**Constitutional Law: Civil Rights and Civil Liberties**

POLS 4710-22710

Spring 2018

Monday/Wednesday/Friday 12:20 pm - 1:10 pm

Instructor **Dr.** **A.J. Barghothi**

Office: Baldwin 380G

Office hours: Mondays 9:00am- 10:00am and Wednesday & Friday 11:10 am - 12:10 pm (or by appointment)

e-mail: ajb46734@uga.edu

**Course Description:**

This course focuses on two of the central concepts in American society, liberty and equality. The primary objective of this course is to acquaint students with the substantive meaning of the protections of liberty and equality contained in the United States Constitution. After discussing the process by which the justices take on and decide cases, we will address the specific content of the decisions issued by the Court, so that by the end of the course students will have considered both the contemporary meaning of the Bill of Rights and the historical evolution of doctrines that have led to our current understanding.

**Required Text:**

Epstein, Lee, and Thomas G. Walker. 2016. *Constitutional Law for a Changing America: Rights, Liberties, and Justice*. 9th ed. Thousand Oaks, CA: Congressional Quarterly Press.

**Course Requirements & Policies:**

* *Reading Assignments*: All reading assignments for this course are in the Epstein and Walker text. Because this is likely to be your first experience reading law, you may find the required readings intense and a bit challenging at first. You should, however, adjust to the nature of the reading after a few weeks and comprehending the judicial opinions will become easier for you. It is critical that you completely read (rather than skim) the assigned readings for each class period, so that you are acquainted with the case facts and outcomes of the cases in each chapter. It is suggested that you devote either two, 1 1/2-2 hour blocks or one, 3-6 hour block of time for each week’s reading assignment in order to appropriately comprehend the material.
* *Attendance and Class Participation*: Attendance will be taken at the beginning of every class. Students are expected to attend all classes as you are responsible for all of the material covered in class on the two tests and the final exam. If you do miss a class, you should obtain a copy of class notes from a classmate because you are expected to know all course material for the tests and exam. I will not reply to student emails requesting my notes for missed classes. Thirteen percent of your final grade will be determined by class participation. All students are expected to thoughtfully participate in class discussion. Your participation will enhance the class lectures by incorporating your own understanding of readings and any questions or statements you may have about the material. While attendance is a prerequisite for participation, attendance is *not* participation. You should be prepared each class session to be randomly called on to discuss specific facts and legal decisions for the cases assigned each day. The participation portion of

your final grade will be based on the following scale and criteria:

* + **A**: A student attends virtually all class sessions (fewer than two absences) for the full amount of time and participates in class discussions by answering questions and

offering insightful comments or asking questions during most class sessions.

* + **B**: A student attends a significant portion of class sessions (fewer than four absences) and participates in class discussions by answering questions and offering insightful

comments or asking questions during some class sessions.

* + **C**: A student misses a significant portion of class sessions (more than four absences) and was only marginally prepared for class and participates in class discussions infrequently—answering questions only when called upon and rarely offering

meaningful comments or questions during class sessions.

* + **D**: A student misses a significant portion of class sessions (more than six absences) and was only marginally prepared for class and participates in class discussions infrequently—answering questions only when called upon and rarely offering

meaningful comments or questions during class sessions.

* + **F**: A student misses a significant portion of class sessions (more than eight absences) and was unprepared for class, never participating in class discussions or answering questions.
* *Quizzes*: Between six and seven quizzes will be given throughout the semester, in order to ascertain students’ comprehension of the course material. Your lowest quiz grade will be dropped from your final grade. No make-up quizzes will be given; if you miss a class when a quiz is given you will receive a zero for that quiz. Fifteen percent of your final grade will be determined by your quiz average.
* *Exams*: Two exams, a midterm and a final, will be given in this course. Thirty-four percent of your final grade will be determined by a midterm exam. The midterm will be given over the course of two class sessions (tentatively scheduled for Wednesday, February 28 and Friday, March 2). Thirty-eight percent of your final grade will be determined by a comprehensive final exam. The final exam will be given on the scheduled exam date for this course (Monday, April 30 - 12:00 pm - 3:00 pm). Both the midterm and final exam will integrate materials from class lectures and discussions and readings, and will include true-false, multiple choice, definitions, and short essay questions. **Make-up exams will be given only in extreme circumstances and on a case by case basis at the instructor’s convenience.**
* *Disability Statement*: If you have a physical, learning, or psychological disability and require accommodations, please make me aware of your situation as soon as possible. You must register with, and provide documentation of your disability to University Disability Resource Center in Clark Howell Hall.
* *Academic Honesty*: The University of Georgia is built upon a strong foundation of integrity, respect and trust. All members of the university community have a responsibility to be honest and the right to expect honesty from others. Any form of academic dishonesty is unacceptable to our community and will not be tolerated. Academic dishonesty (including plagiarism and all other offenses listed under University’s policy on academic honesty) will not be tolerated. Any violations of University policy will be handled through University procedures. For more information on the University policy see *A Culture of Honesty at the University of Georgia* issued by the Office of the Vice President for Instruction at: <https://ovpi.uga.edu/academic-honesty>

**Evaluation:**

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| --- | --- | --- | --- |
| Participation |  13% |  |  |
| Quizzes |  15% |  |  |
| Midterm Exam |  34% |  |  |
| Final Exam  |  38% |  |  |
|  | 100% |  |  |

Your final grade will be assigned in the following manner:

|  |  |  |
| --- | --- | --- |
| A 93-100 | A- 90-92 |  |
| B+ 87-89 | B 83-86 | B- 80-82 |
| C+ 77-79 | C 73-76 | C- 70-72 |
| D 60-69 | F 0-59 |  |

**Tentative Class Schedule**

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| --- | --- |
| Friday, January 5 | Class introduction |
| Monday, January 8 | *The Constitution & the Supreme Court** Epstein & Walker pp. 3-43 & 91-94
 |
| Wednesday, January 10 | *The Constitution & the Supreme Court* (continued) |
| Friday, January 12 | *The Constitution & the Supreme Court* (continued) |
| Monday, January 15 | **No class**—Dr. Martin Luther King, Jr. Day |
| Wednesday, January 17 | *Judicial Powers & Constraints* * Epstein & Walker pp. 45-56
 |
| Friday, January 19 | *Judicial Powers & Constraints* (continued)* Epstein & Walkerpp. 57-65
 |
| Monday, January 22 | *Incorporation of the Bill of Rights** Epstein & Walker pp. 66-86
 |
| Wednesday, January 24 | *Freedom of Religion*—Introduction; Defining Religion* Epstein & Walker pp. 95-100
 |
| Friday, January 26 | *Freedom of Religion—Free Exercise** Epstein & Walker pp. 100-115
 |
| Monday, January 29 | *Freedom of Religion—Free Exercise* (continued)* Epstein & Walker pp. 115-131
 |
| Wednesday, January 31 | *Freedom of Religion—Establishment** Epstein & Walker pp. 131-162
 |
| Friday, February 2 | *Freedom of Religion—Establishment* (continued)* Epstein & Walker pp. 162-176
 |
| Monday, February 5 | *Freedom of Religion—Establishment* (continued)* Epstein & Walker pp. 176-190
 |
| Wednesday, February 7 | *Freedom of Expression** Epstein & Walker pp. 191-205
 |
| Friday, February 9 | *Freedom of Expression* (continued)* Epstein & Walker pp. 205-224
 |
| Monday, February 12 | *Freedom of Expression* (continued)* Epstein & Walker pp. 224-233 & 258-262
 |
| Wednesday, February 14 | *Freedom of Expression* (continued)* Epstein & Walker pp. 233-253
 |
| Friday, February 16 | *Freedom of Expression—Limits** Epstein & Walker pp. 335-488
 |
| Monday, February 19 | *Freedom of the Press** Epstein & Walker pp. 293-309
 |
| Wednesday, February 21 | *Freedom of the Press* (continued)* Epstein & Walker pp. 309-320
 |
| Friday, February 23 | *Freedom of the Press—Libel** Epstein & Walker pp. 321-355
 |
| Monday, February 26 | Midterm Review |
| Wednesday, February 28 | **Midterm Exam** (Day 1) |
| Friday, March 2 | **Midterm Exam** (Day 2) |
| Monday, March 5 | *The Right to Privacy** Epstein & Walker pp. 390-401
 |
| Wednesday, March 7 | **The Right to Privacy** (continued)* Epstein & Walker pp. 401-427
 |
| Friday, March 9 | *The Right to Privacy* (continued)* Epstein & Walker pp. 427-456
 |
| Monday, March 12 | **No class**—Spring Break |
| Wednesday, March 14 | **No class**—Spring Break |
| Friday, March 16 | **No class**—Spring Break |
| Monday, March 19 | *Rights of the Accused—*Introduction; *Arrest; Search & Seizure** Epstein & Walker pp. 463-483
 |
| Wednesday. March 21 | *Rights of the Accused—Arrest; Search & Seizure* (continued)* Epstein & Walker pp. 483-493
 |
| Friday, March 23 | *Rights of the Accused—The Exclusionary Rule* * Epstein & Walker pp. 498-514
 |
| Monday, March 26 | *Rights of the Accused—Self-Incrimination** Epstein & Walker pp. 514-535
 |
| Wednesday, March 28 | *Rights of the Accused—Counsel** Epstein & Walker pp. 536-546
 |
| Friday, March 30 | *Rights of the Accused—Trials** Epstein & Walker pp. 548-568
 |
| Monday, April 2 | *Rights of the Accused—Sentencing; Post-Trial Protection** Epstein & Walker pp. 568-593
 |
| Wednesday, April 4 | *Civil Rights—*Introduction; Race* Epstein & Walker pp. 601-614
 |
| Friday, April 6 | *Civil Rights—*Race (continued)* Epstein & Walker pp. 614-626
 |
| Monday, April 9 | *Civil Rights—*Race (continued)* Epstein & Walker pp. 626-640 & 644-648
 |
| Wednesday, April 11 | *Civil Rights—*Gender* Epstein & Walker pp. 669-688
 |
| Friday, April 13 | *Civil Rights—*Sexual Orientation & Economic Status* Epstein & Walker pp. 688-706
 |
| Monday, April 16 | *Civil Rights—Remedying Discrimination** Epstein & Walker pp. 648-669
 |
| Wednesday, April 18 | *Civil Rights—*Voting and Representation* Epstein & Walker pp. 717-741
 |
| Friday, April 20 | *Civil Rights—*Voting and Representation (continued)* Epstein & Walker pp. 741-7768
 |
| Monday, April 23 | Catchup Day |
| Wednesday, April 25 | Final Review |
| Monday, April 30**12:00pm-3:00pm** | **Final Exam**  |