v. U.S. (1964)*

*Katzendbach v. McClung (1964)*

*Daniel v. Paul (1969)*

13/Monday           Bloody Sunday and the 1965 Voting Rights Act

*South Carolina v. Katzenbach (1966)*

*Shelby County, Alabama v. Holder (2013)*

New Voting Rights Legislation

*The Civil Rights Movement*, chapters 12-13

15/Wednesday       Beyond Courts and Legislatures:  
The Integration of College Football

*Breaking the Huddle*

**20/Monday-22/Wednesday Winter Break**

**The Struggle for Equal Treatment: Gender and Sexual Orientation**

27/Monday           Changing Judicial Perceptions of Gender Equality

*Reed v. Reed (1971)*

*Frontiero v. Richardson (1973)*

*Craig v. Boren (1976)*

*Mississippi University for Women v. Hogan (1982)*

*U.S. v. Virginia (1996)*

## March

1/Wednesday            New Issues in Civil Rights—The Struggle for Equal Treatment for Gays and Lesbians

*Lawrence v. Texas* (2003)  
*Hollingsworth v. Perry* (2013)  
*U.S. v. Windsor* (2013)  
*Obergefell v. Hodges* (2015)

6/Monday                Take Home Exam I/No Class Meeting

### Civil Liberties: Limitations on Government Action

8/Wednesday            Freedom of Expression: Balancing Interests and Drawing Lines

*New York Times v. U.S.* (1971)  
*Schenck v. U.S.* (1919)  
*Tinker v. Des Moines* (1969)  
*Texas v. Johnson* (1989)  
*Cohen v. California* (1971)  
*Miller v. California* (1973)

*Morse v. Frederick* (2007)  
*Snyder v. Phelps* (2011)  
*Brown v. Entertainment Merchants Association* (2011)  
*McCutcheon v. FEC* (2014)

### Take Home Exam I Due in Class

**80 points**

13/Monday                *Shouting Fire*

15/Wednesday            Religion in America: A Brief Overview

The Establishment Clause and the Regents' Prayer

*Everson v. Board of Education* (1947)  
*Engel v. Vitale* (1962)

27/Monday                After *Engel*: Religion and the Public Schools

*Abington School District v. Schempp* (1963)  
*Lemon v. Kurtzman* (1971)

*Stone v. Graham (1980)*  
*Wallace v. Jaffree (1985)*  
*Lee v. Weisman (1992)*  
*Santa Fe Independent School District v. Doe (2000)*  
*Zelman v. Simmon-Harris (2002)*  
*Elk Grove Unified School District v. Newdow (2004)*

29/Wednesday Religion in Public Life

*Marsh v. Chambers (1983)*  
*Town of Greece v. Galloway (2014)*  
*Lynch v. Donnelly (1984)*  
*Allegheny County v ACLU (1989)*  
*McCreary County v. ACLU (2005)*  
*Van Orden v. Perry (2005)*

## **April**

3/Monday Free Exercise of Religion

*Reynolds v. U.S. (1878)*  
*Church of the Lukumi Babalu Aye v. City of Hialeah (1993)*

New Issues of Religious Liberty

CQ Researcher. January 1, 2016. *Religious Freedom*  
<<http://library.cqpress.com/cqresearcher/getpdf.php?id=cqresrr e2016010100>>

5/Wednesday Take Home Exam II/ No Class Meeting

10/Monday Privacy as Autonomy: The Freedom to Make Life Choices

*Griswold v. Connecticut (1965)*  
*Roe v. Wade (1973)*  
*Webster v. Reproductive Health Services (1989)*  
*Planned Parenthood v. Casey (1992)*  
*Stenberg v. Carhart (2000)*  
*Gonzales v. Carhart (2007)*

State Legislation Involving Reproductive Rights

**Take Home Exam II Due in Class**

**80 points**

12/Wednesday	The Right to Be Let Alone: New Issues of Privacy in a World of Digital Connectivity	
	<i>Citizenfour</i>	
17/Monday	<i>Citizenfour</i>	
24/Monday	<b>Quiz (11:00-12:30)</b>	<b>50 points</b>

**Summary of Graded Exercises:**

March 8/Wednesday	Exam I (take home) Due in Class	80 points
April 10/Monday	Exam II (take home) Due in Class	80 points
April 24/Monday	<b>Quiz (11:00-12:30)</b>	50 points
Various	In-Class Quizzes/Writing Exercises*	90 points

**Grading scale:**

282-300 points	A	94-100%
270-281	A-	90-93
261-269	B+	87-89
249-260	B	83-86
240-248	B-	80-82
231-239	C+	77-79
219-230	C	73-76
210-218	C-	70-72
201-209	D+	67-69
189-200	D	63-66
180-188	D-	60-62
Below 180	F	Below 60%

**Note: Be prepared, when called on, to contribute to class discussions and to provide thoughtful observations on the course material.**

\*In-Class Quizzes/Writing Exercises: There will be 4 in-class quizzes/writing exercises, randomly offered. These are designed to make sure that you are keeping up with the reading and engaging in class discussions based on lectures. Your best grades on three of these exercises will count toward your final grade. Each exercise is worth 30 points.

Depending on the circumstances, any make-up work that is necessary/warranted may be given during the last week of classes. The format of the work may differ from the original.

Class attendance, good note taking, and careful reading are essential to doing well in this course. It is also important to *be present*—to be fully engaged during lectures and in class discussions. Laptops closed, phones put away...

Because this is an in-person class, there is no Canvas course shell for the course. Relevant course material and instructions related to exams and assignments will be provided in class.

Check your university email frequently for announcements related to class.

**Additional information regarding classroom matters will be discussed in class.**

Go to <http://www.emich.edu/uwc> for information about the university writing center.

In addition to the articulated course specific policies and expectations, students are responsible for understanding all applicable University guidelines, policies, and procedures. The EMU Student Handbook is the primary resource provided to students to ensure that they have access to all university policies, support resources, and student's rights and responsibilities. Changes may be made to the EMU Student Handbook whenever necessary, and shall be effective immediately, and/or as of the date on which a policy is formally adopted, and/or on the date specified in the amendment. Please note: Electing not to access the link provided below does not absolve a student of responsibility. For questions about any university policy, procedure, practice, or resource, please contact the Office of the Ombuds: 248 Student Center, [734.487.0074](tel:734.487.0074), [emu\\_ombuds@emich.edu](mailto:emu_ombuds@emich.edu), or visit the website: [www.emich.edu/ombuds](http://www.emich.edu/ombuds)

### **Dates and Deadlines**

1/10/17	Last date to add courses via the web (a)
3/6/17	Last date to add courses with departmental authorization
1/13/17	Last date for 100% tuition refund (individual or total withdraw from term)
3/22/17	Last date for individual class withdrawal (with W grades) - No Refund
1/31/17 (b)	Last date for 50% tuition refund (total withdrawal only) with W grades
3/6/17 (b)	Last date for 25% tuition refund (total withdrawal only) with W grades
4/18/17 (b)	Last date for total withdrawal from term (with W grades) - No Refund
1/13/17	Last date to declare pass/fail grading option or select to audit a course
4/18/17	Last date to remove pass/fail grading option and receive letter grade

### **Codes**

(a) Initial registration occurring on or after the Part of Term start date will incur a one-time \$160 late registration fee

(b) Date applicable only if student's classes are ALL within the same Part of Term and/or a later starting Part of Term

(\*\*) A written request must be faxed to the Office of Records and Registration at 734.487.6808 before midnight

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Completion of this course fulfills a requirement in the Perspectives on a Diverse World area/US Diversity.

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.
  2. Explore the causes and consequences of social intolerance in the U.S.
  3. Examine the differences between social intolerance and institutionalized racism, ethnocentrism, and exclusion in the U.S.
  4. Explore how diversity has affected and continues to affect income distribution, economic mobility, political access, and the democratic process in the U.S.
  5. Develop an awareness of alternative values, views, and communication styles in the U.S.
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Objectives and Outcomes as they relate to this class:

1. To examine and increase awareness of the dimensions and complexity of diversity in American laws, institutions, and cultures. Inclusive in this objective is an exploration of the students' own cultural identities and how they relate 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 identities. 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. In addition, students will learn methods of analysis and evaluation of this subject through assigned readings, case studies, and discussions that focus on the differences between social intolerance and institutionalized racism, ethnocentrism, and exclusion in the U.S.
4. To cultivate an appreciation for 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.

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.

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