

Civil Rights

Lecture #14 (02-20-2019)

Dred Scott v Sanford

1. Synopsis
 - Sanford was a military official who traveled between the South and North quite often
 - Dred Scott was his slave and accompanied him during travels
 - Both men lived in Illinois, a free state, for an extended period of time
2. Law in question
 - Does traveling to a free state make a slave free?
3. Supreme Court Ruled:
 - Dred Scott has no legal standing to sue for freedom
 - Determined Missouri Compromise was unconstitutional
 - Deemed that Congress has no power over slavery

13th amendment - abolished slavery

Civil Rights Movement

- Congress says “you can’t discriminate”
- South says “hold my beer and watch me”

Black codes

- South’s response to Civil Rights movement
- Enabled the same forms of discrimination that slavery did
 - Rights restrictions
 - Voting
 - Due process
 - Vagrancy laws
 - Convict leasing

Civil Rights Act 1866

- Congresses direct response to black codes
- Covers the material outside of the bounds of Article 1 section 8 of the constitution
- Citizenship rights - if you are a citizen in 1 state, then you are a citizen in all states
- Due process
- Equal protection laws

14th amendment

- Preemptive measure by congress to block the courts

- Gave citizenship to all people “born or naturalized in the US”
- Included due process
- Included equal protection clause, saying that government can not pass any law that directly inhibits equality of citizens
 - “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States”

Lecture #15 (02-22-2019)

Jim Crow - systematic segregation

Civil Rights Act 1875

- Direct response to Jim Crow
- Cannot segregate public amenities

Civil Rights Cases (1883)

1. Synopsis
 - Lawsuits against Civil Right Act of 1875
2. Laws in question
 - 13,14,15 amendments protect against GOVERNMENTAL discrimination,
3. Supreme Court Ruled:
 - The discrimination is being done by PRIVATE corporations so the Supreme Court rules the Civil Rights Act of 1875 unconstitutional

More discrimination

- Poll tax
- Property ownership
- Literacy Test

Plessy v Ferguson

1. Synopsis:
 - a. Streetcar segregation
2. Law in question:
 - a. 14th amendment, the equal protection clause
3. Supreme Court Ruled:
 - a. this is constitutional and in accordance with the 14th amendment
 - b. Just because separate amenities does not mean they are unequal

Brown v Board of Education

1. Synopsis:
 - African American students had to be bussed across town to another school even though there was one closer

2. Law in question:
 - 14th amendment, the equal protection clause
3. Supreme Court Ruled:
 - Supreme Court ruled in favor of Brown
 - Segregation is inherently unequal. A feeling of inferiority of their status in the community that may affect their hearts and minds in a way that is very likely ever to be undone.”
 - Has to desegregate schools

Brown II

1. Synopsis:
 - Same as Brown
2. Law in question:
 - 14th amendment, the equal protection clause
3. Supreme Court Ruled:
 - Desegregate faster
 - Violation of the 14th amendment

Civil Rights Act of 1964

- Bans discrimination of
 - Voter registration
 - Public facilities
 - Employment facilities
- These bans allowed the Department of Justice to sue on someone's behalf
 - This kind of legislature is unprecedented
 - Supreme court doesn't normally allow indirect suing for another person's behalf

Enforcement

- Department of Justice Lawsuits
- Congressional Withholding
- Equal Employment Opportunity Commission
 - Allows government to investigate claims of discrimination in workplace

Lecture #16 (02-25-2019)

Bakke vs regents of the university of california (1978)

1. Synopsis:
 - Allan Bakke, 35 year old white Male
 - Rejected from cal Davis medical school (twice)

- Cal Davis' quota system to support racial diversity
- Exclusion based on race
- 2. Law in question:
 - Does the university policy violate the equal protection clause of the 14th amendment?
- 3. Supreme Court Ruled:
 - Rules yes and no (8-1), quota system is unconstitutional, bakke granted admission but race as a factor is acceptable

Hopwood vs texas (1996)

1. Synopsis:
 - The UT law school utilized these race conscious standards
 - Cheryl hopwood sued, alleging that race as a factor was a violation of the equal protection clause
 - More specifically, the particular system used by the UT Law School was more significant than just a factor, enough to approximate a quota
2. Law in question:
 - Does the university policy violate the equal protection clause of the 14th amendment?
3. Supreme Court Ruled:
 - The court (5th circuit) agreed

Top 10 percent plan

- Furthered primarily by David Montejano, a History professor at UT
- The plan was simple - provide automatic offers of admission to all students in the top 10% of their graduating class
- Estimates on effect surpassed (then) current enrollment at UT

It seemed to be an effective way at creating diversity, and preventing the use of race as a factor in admissions decisions

Grutter vs bollinger (2003)

1. Synopsis:
 - Race is one of many secondary factors in determining who should be admitted
2. Law in question:
 - Does the university policy violate the equal protection clause of the 14th amendment?
3. Supreme Court Ruled:

- Because diversity is a compelling state interest and the policy is narrowly tailored (as a “plus” factor), race-consciousness is constitutional

Fisher vs university of Texas (2013)

1. Synopsis:
 - Abigail Fisher sued UT for its race-conscious policy, saying race should not be permissible at all
2. Law in question:
 - Does the university policy violate the equal protection clause of the 14th amendment?
3. Supreme Court Ruled:
 - Court disagreed in favor of UT - race is “a factor of a factor of a factor”

Lecture #17 (02-27-2019)

Video - A More Perfect Union (definitely on Exam)

<https://www.youtube.com/watch?v=Nc6AZmso9no&t=4s>

Notes on Board Written by Professor Larue

- Cultural nationalism
 - Galvanized interests of African Americans politically
 - Learning about their culture
 - kwanza=movement holiday
 - Black is Beautiful=Blackness/Soul is the epitome of cool
- National black cooperation/National Black Convention
 - Unity is difficult; Unanimous decision needs to be made
 - Doctrine of Black Agenda:
 - Economic Issues
 - Becoming equal to everyone
- War on Drugs
 - Little to do with general well being of drug addicts
 - More to do with racial politics
 - Publicly:
 - Intense coverage of crack addicts
 - Diverted focus from poverty problem to crack
 - Before the war on drug the longest punishment was 1 year, after War on Drugs, the punishments became longer

- Effect of Hip Hop
 - Started w/ kids wanting to express their anger
 - Made people feel like they had a voice
 - Right to Power = Yell your rights
 - Rap was black americans CNN
- Rodney King
 - Video of unarmed black man getting beat up by police officers
 - Officers on trial
 - 4 officers cleared of all charges
- Hurricane Katrina
 - 15,000 died
 - 100,000 lost homes
 - Limited government support
 - The majority of the unsupported people were black and poor

Lecture #18 (03-01-2019)

Video - The New Jim Crow (not on Exam)

<https://www.youtube.com/watch?v=Gln1JwDUI64&feature=youtu.be>

Part 1

- Mass Incarceration
 - a. Racial setback for African Americans
- After Civil Rights
 - a. Dr King did not see how we, as a nation, could move past racism, UNLESS we have an honest discussion about it
- Gun Violence
 - a. Not an issue with gun control
 - b. It's an issue without having enough opportunities
- Results
 - a. We outsourced inner city manufacturing overseas
 - b. We ended the war on poverty
 - c. We began War on Drugs
- War on Drugs
 - a. Black men were no longer needed to work in factories
 - b. Lots of poor people of color in permanent second class status
 - c. Mass incarceration
 - d. Barriers to reenter society
- Myths
 - a. War on drugs was a response to rise of cocaine abuse

- Ronald Reagan declared war on drugs before cocaine became common
 - Drug use was actually declining at time of declaration
 - Drug war had less to do with societal wellbeing and more to do with political racial battles
 - Working class whites were scared to lose jobs to African Americans
 - Get tough policies were a means to “secure the vote” from scared white voters
- Debunking
- Speakers great crime
 - a. She regrets refusing to listen to the innocent man that talked to her in her office
- Today
 - a. More than ½ African American men in urban areas have a legal record
 - b. prison population increased 4x in the last 30 years
 - c. Crime rates have fluctuated
 - d. Therefore incarceration and crime are independent of each other

Lecture #19 (03-04-2019)

Video - The New Jim Crow (not on Exam)

<https://www.youtube.com/watch?v=Gln1JwDUI64&feature=youtu.be>

Part 2

- Drug War
 - a. #’s game
 - b. Law enforcement funding goes to localities with highest # of drug convictions
 - c. US supreme court eviscerated the 4th amendment
 - d. First year after that, law enforcement picked up 600.000 people
- Court
 - a. Closed doors to cases for racial bias
 - b. There must be clear and conscious expression of bias and stereotypes
 - c. Processing bias on an unconscious level is not reason to file a case
- Roots
 - a. Social, economic, cultural and structural
 - b. Private
 - Prison companies
 - People believe, in small towns, that their economy does better with prisons

- But this is not true
 - Prisons mostly operate very near to break even, in some cases they are a loss
- Challenges to movement building
 - a. Visibility is the number 1 issue
 - b. Speakers 4 point plan to start a movement
 - Have to have difficult conversations to “Bring back the curtain”
 - Have to be willing to work
 - Have to abolish mass incarceration
 - Have to shift from a punitive to a restorative approach

Public Opinion

Lecture #20 (03-06-2019)

Public Opinion: attitudes held by the citizens about political issues, events, leaders, and institutions

Attitudes: Psychological constructs that involves a response to a stimulus in an individual's environment

Three types of attitudes:

1.) Affect - Describes an emotional reaction to a stimulus:

- Likes and Dislikes
- Happiness and Sadness
- Joy and Anger

2.) Evaluation - involves an assessment about the (un)desirability about an object:

- (Un)Desirability
 - (In)Equity
 - (Un)Fair
 - (In)Justice

Effectiveness

- (In)Competence
- (Un)Responsive

Trends

- Better or worse

3.) Cognition - is about knowledge

- Awareness about an object
- Level of knowledge about an object (Quantity)
- Degree of knowledge about an object (Quality)

Cognition issues:

Importance of cognition:

- Difference between what people know, and what they think they know.
- Cognitive bias/Perceptual Screening

Creating opinion:

- Rational model: Cognition → Evaluation → Affect
- Irrational model: Affect → Evaluation → Cognition

Lecture #21 (03-08-2019)**Characteristics of Attitude:**

- **Direction** - whether the attitude is positive or negative
- **Strength** - the degree of conviction of an attitude
- **Duration** - the lifespan of an attitude
- **Centrality** - the extent to which an attitude is correlated to other attitudes

Origins of Attitude:

Political Socialization: the process of developing political attitudes

Development occurs through four venues (agents):

- Family
- Schools/Education
- Social circles
- Political environment

Each has a different effect

Models of Socialization:

Two different models:

Agent-based model:

- Family (greatest importance)
- Schools/Education
- Social circles
- Political environment (least importance)

Life-cycle model:

- Early childhood (0-7)
 - Family (greatest importance)
- Late childhood (7-13)
 - Family (greatest importance)
 - Schools/Education (second greatest importance)
- Teenage/Adolescence (13-25)
 - Schools/Education (greatest importance)
 - Social circles
 - Family
 - Political environment (least importance)

- Adulthood (25+)
 - Social circles (greatest importance)
 - Political environment
 - Schools/Education
 - Family (least importance)

Lecture #22 (03-11-2019)

Collection of Public Opinion:

The Instrument (Don't need to know examples of how these work for Exam)

- The Afrobarometer
- ANES
- Pew

Sampling

- Collecting all opinion is ideal
- But that is time/cost prohibitive
- So a sample is taken to collect opinion

Survey sample: A smaller segment of the population used to determine aggregate opinion

- Probability sample
- Sample size
- Margin of error

Levels of Measurement(there will be example questions from a questionnaire that we have to categorize as one of the following):

Nominal level - answer does not correlate to choices

- Sex: Male or Female
- Religion: Baptist, Catholic, Atheist, Buddhist, etc.

Ordinal level - natural order based on answer

- Agreement: Strongly agree, agree, neither, disagree, strongly disagree
- Education: High school diploma, some college, Bachelors, Master's, Doctorate

Interval level - natural order plus a quantification in absolute terms

- Ideology: 1-100; 1 meaning very liberal, 100 meaning very conservative
- Hours of media viewership: 0-3, 3-6, 6-10, 10+

Properties of Measurement

- ***Reliability*** - seeing the same response over and over
 - Should abortion be allowed in cases of rape, incest, or when the life of the mother is in danger?
 - Do you believe that the media is telling you the truth about the stories they report?

- Would you like your salary to be higher? Which University is the best in DFW?
- **Validity** - ability of question to capture the data we seek
 - What is your religious preference?
 - Do you ever attend religious services, apart from occasional weddings, baptisms, and funerals?
 - If no, regardless of whether or not you attend religious services, do you ever think of yourself belonging to a particular religious denomination?
 - If yes to either, then which religious denomination?
- **Precision** - appropriateness of the nominal level of measurement chosen
 - On a scale of 1-100, with 1 meaning strongly disagree, and 100 meaning strongly agree, please tell me how much you support Donald Trump's plan to build a wall along the US/Mexico border.
 - We would like to know roughly your income. Please tell me, do you have money, or do you not have money?

Lecture #23 (03-13-2019)

Public opinion Effect

Preliminaries

Central tenet of defining democracy is elections

- This means that the policy preferences of citizens are reflected in the policies adopted by the government
- This is known as “policy responsiveness”

The Accountability Model

- Political leaders create policies that reflect public opinion because elections are utilized as a tool of the public to remove them in the future.
- This requires that:
 - The public is knowledgeable of what their representatives are doing
 - The public is willing to remove their representatives from office in elections

The Salience Model

So if we are willing to challenge, and challenge well, then Congress should be responsive all the time, right?

Salience - the quality of being particularly noticeable or important; prominence.

- Responsiveness depends on issue salience
- So hypothetically:
 - As salience increases, then responsiveness increases
 - As salience decreases, then responsiveness decreases

Partisan Policy Position - how far does the candidate deviate from the constituent average

Most Contentious Policy Areas

- LGBT rights

Congress's Response to Challenges

- Depends on salience
 - As salience increases, so does congresses responsiveness
 - As salience decreases, so does congresses responsiveness

Voting

Two-step process:

Registering to vote

- Eligibility
 - A citizen of the US (by birth or naturalization)
 - At least 18 years or older
 - Legal resident of a state
 - Not a felon
 - Cannot be declared mentally incompetent
 - resident of the county that you voted
- Documentation

Voting

- Prior to election day
- On election day

Voter Turnout:

- Voting age population (VAP)
- Voting eligible population (VEP)

*VAP is always deflated relative to VEP

Lecture #24 (03-15-2019)

Lecture #25 (03-25-2019)

Factors that influence voting likelihood:

- Demographics
- Political environment and political efficacy
- Mobilization and salience
 - Canvassing is the most common(effective) form, and through social media people tend to listen to others they interact more with than anyone else.
- Electoral competition and expected vote differential

- Institutional constraints

Who do people vote for?

- Retrospective voting
- Prospective voting
- Incumbents

Lecture #26 (03-27-2019)

The “Don’t ever commit a felony” lecture - Dr. Larue



<--- Most Important

Factors that influence voting likelihood part 2:

- Mobilization is the best way to get people to vote, but isn't enough on its own.
 - Needs Salience: Relative Importance “What is everyone concerned about”. If we're worried about the ocean and a candidate starts talking about saving the ocean, we're more likely to vote for them.
- Electoral Competition and Expected Vote Differential
 - The more competition, the more people will vote, however, each candidate has to have different arguments/goals for people to vote.
- Institutional Constraints
 - Stuff that prevents us from voting.

- Voting day used to be only on a Tuesday when everyone was at work and couldn't vote. The solution to getting these people to vote was by allowing early voting in most states. Early voting however turned out to decrease voting turnout.
- Felony Disenfranchisement
 - If you're in prison for committing a felony, you can't vote. Being in prison in Vermont or Maine is the only exception to this.
 - 16 states allow you to vote as long as you're out of prison.
 - 22 states don't allow you to vote during parole.
 - 12 states ban you from voting for life (in that state specifically) if you commit a felony.

Lecture #27 (03-29-2019)

Review for Exam 2

Writing assignment video about Mass Incarceration will not be on Exam 2

Civil rights video will be on Exam 2

On Supreme Court Cases know three things

1. Quick Synopsis of facts
2. Law in question
3. Supreme Court Decision

Twitter starting at 02-18-2018 until 04-01-2019

Civil Rights Act of 1964 was supreme court's way of enforcing the rulings of Brown I and Brown II

Salience Model is a refinement of the accountability model stating that for accountability, there is a condition that must be met, aka salience.