

PLSC 215-4 Fall 2018
M 6:30-9:10
Pray-Harrold 420
[CRN: 17116]

Civil Rights and Liberties in a Diverse US
Honors: Presidential Scholars

Dr. Henschen
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Hours: MW 12:30-1:30 (office), by
email and by 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 in legislation. We will focus on the difficulty of balancing the protections in the Bill of Rights against other important governmental concerns, and we will trace the arc of recent American history replete with episodes that, taken together, tell an important story of how government has been asked to ensure equal treatment under the law. We will learn together that words have meaning and that our conceptions of civil liberties and civil rights change over time.

Book: REQUIRED

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

An eFellows grant made it possible for the library to provide e-book versions of texts used as course readings. Although most books assigned for courses are not available to purchase in library e-book versions, our library was 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. Access the book online by using your emich 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>

Articles: REQUIRED

You will access the additional required readings (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.”

Judicial Decisions: You will also be responsible for reading summaries of specific Supreme Court cases (as noted in 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. The most helpful for your purposes will be <https://www.supremecourt.gov> and <https://www.oyez.org/cases>.

Reading, Assignments, and Exam Schedule

September

10 – My Favorite Color is Grey

Civil Rights (Guarantees of Government Action) and
Civil Liberties (Limitations on Government Action)

The Struggle for Equal Treatment: Race

Equal Protection and Jim Crow

Plessy v. Ferguson (1896)

17 – Change Begins

Brown v. Board of Education of Topeka (1954)
Brown II (1955)

The Civil Rights Movement, chapters 1-3

Montgomery Bus Boycott, Little Rock, and Sit-Ins
The Civil Rights Movement, chapters 4-6

24 – Freedom Rides

The Civil Rights Movement, chapter 7
Freedom Riders (DVD)

Ole Miss
The Civil Rights Movement, chapter 8

October

1 – Birmingham and the March on Washington

The Civil Rights Movement, chapters 9-10

The 1964 Civil Rights Act and Freedom Summer
The Civil Rights Movement, chapter 11

Quiz 1: The Struggle for Equal Treatment

8 – Turning Point for the Civil Rights Movement

Freedom Summer: Mississippi 1964 (DVD)

Constitutional Challenges to the 1964 Civil Rights Act

Heart of Atlanta Motel v. U.S. (1964)
Katzenbach v. McClung (1964)

15 – Bloody Sunday and the 1965 Voting Rights Act

South Carolina v. Katzenbach (1966)
Shelby County, Alabama v. Holder (2013)

The Civil Rights Movement, chapter 12

New Voting Rights Issues and Challenges

Gill v. Whitford (2017)
North Carolina v. Covington (2018)

22 – After the 1960s: Beyond Courts and Legislatures

The Civil Rights Movement, chapter 13

The Integration of College Football: *Breaking the Huddle* (DVD)

The Struggle for Equal Treatment: Gender and Sexual Orientation

29 - 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)

New Issues in Civil Rights: The Struggle for Equal Treatment for Gays and Lesbians

Lawrence v. Texas (2003)
Obergefell v. Hodges (2015)
Masterpiece Cakeshop v. Colorado Civil Rights Commission (2018)

Turn in Portfolio: Entries on Civil Rights

Civil Liberties: Limitations on Government Action

November

5 – Religion in America: A Brief Overview

The Establishment Clause and the Regents' Prayer

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

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)
Trinity Lutheran Church of Columbia v. Comer (2017)

12 – 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)

Free Exercise of Religion

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

“Religious Freedom,” *CQ Researcher* (Jan. 1, 2016), Vol. 26 (1): 1-24.

Quiz 2: Religion

19 – 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)
Minnesota Voters Alliance v. Mansky (2018)

26 – Freedom of Expression in a Democracy

<https://www.pbs.org/video/crash-course-government-25> free speech

<https://www.pbs.org/video/crash-course-government-26> free press

“Citizen Protests,” *CQ Researcher* (Jan. 5, 2018), Vol. 28 (1): 1-24.

Shouting Fire: Stories from the Edge of Free Speech (DVD)
December

3 – 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)
Whole Woman’s Health v. Hellerstedt (2016)
National Institute of Family and Life Advocates v. Becerra (2018)

State Legislation Involving Reproductive Rights

10 – The Right to Be Let Alone: Issues of Privacy in a World of Digital Connectivity

Riley v. California (2014)
Carpenter v. U. S. (2018)

“Privacy and the Internet,” *CQ Researcher* (Feb. 9, 2018), Vol. 28 (6): 121-144.

<https://www.pbs.org/video/crash-course-government-and-politics-45> media regulation

Citizenfour (DVD)

17 – Final Exam Period (6:30-9:10)

Turn in Portfolio: Entries on Civil Liberties

Quiz 3: Expression and Privacy

Summary of Graded Exercises:

Writing exercises on the course material will be included in a portfolio (there will be two sections, each worth 45 points) that you will work on throughout the semester; you will turn in the portfolio as noted above. Three quizzes (each worth 30 points) will count for a total of 90 points. Your thoughtful participation in class and your readiness to summarize Court decisions and perspectives from the readings will account for the remaining 20 points of your final grade.

Grading scale:

188-200 points	A	94-100%
180-187	A-	90-93
174-179	B+	87-89
166-173	B	83-86
160-165	B-	80-82
154-159	C+	77-79
146-153	C	73-76
140-145	C-	70-72
134-139	D+	67-69
126-133	D	63-66
120-125	D-	60-62
Below 120	F	Below 60%

Because this is an in-person class, there is no Canvas shell for the course. I will review with you the way you can keep track of your grade in 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.

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... Additional classroom matters will be discussed if/when the need arises.

Please recognize that, on occasion, the study of American law and politics requires the use of frank language to deal with material that is related to the topic at hand.

UNIVERSITY WRITING CENTER

115 Halle Library

734-487-0694

<http://www.emich.edu/uwc>

FALL 2018 SYLLABUS TEXT

The **University Writing Center** (115 Halle Library; 487-0694) offers one-to-one writing consulting for both undergraduate and graduate students. Hours are **10 a.m. to 6 p.m. Mondays through Thursdays and 11 a.m. to 4 p.m. Fridays**. The UWC opens **Monday, September 10**, and closes **Thursday, December 13**.

The UWC also has several college and program satellite locations across campus. **The locations and hours for the other satellites can be found on the UWC web site:** <http://www.emich.edu/ccw/writing-center/contact.php>

Students seeking writing support at any UWC location should bring a draft of their writing (along with any relevant instructions or rubrics) to work on during the consultation.

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, or visit the website: www.emich.edu/ombuds.”

University Course Policies:

<http://www.emich.edu/studenthandbook/policies/academic.php#univ>

Student Handbook Link: <https://www.emich.edu/studenthandbook/index.php>

Graduate School Policies: <http://www.emich.edu/graduate/policies/index.php>

Additional Resources:

Library Research and Technology Help

The EMU Library offers support for finding, evaluating, and using information sources for research papers and projects.

Use **Library research guides** for your assignments or subject area. You'll also find **self-service help** on using the library, research basics, plagiarism, and citing sources at: <http://www.emich.edu/library/help/index.php>

Get **one-on-one research help** by visiting the Library, calling the Information Desk at 734-487-2445, or making an appointment with a subject specialist librarian. Subject specialist librarians, assigned to each EMU department, can give you friendly expert advice on your research project. You can also **consult a librarian online** via the 24/7 *Ask-A-Librarian* chat service. For details, visit: <http://www.emich.edu/library/help/ask.php>

The **Academic Projects Center**, *located on the Halle Library first floor*, offers drop-in help with research, writing, and technology to improve the quality of your research paper, project, or presentation. You can get help with brainstorming ideas, finding sources, structuring an essay, or putting together a presentation using PowerPoint or Emich Google Apps. The APC is staffed by writing and technology consultants as well as Library faculty. More info at: <http://www.emich.edu/apc/>

Fall 2018 Registration Dates and Deadlines

Deadlines shown here are for Part of Term 1 (15 week session) only.

Last date to add courses via the web (a)

Oct. 26, 2018

Last date to add courses with departmental authorization

Sept. 14, 2018

Last date for 100% tuition refund (individual or total withdraw from term)

Nov. 13, 2018

Last date for individual class withdrawal (with W grades) - No Refund

Oct. 1, 2018 (b)

Last date for 50% tuition refund (total withdrawal only) with W grades

Oct. 26, 2018 (b)

Last date for 25% tuition refund (total withdrawal only) with W grades

Dec. 11, 2018 (b)

Last date for total withdrawal from term (with W grades) - No Refund

Sept. 14, 2018

Last date to declare pass/fail grading option or select to audit a course

Dec. 11, 2018

Last date to remove pass/fail grading option and receive letter grade

(a) Initial registration occurring on or after the Part of Term start date will incur a one-time \$175 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.

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.

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.