# Department of Political Science Fall, 2010

# DePauw University

# **COURSE SYLLABUS**

# **POLS 324: CIVIL RIGHTS AND CIVIL LIBERTIES**

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**Office hours**: Tuesdays 11:40 a.m.-noon. Fridays 2 to 3:50 p.m. Since meetings or off-campus obligations may occasionally prevent my being in my office during office hours, making an appointment in advance, even during office hours, is a good idea. I am also available for appointments at other times.

I. INTRODUCTION

In this course we shall approach civil rights and civil liberties (CR/CL) from a public policy perspective. That is, we shall view CR/CL as a sphere of activity in which government decision-makers choose among various courses of action, implement those choices, and sometimes, although infrequently, systematically evaluate the consequences of those choices. We shall address, among other things, how CR/CL policies get made (i.e., what people and what institutions make them according to what procedures and under what influences), what policies get made and what values those policies seem to embody, whether the policies that emerge are desirable ones, and how well CR/CL policy-making processes in the USA are suited to CR/CL issues.

In taking a policy approach we shall not ignore the significant role of courts, legal procedures, and case law in CR/CL in the USA. But we shall seek to put the legal and constitutional aspects of CR/CL in broader perspective, thus enabling us to better understand CR/CL in the USA and, by extension, in other political systems, particularly in other democracies.

# II. TOPICS TO BE TREATED IN THE COURSE

 A. Introduction to the course and to CR/CL

B. CR/CL and the maintenance of order and security through the criminal sanction as well as through more recent homeland security and national security measures

1. CR/CL and the practice of democracy: freedom of speech, freedom of the

press, freedom of association, etc. (Voting rights and the fairness of elections would also related to this topic, but we shall almost surely not have time to treat that component of CR/CL in this course.)

An alternative—and, in its own way, instructive—wording for this topic might be “CR/CL and limits on the substantive law of crime (and homeland security measures?) that stem from a concerns about shaping and facilitating the practice of democracy.”

D. CR/CL and ‘fair’ distribution of goods and bads in the public and private

sectors: schooling, jobs, housing, welfare payments, etc.; discrimination on the bases of race, gender, sexual orientation, religion, age, etc.; equal opportunity, affirmative action, quotas, etc.

 E. Concluding assessment of CR/CL policies and the CR/CL policy process

in the USA

# III. READINGS

Detailed readings lists for the five topics to be addressed in the course will be distributed separately. The bulk of course readings will come from two books that have been ordered in paperback through the University Bookstore and a POLS 324 coursepack, which will also be sold through the University Bookstore:

Jack Fruchtman, Jr., ed., *The Supreme Court: Rulings on American* *Government and Society* (Baltimore, MD: Lanahan, 2006)

David M. O’Brien, ed., *The Lanahan Readings in Civil Rights and Civil* *Liberties,* third edition (Baltimore, MD: Lanahan, 2010).

POLS 324 Fall 2010 Coursepack

Students enrolled in POLS 324 are strongly advised to buy the Coursepack and both of the books, for we shall use them intensively and extensively throughout the semester and regularly refer to them during class discussions.

IV. STUDENT RESPONSIBILITIES AND COURSE GRADING

Students will be expected to come to class having completed assigned readings and having thought about them. In this context, please read or reread the six points under “Academic Expectations for DePauw Students” in the “Academic Life” part of the *Student Handbook* that is available to students both in hard-copy versions and on the DePauw website. Class sessions will consist mostly of class discussion of assigned readings. There will also be occasional lecturing, informal (or conceivably formal) student debates, perhaps a role-playing session, and perhaps a guest speaker. In addition, I have invited the Indiana Court of Appeals to hold a session of oral arguments on campus during the semester and this event, if it materializes (and I think it will), should serve as a particularly useful learning experience for POLS 324 students.

Students are responsible for being familiar with and abiding by DePauw’s “Academic Integrity Policy,” which appears in the “Academic Life” part of the *Student Handbook* that appears on the DePauw website.

Subject to adjustments that would, of course, be announced in class, course grades will be calculated on the following bases. More exact specification of the worth of each test, quiz, or assigned piece of work will be announced during the semester.

 A. contributions in class about 20%

 B. combination of quizzes and/or tests about 40%

 C. written assignment(s) (likely total of about 2500-3000

 words) or some other comparable academic work about 15-20%

 D. final exam (likely to be mostly focused on material

covered after the last test and/or quiz, but also likely to be cumulate in part)

 about 20-25%

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### END