Civil Rights and Civil Liberties
Govt 423-001 CRN 70945
George Mason University Fall 2017
Schar School of Policy & Government
Robinson A room 249 MW 1:30-2:45 p.m.

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Office Hours – M 11-11:30, 7:20-7:45 p.m.
T 3 – 3:30 W 11-11:30, 3:15 – 3:45

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Course Description: In this course students will study the legal analyses that emanate from the juxtaposition of majoritarian cultural norms, perceived societal needs and the constitutional mandates of personal freedom and equality. The focus will be on U.S. Supreme Court decisions in which the Court has interpreted our constitutional rights through the filters of history, tradition, governmental roles and our evolving public norms. Students are expected to gain substantive knowledge of our Constitution, particularly the First and Fourteenth Amendments, as well as the penumbra of implied fundamental rights. Students will develop the analytical skills to critically explore the role of constitutional rights within a democratic system of government.

Textbook:
American Constitutional Law Volume II Civil Rights and Liberties by Stephens, Scheb, Glennon
Constitution -- Internet or pamphlet format

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<tr>
<th>Course work</th>
<th>Semester Grade</th>
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<tbody>
<tr>
<td>Quizzes – random dates</td>
<td>25%</td>
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<tr>
<td>Midterm – Oct. 16</td>
<td>25%</td>
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<td>Papers – Oct. 10 &amp; Nov. 6</td>
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<td>Final Exam – Dec. 13</td>
<td>25%</td>
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<td>94% and above: A</td>
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<td>90-93.99%: A-</td>
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Emails: When sending an email, designate “Govt 423 ” in the subject heading. If I do not respond within 36 hours during the work week (Monday through Friday), please resend your email.

Essay and Testing Policies: All work must be completed at the designated time. In case of an extreme personal emergency, verified by complete written documentation, and at the sole discretion of the instructor, some work may be rescheduled, but any make-up work may be more difficult than the original and may be in a different format.

Submission of Papers and Grading Penalty
The papers must be submitted both to Blackboard and in hardcopy paper format in class on the due dates, by the designated time. A late dual submission of a paper without legitimate excuse, written documentation and instructor approval of the delay, can result in a reduction of fifteen grading points for each day either format submission is late. The day-late penalty will be assessed in full immediately after the designated submission time and the penalty will reoccur and accumulate each subsequent day at the same designated time.
A Blackboard submitted paper is required but does not substitute for the hardcopy format, which must be submitted in class. If a student has a genuine emergency that makes on-time delivery of the hardcopy version impossible, the student should (1) submit to Blackboard as already required AND also email the paper by deadline, (2) assure that the emailed paper was received, (3) submit the paper version within 5 days, (4) attach documentation of the emergency to the hardcopy and (5) attach a copy of the email related to the original submission of the paper. Following all these steps may result in a waiver or diminution of the late penalty, otherwise the date of the hardcopy submission will determine the extent of the penalty despite an on-time online submission. A paper submitted subsequent to deadline (late online and in hardcopy) should follow the same steps. In some cases the date/time of the electronic late submission to Blackboard can qualify as the cut off for the accrual of penalties if the remaining steps listed above are followed. Work in progress should be saved in multiple formats on a regular basis well in advance of the actual due date. Last minute problems do not usually qualify as valid reasons for a late paper.

*Use of notes during quizzes, midterm and final exam.*
Students are encouraged to bring handwritten, personally prepared notes to the Midterm Exam (one side of one sheet of paper) and the Final Exam (two sides of one sheet). Students are also encouraged to bring one page of notes (one side of one sheet of paper) to each class. These notes on the daily reading assignment may be used if there is an unannounced quiz.

Notes can be prepared subsequent to a group study session but notes not written by the individual student cannot be used. Notes must be in paper format; computers cannot be accessed during a test. Using notes prepared by another student, whether from this semester or a prior semester, is a violation of the honor code.

*Make up Work or Delayed Assessments*

**Quizzes:**
A written explanation/documentation in hard copy must be submitted within two class periods of a missed quiz. Emailed explanations do not fulfill the requirement for documentation but the applicable email may be printed, signed and submitted as the written explanation. A request for a make-up quiz must be based on a personal, unavoidable problem that made attendance exceedingly difficult. A substitute quiz will be more difficult than the original and may be in a different format. Make up quizzes are given on the day of the final exam and can be based on the reading for any day of the semester and may not coincide with the day the student was absent from class. Make up participation activities will also be given on the day of the final exam. Unless there are severe extenuating circumstances, students may only make up one missed quiz.

**Papers, Midterm and Final:**
Contact the professor as soon as possible if you have an emergency that causes you (or will cause you) to miss the essay deadline or the class session for the midterm or the final exam. A request for an extension of time for a paper, or another date for a midterm or final is rarely granted; however any such request will be considered if the request is timely and the genuine, severe emergency is well documented.

*Class Attendance, Participation, and In-Class Technology:*
Students are expected to attend classes on a regular basis and to be fully prepared to discuss that day’s reading assignment. Students should arrive on time and stay until class dismissal. Students will be called on randomly to discuss the day’s reading. Students who routinely arrive late, leave early, or leave temporarily in the middle of class will be asked to provide documentation for their reoccurring need.

To maintain a classroom environment that minimizes distractions, encourages student discussion, and maximizes learning, phones may not be out and may not be used during class time. The only exceptions are for students who notify the professor on a particular day at the beginning of the class period that they have a potential emergency requiring their attention on that day.

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1 Extenuating circumstances consist of an extreme, unforeseen problem that made it impossible for the student to attend several class sessions.
Each violation of the no phone rule will result in a 1/2 point deduction from the student’s final grade.

Students who wish to use computers for note taking during class time may do so. Because Internet use during class time jeopardizes the learning environment in the same way that cell phone use does, computers cannot be used to access anything other than course related material during each class period. Students who make the commitment to only use their computers for class work may sit any place they choose in the classroom. Those students who are not willing to make this commitment must sit in an assigned seat in the back of the room. When a student’s computer use causes a disruption to the classroom learning environment, there will be an equivalent grade deduction as described above.

Summary of Course Work:
1. Quizzes - random, unannounced dates - (25% of final grade): On five random Monday classes students will be given a quiz on that week’s assigned reading and recent class lecture material. The top four quizzes will be averaged for the grade in this category. Students may use one page (one side) of handwritten notes for any quiz. Students who are late to class may not be able to take the quiz.

2. Midterm Exam – October 16 (25% of final grade):
The midterm will cover the readings and the lectures from the beginning of the term. At the teacher’s discretion, students who arrive more than 10 minutes late may not be able to take the test. Students may use one page (one side) of personally prepared, handwritten notes for this test. Scantron 882-E is needed.

4. Essay Papers – Due October 10 and November 6 - 1:30 to Blackboard, by 1:40 in the classroom - (Average of the two papers = 25% of final grade)
There will be a separate document that gives the instructions for each of these writing assignments.

5. Final Exam – December 13 - (25% of final grade):
The final exam will be cumulative and will require Scantron form 882-E. Students may bring two pages (two sides of one sheet) of personally prepared, handwritten notes to this test.

Other course information:
Class Syllabus and GMU Email Accounts: The instructor may modify the attached class schedule and any such change will be announced in class and/or sent by email or posted to Blackboard at the earliest opportunity. Students must activate their GMU email and Blackboard accounts and check for class notices on a regular basis.

Class Enrollment: Each student should verify enrollment in this class with the registrar's office no later than September 5. This is also the last day to drop this class without any tuition penalty.

September 29 is the last day to drop this class--with a severe tuition penalty. After this date, withdrawing requires approval from a dean and must be based on non-academic reasons. However, undergraduate students may qualify for a selective withdrawal. See the Schedule of Classes for selective withdrawal procedures and the deadline for this option. Students with nonacademic special hardships may also qualify for an Incomplete per university procedures.

Academic Integrity: The GMU Honor Code requires the highest standards of academic honesty and integrity. Cheating, plagiarism, lying and stealing are prohibited. All violations of the Honor Code will be reported. See honorcode.gmu.edu for more information.

If any student’s academic work or communication related to this course contains an honor code violation, the student's work product may receive a grade of zero. In most instances, a violation of the honor code results in a failing grade for the entire semester and other penalties may be applicable. Students may freely discuss this course's assignments with others, may form study groups, and may seek feedback and guidance from others. However, all work products, as well as the notes used for quizzes and tests, must be the sole work of the individual student. Students may not use a shared outline for the essay.
**Academic and/or Physical Accommodations:** Students must notify the instructor as soon as possible regarding any special needs. Most requests for academic accommodations should initially be processed through the Office of Disability Resources. This office can be reached at 993-2474.

**Syllabus**

*Some supplemental cases outside of the textbook will be assigned and/or presented in class lecture.

On all class meeting dates students should complete the designated reading prior to the class session. For cases not in the text, students should, at a minimum, read the syllabus of the case, as prepared by the Court’s Reporter of Decisions and/or any handouts or Blackboard documents provided by the instructor.

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**Week # 1 Mon, Aug. 28 & Wed. Aug. 30**

**Introduction**

Selected parts of Chapter 1 Introductory material (no assigned reading from this section)

Required Reading: Barron v. Baltimore (57), Palko v. Connecticut (60), Rochin v. California (65), Duncan v. Louisiana (67)

No Class Monday, Sept. 4 – Labor Day

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**Week # 2 Wed. Sept. 6**

**Equal Protection**

Film – The Road to Brown

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**Week # 3 Monday, Sept. 11 & Wed. Sept. 13**

**Equal Protection**

Chapter 7 p. 453-488

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**Week # 4 Mon. Sept. 18 & Wed. Sept. 20**

**Equal Protection**


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**Week # 5 Mon. Sept. 25 & Wed. Sept. 27**

**Equal Protection**


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**Week # 6 Mon. Oct. 2 & Wed. Oct. 4**

**Autonomy**

Chapter 6 p. 382-405

Jacobson v. Massachusetts (407) Griswold v. Connecticut (412), Planned Parenthood v. Casey (412), Whole Women’s Health v. Hellerstedt (Internet), Lawrence v. Texas (440),

**There is no class on Monday October 9 – this class is moved to Tuesday**

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**Week # 7 Class on Tues. Oct. 10 & Wed. Oct. 11**

**[Paper Due]** **Autonomy & Freedom of Expression**

U.S. v. Windsor (522), Obergefell v. Hodges (Internet)

Chapter 3 p. 135 – 174


**Paper # 1 Due on Tuesday Oct. 10 – Topic TBD**
Midterm on Monday October 16
Wednesday: Virginia v. Black (191), West Virginia v. Barnette (244), Snyder v. Phelps (Internet), McCullen v. Coakley (Internet), Red Lion v. FCC (Internet)


Week # 10 Mon. Oct. 30 & Wed. Nov. 1  Freedom of Religion
Chapter 4 p. 218 – 243

Week # 11 Mon. Nov. 6 & Wed. Nov. 8  [Paper Due]  Freedom of Religion
Paper # 2 Due on Monday Nov. 6 – Topic TBD

Week # 12 Mon. Nov. 13 & Wed. Nov. 15  Criminal Justice
Chapter 5 p. 296 – 316; 330- 338

Week # 13 Mon., Nov. 20  (no class on Wednesday Nov. 22)
Film

Week # 14 Mon. Nov. 27 & Wed. Nov. 29  Criminal Justice & Second Amendment
Batson v. Kentucky (Internet), Miranda v. Arizona (356), Missouri v. Siebert (Internet), Gregg v. Georgia (372), Atkins v. Virginia (Internet)
Second Amendment: Chapter 1 p. 14 – 16, McDonald v. Chicago (70)

Week # 15 Mon. Dec. 4 & Wed. Dec. 6  Voting Rights, National Crises, and Review
Voting Rights: 537 -545; Shelby County v. Holder (562)
National Crises: Chapter 1 p. 4-5, 8, 10-12, 16-19; Korematsu v. United States (Internet), Eisentrager v. Johnson (Internet), Hamdi v. Rumsfeld (Internet) and Boumediene v. Bush (41)
Review for End of Term Test

No class December 11

Final Exam  Wednesday December 13 at 1:30 – 3:00 p.m.
Final Exam Scantron 882-E; Two pages of handwritten notes are permitted (two sides of one sheet)
Make up quizzes will be given to those who qualify—
Only notes prepared in advance of lectures may be used for a make up quiz