

**POL 325: Civil Rights & Liberties**  
**Fall 2008**  
**Monday & Wednesday 2:20-3:40pm**  
**Physics 113**

**Maxwell Mak**  
**Office: SBS S-751**  
**Hours: Mon. 11:00-1:00pm**  
**Or by appointment**  
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### Course Description

The Supreme Court generally has two roles; together, these roles tell us the importance of examining civil rights and civil liberties. First, through judicial review, the Court has the power to review state and federal actions. Second, the Supreme Court serves as the defender of minority rights from a possibly tyrannical majority. By hearing and deciding cases brought to the Court, the justices, in the area of civil rights and liberties, draws that very “line” that government—state and federal—cannot pass; in doing so, the Supreme Court determines the extent to which state and federal laws, regulations and actions can and cannot impede in our lives. Examining this line through readings of Court cases is the purpose of this class. We will focus on how the Court determines the latitude given and limitations of government actions; we will see how important the Supreme Court is to our civil rights and liberties.

### Grading

|            |     |
|------------|-----|
| Quizzes    | 25% |
| Short Exam | 15% |
| Midterm    | 30% |
| Final      | 30% |

The quizzes will focus on the assigned readings for a given day of class and will be *unannounced*. Students will be able to drop the *four* lowest quiz grades; there will be **no make-ups** for these in-class quizzes, which is why you get to drop four of them.

The short exam—worth 15 percent of the final grade—will be on Wednesday, September 24<sup>th</sup>. Thus, the short exam will cover the U.S. Constitution and the Amendments. A copy of the reading is in the Appendix of the Epstein and Walker text (pp. 791-800).

The midterm will be on Wednesday, November 5<sup>th</sup>. Students will be responsible for all material covered in class and in the readings up until that point; a review sheet will be handed out one week before the exam. The final is theoretically cumulative, but will be focused on all materials in the readings and in class from the midterm to the end of class. The final will be held on Wednesday, December 17<sup>th</sup> from 2:00pm to 4:30pm per the University’s final schedule.

Lastly, class participation—*productive* and *relevant*—will benefit those with borderline grades. Thus, if one ends up with an 89 percent (B+), the person may be bumped up to an A- if that student participated regularly in class. The grading rubric for the course can be found on Blackboard.

Make-up exams will only be given in extreme circumstances with proper and appropriate documentation; students must contact me within one week of the exam date in order to be eligible for a make-up. Students will have only two weeks after the exam date to complete a make-up that will be significantly different from the one administered on the original exam date; if the exam is not made up within that time, the grade automatically becomes a **zero**. Moreover, I am always happy to discuss the exams with students, but any possible changes in grading for each of the exams must occur within one week of me handing back the exams in class. Incompletes will only be given in the most extreme of circumstances and of course, requires proper and appropriate documentation.

## **Miscellaneous**

If you have a physical, psychological, medical or learning disability that may impact your course work, please contact Disability Support Services, ECC (Educational Communications Center) Building, room128, (631) 632-6748. They will determine with you what accommodations are necessary and appropriate. All information and documentation is confidential.

Each student must pursue his or her academic goals honestly and be personally accountable for all submitted work. Representing another person's work as your own is always wrong. Any suspected instance of academic dishonesty will be reported to the Academic Judiciary. For more comprehensive information on academic integrity, including categories of academic dishonesty, please refer to the academic judiciary website at <http://www.stonybrook.edu/uaa/academicjudiciary/>

Stony Brook University expects students to respect the rights, privileges, and property of other people. Faculty are required to report to the Office of Judicial Affairs any disruptive behavior that interrupts their ability to teach, compromises the safety of the learning environment, or inhibits students' ability to learn.

If students are having difficulty with the course materials or assignments, I encourage them to please come see me during office hours or schedule an appointment as soon as possible. My office hours are there to answer any questions and offer any assistance that I can. Moreover, students are held responsible for checking email and the course's Blackboard site daily.

Lastly, the **required** prerequisite for this course is POL 102: American Government and the recommended pre- or concurrent requisite is POL 320: Constitutional Law. While I will not prevent someone from remaining in this class, POL 102 is a requirement for a reason. This class functions under the assumption that all students have taken the required courses and will be taught accordingly.

## **Required Texts**

Epstein, Lee and Thomas G. Walker. 2007. *Constitutional Law for a Changing America: Rights, Liberties, and Justice, Sixth Edition*. Washington D.C.: CQ Press.

Please note that the required text is the Sixth Edition, which is available at the University Bookstore. This is a brand new textbook and thus I have also included pages for the Fifth Edition. You may be able to get the Fifth Edition at a lower price online. Please note that, if you end up getting the Fifth Edition, you will have to go onto Blackboard to download any different readings now in the Sixth Edition. Moreover, all discussion in class will be based off of pages from the Sixth Edition. In sum, you will be held responsible for all material in the Sixth Edition.

Also, additional readings (for both editions) will be placed on Blackboard for download. Additional assigned readings are denoted with a \*\* in the class schedule below.

| <u>Class Schedule</u>                                | <u>Assigned Reading (6<sup>th</sup> Ed)</u> | <u>Fifth Edition</u>           |
|--|---|--------------------------------|
| 9/3 Introduction                                     | E&W pp 3-46                                 | E&W pp 3-47                    |
| 9/8 The Supreme Court                                | E&W pp 3-46                                 | E&W pp 3-47                    |
| 9/10 The Judiciary I                                 | E&W pp 49-69<br>E&W pp 766-771              | E&W pp 50-73<br>E&W pp 811-815 |
| 9/15 The Judiciary II                                | E&W pp 49-69<br>E&W pp 766-771              | E&W pp 50-73<br>E&W pp 811-815 |
| 9/17 Incorporation                                   | E&W pp 71-92                                | E&W pp 75-97                   |
| 9/22 Religious Free Exercise I                       | E&W pp 95-138                               | E&W pp 101-145                 |
| 9/24 Religious Free Exercise II<br><b>Short Exam</b> | E&W pp 95-138<br><b>E&amp;W pp 791-800</b>  | E&W pp 101-145                 |
| 9/29 Religious Establishment I                       | E&W pp 138-179                              | E&W pp 145-187                 |
| 10/1 Religious Establishment II                      | E&W pp 179-208                              | E&W pp 187-213**               |
| 10/6 Speech, Assembly, Association I                 | E&W pp 210-244                              | E&W pp 214-246                 |
| 10/8 Speech, Assembly, Association II                | E&W pp 244-276                              | E&W pp 246-280                 |
| 10/13 Speech, Assembly, Association III              | E&W pp 276-312                              | E&W pp 280-318**               |
| 10/15 Freedom of Press                               | E&W pp 314-345                              | E&W pp 319-357                 |
| 10/20 Boundaries of Free Expression I                | E&W pp 347-380                              | E&W pp 358-395                 |
| 10/22 Boundaries of Free Expression II               | E&W pp 380-401                              | E&W pp 395-417                 |
| 10/27 Right to Privacy I                             | E&W pp 412-450                              | E&W pp 429-472                 |
| 10/29 Right to Privacy II                            | E&W pp 450-470**                            | E&W pp 472-499                 |
| 11/3 Catch-up day/Review Session                     |   |                                |
| 11/5 <b>Midterm Examination</b>                      |   |                                |
| 11/10 Investigations & Evidence I                    | E&W pp 475-507                              | E&W pp 503-541                 |
| 11/12 Investigations & Evidence II                   | E&W pp 507-547                              | E&W pp 541-578**               |
| 11/17 Attorneys, Trials & Punishments I              | E&W pp 549-581                              | E&W pp 580-614                 |
| 11/19 Attorneys, Trials & Punishments II             | E&W pp 581-613                              | E&W pp 614-646                 |

|       |                             |                    |                |
|-------|-----------------------------|--------------------|----------------|
| 11/24 | Racial Discrimination I     | E&W pp 617-647     | E&W pp 651-683 |
| 11/26 | Racial Discrimination II    | E&W pp 647-660     | E&W pp 683-696 |
| 12/1  | Sex Discrimination          | E&W pp 660-686     | E&W pp 696-723 |
| 12/3  | Other Discrimination        | E&W pp 686-706     | E&W pp 723-744 |
| 12/8  | Remedying Discrimination    | E&W pp 706-736     | E&W pp 744-778 |
| 12/10 | Catch-Up Day/Review Session |                    |                |
| 12/17 | <b>Final Examination</b>    | <b>2:00-4:30pm</b> |                |