

POLS 3358: Constitutional Law: Civil Liberties
202 Agnes Arnold Hall , TTh 1pm - 2:30pm
Spring 2020

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Course Description: This course introduces students to the development of legal doctrine in the areas of civil liberties and civil rights. The class will focus primarily on: freedom of religion, freedom of speech and expression, criminal procedure, privacy and personal liberties, discrimination, and voting rights. Through our discussion of these concepts, students will also better come to understand the politics of the Supreme Court and how the broader political context influences and is influenced by the Supreme Court's decision-making.

Required texts: The following textbooks are required for this course. Additional readings will be posted to the course site.

- Constitutional Law for a Changing American : Rights, Liberties, and Justice. Lee Epstein and Thomas G. Walter
 - o Referenced as **CLCA**

Course Requirements:

- Three exams: 20% each
 - o Students will complete three exams. Exams will not be cumulative. Exams will be short essay. Exams are designed to test students' underlying understanding of the concepts discussed.
 - Exam 1 February 11
 - Exam 2 March 5
 - Exam 3 April 23
- Lecture Quizzes 10%
 - o There will be 12 lecture quizzes throughout the semester. They will typically be held on Thursday. The quizzes will include 5 multiple choice questions that covers the reading and lecture content. Each exam will be worth 1% of the students grade. If you are not in class and you do not have a university approved excuse, you will receive no credit for that quiz.

- Final exam 20%
 - o Cumulative final exam will given. The exam will consist of 75 multiple choice questions.
 - May 5, 11am-2pm
- Participation 10%
 - o Students are expected to be active participants in class discussion. Active participation does not simply mean “talking a lot.” Participation means reading the materials, coming to class prepared to ask and answer questions about the reading, and offering your opinion on the material when appropriate. Attendance alone is not sufficient to earn a high score for participation.
- Attendance
 - o There is no attendance policy in this class. Please note that lecture slides are not posted to Blackboard. For days you miss, you will be responsible for the material. If you are absent on a day of an assignment without a university approved excuse, you will receive a zero for that assignment.

Course Schedule and Readings

January 14 - Introduction to the course

Readings:

- The Syllabus and the FAQ. Seriously.
- Constitution and Bill of Rights

January 16 - The Structure of the Federal Judiciary

Readings:

- CLCA 1-41

Assignment:

- Lecture quiz #1

January 21 - Institutional Power and Constraints

Readings:

- CLCA 43-64
- Friedman, “Myths of Marbury.”

January 23- Incorporation of the Bill of Rights

Readings:

- CLCA 65-87

Assignment:

- Lecture quiz #2

January 28 - Public Opinion and Civil Liberties

Readings:

- Nelson et al. “Media Framing of A Civil Liberties Conflict and its Effect on Tolerance.”
- Mondak and Hurwitz. “Examining the Terror Exception: Terrorism and Commitments to Civil Liberties.”
- Green et al. “Does Knowledge of Constitutional Principles Increase Support for Civil Liberties?”

January 30 - Free Exercise of Religion

Readings:

- CLCA 87-125

Assignment:

- Lecture quiz #3

February 4 - Establishment of Religion

Readings:

- CLCA 126-182

Assignment:

- Lecture quiz #4

February 6 - Exam 1 Review

Come to class with your questions

February 11 - Exam 1

Assignments:

- Exam 1 (20%)
- Bring a bluebook

February 13- Freedom of Speech Pt 1

Readings:

- CLCA 183-230

Assignment:

- Lecture quiz #5

February 18- Freedom of Speech Pt 2

Readings:

- CLCA 235-278

February 20 - Freedom of Speech Pt 3

Readings:

- CLCA 307-353

Assignment:

- Lecture quiz #6

February 25 - Freedom of the Press

Readings:

- CLCA 280-306

February 27 - The Right to Keep and Bear Arms

Readings:

- CLCA 354-364

Assignment:

- Lecture quiz #7

March 3 - Exam 2 Review

Assignments:

- Come to class with your questions

March 5 Exam 2

Assignments:

- Exam 2 (20%)
- Bring a bluebook

March 9-14 - Spring Break

March 17 - Privacy and Personal Liberty Pt 1

Reading:

- CLCA 365-395

March 19 - Privacy and Personal Liberty Pt 2

Reading:

- CLCA 397-426

Assignment:

- Lecture quiz #8

March 24 - Investigations and Evidence Pt 1

Reading:

- CLCA 433-459

March 26 - Investigations and Evidence Pt 2

Reading:

- CLCA 462-496

Assignment:

- Lecture quiz #9

March 31 - Attorneys, Trials, and Punishments

Readings:

- CLCA 497-555 (besides 527-548)
- DeCamp and DeCamp. “It’s Still about Race: Peremptory Challenge Use on Black Prospective Jurors.”

April 2 - Capital Punishment

Readings:

- **CLCA** 527-541

Assignment:

- Lecture quiz #10

April 7 - Racial Discrimination and the Foundation of Equal Protection

Readings:

- Bulter and Broockman. "Do Politicians Racially Discrimination Against Constituents? A field Experiment on State Legislators."
- **CLCA** 564-586

April 9 - Equal Protection

Readings:

- CLCA 601-669

Assignment:

- Lecture quiz #11

April 14- Voting Rights

Readings:

- CLCA 676-689
- Chen et al. "Racial Disparities in Voting Wait Times: Evidence from Smartphone Data"

April 16 - Regulation on Campaigns and Political Representation

Readings:

- CLCA 693-718

Assignment:

- Lecture quiz #12

April 21 - Exam 3 Review Assignments:

- Come to class with your questions.

April 23 - Exam 3 Assignments:

- Exam 3 (20%)
- Bring a bluebook

May 5 - Final Exam

- Exam time: 2-5
- Bring a pencil
- 20% of grade

Late Assignments:

Late assignments will not be accepted. Students who do not submit work on time will receive zero credit for the assignment. Students who are absent on a day on which we have an assignment and do not have a university approved excuse will receive zero credit for the assignment. Please take note, technology failure (i.e., computer crashes, accidentally deleting your files) is not an acceptable excuse for a late assignment. All students should download Dropbox. Dropbox is a free cloud storage service. It backs up your files as you work and allows you to access your files anywhere on any device. [You can download Dropbox at this link.](#)

Disabilities:

The University of Houston is committed to providing reasonable accommodations for eligible students with disabilities, including students who have learning disabilities, health impairments, psychiatric disabilities, and/or other disabilities. If you believe you have a disability that requires accommodation, please contact the Center for Students with Disabilities (CSD) at 713-743-5400 voice or 713-749-1527 (TTY).

Technology:

Many studies have demonstrated that using electronic device (laptops, tablets, etc) to take notes has a negative influence on student performance. Further, studies show that students who do not use electronic devices but sit near those who do have negative outcomes as well. For this reason, I **highly recommend but do not ban** the use of electronic devices for note taking. If you do plan to use an electronic device, I do ask that you sit in the back of the room to minimize the number of students potentially distracted by its use.

Recording lectures without permission is **strictly prohibited**—this includes video, audio, or photo recording. Recording lecture may result in a diminished participation score.

Academic Dishonest: All of the University of Houston's academic dishonest policies will be strictly enforced. It is your responsibility to be aware of these policies. [You can view the academic dishonest policies here.](#) Please note that being aware of academic dishonest and not reporting it is a form of academic dishonest. I highlight this point due to the increased use of group chats—such as GroupMe—which are often used to facilitate answer sharing or other forms of academic dishonesty. If you are apart of these group chats and academic dishonesty is being done or facilitated on them—you are in violation of the university's policies. My advice is 1: Avoid large group chats with other students you don't know 2: If you are apart of these group chats and you observe academic dishonesty, report it to me.

Last updated January 14, 2020