

OXFORD COLLEGE OF EMORY UNIVERSITY
Political Science 353: Civil Liberties
SPRING 2011

TU & TH 11:30-12:45
Humanities 206

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Course Overview

This course is designed to introduce students to the *United States Supreme Court's* decisions concerning fundamental *civil rights and liberties* guaranteed by the United States Constitution.

While our focus primarily will be on the legal analyses upon which the Court relies when it makes its decisions, we will also examine the *political and social* factors that shape case outcomes and in some instances, the impact of the Court's decision itself.

This course, however, *only involves a small sub-set of cases and focuses exclusively on the Supreme Court*. Thus, students should bear in mind that the subject matter of this course is not necessarily representative of all cases or all courts.

Text

Readings for the course are contained in the *Seventh Edition of Constitutional Law for a Changing America: Rights, Liberties and Justice* by Lee Epstein and Thomas Walker. Copies may be purchased in the campus bookstore or on Amazon.

Grading*

2 Exams (30 % each) (Feb 15 and March 31)
1 Cumulative Final (40%) (**May 2 2-5 PM**)

* Students are expected to adhere to The Emory Honor Code as it is strictly enforced.

Course Outline and Reading Assignments

Jan 13 (TH)	Introduction The U.S. Supreme Court and the U.S. Constitution (pp. 1-7)
Jan 18 (TU)	Supreme Court Decision-Making Processing Supreme Court Cases Decision-Making: The Role of Law and Legal Methods (pp. 7-31)
Jan 20 (TH)	Supreme Court Decision-Making Decision-Making: The Role of Politics (pp. 31-41)
Jan 25 (TU)	Incorporation of the Bill of Rights <i>Barron v. Baltimore (1833)</i> <i>Hurtado v. California (1884)</i> (pp. 67-74)
Jan 27 (TH)	Incorporation of the Bill of Rights <i>Palko v. Connecticut (1937)</i> <i>Duncan v. Louisiana (1968)</i> (pp. 74-87)
Feb 1 (TU)	Freedom of Speech, Assembly and Association <i>Schenck v. U.S. (1919)</i> <i>Abrams v. U.S. (1919)</i> <i>Gitlow v. NY (1925)</i> (pp. 193-212)
Feb 3 (TH)	Freedom of Speech, Assembly and Association <i>Dennis v. U.S. (1951)</i> <i>Brandenburg v. Ohio (1969)</i> Contemporary Test and Constitutional Guidelines <i>U.S. v. O'Brien (1968)</i> (pp. 212-230)

- Feb 8 (TU) **Freedom of Speech, Assembly and Association**
Texas v. Johnson (1989)
Chaplinsky v. New Hampshire (1942)
Cohen v. California (1971)
Hill v. CO. (2000)
R.A.V. v. City St. Paul, MN (1992)
Wisconsin v. Mitchell (1993)
 (pp. 230-257)
- Feb 10 (TH) **Freedom of Speech, Assembly and Association**
Tinker v. Des Moines Ind. Comm. School Dist. (1969)
Morse v. Frederick (2007)
WV State Bd. Of Ed v. Barnette (1943)
Rumsfeld v. Forum for Academic and Inst. Rights, Inc. (2006)
 (pp. 257-276)
- Feb 15 (TU) **EXAM 1**
- FEB 17 (TH) **Freedom of Speech, Assembly and Association**
Bates v. State Bar of AZ (1977)
Central Hudson Gas and Electric Co. v. PSC of NY (1980)
Boy Scouts of America v. Dale (2000)
 (pp. 276-289)
- Feb 22 (TU) **Freedom of the Press**
Near v. Minnesota (1931)
NYTimes v. U.S. (1971)
Hazelwood School District v. Kuhlmeier (1988)
Branzburg v. Hayes (1972)
 (pp. 291-317)
- Feb 24 (TH) **Obsenity**
Roth v. U.S (1957)
Miller v. CA (1973)
NY v. Ferber (1982)
 (pp. 319-338)
- Mar 1 (TU) **Libel**
NYTimes v. Sullivan (1964)
Gertz v. Welch (1974)
Hustler Magazine v. Falwell (1988)
 (pp. 338-356)

Mar 3 (TH)	Protecting Children Reno v. ACLU (1997) U.S. v. Williams (2008) (pp. 358-373)
Mar 7-11	SPRING RECESS
Mar 15 (TU)	Free Exercise of Religion Cantwell v. CT (1940) Sherbert v. Verner (1963) Wisconsin v. Yoder (1972) (pp. 95-115)
Mar 17 (TH)	Free Exercise of Religion Oregon v. Smith (1990) City of Boerne v. Flores (1997) (pp. 115-129)
Mar 22 (TU)	Religious Establishment Everson v. Bd. Of Education (1947) Lemon v. Kurtzman/ Earley v. DiCenso (1971) (pp. 129-148)
Mar 24 (TH)	Religious Establishment Agostini v. Felton (1997) Zelman v. Simmons-Harris (2002) Edwards v. Aguillard (1987) (pp. 148-171)
Mar 29 (TU)	Religious Establishment Abington v. Schempp/Murray v. Curlett (1963) Lee v. Weisman (1992) Van Orden v. Perry (2005) (pp. 171-192)
Mar 31 (TH)	EXAM 2

Apr 5 (TU)	Right to Keep and Bear Arms Early Interpretations D.C. v. Heller (2008) Impact of Heller (pp. 374-383)
Apr 7 (TH)	PROFESSOR OUT
Apr 12 (TU)	Right to Privacy: Foundation Jurisprudential Foundation and Regulation of Private Activities: <i>Griswold v. Connecticut</i> (1965) (pp. 385-394)
Apr 14 (TH)	Right to Privacy: Abortion <i>Roe v. Wade</i> (Framework) (pp. 394-409)
Apr 19 (TU)	Abortion and Other Applications of Griswold <i>PA v. Casey</i> (1992) (pp. 409-421)
Apr 21 (TH)	Privacy and Other Applications of Griswold <i>Lawrence v. TX</i> (2003) <i>Cruzan v. MO Dept. of Public Health</i> (1990) (pp. 421-439)
Apr 26 (TU)	USSCT SUMMARY & PREDICTION 2010-2011 TERM
May 2 (M)	CUMULATIVE FINAL EXAM (2-5 PM)

