

# **Constitutional Law: Civil Rights (and Liberties) PSC 411B**

Fall 2005

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Office Hours: Wednesday, 10:00-11:30; Friday 2:30-4:00;  
or by appointment

## **Course Description:**

This course is designed to highlight the politics of civil rights and civil liberties through the lens of the institutional central to this political enterprise: the US Supreme Court. Through course readings, class lecture, and discussion, we will cover basic interpretive theories, incorporation of the bill of rights, economic and privacy rights, equal protection, freedoms of speech and religion, and the proscription of cruel and unusual punishment. While much of the reading concentrates on case law and the reasoning employed by Supreme Court justices to divine constitutional meaning, class discussion will not only seek to elucidate that reasoning but examine the political nature of the decision-making process. This will, in part, require us to put the cases in their proper historical settings. By understanding the history and politics surrounding the Court's decision-making, we can ask and tentatively answer the following questions: Are there political forces seeking resolution of the issue? Are certain political actors benefiting from the court deciding these issues? How? Why? Do political actors see these questions differently than do the justices? If so, what are the implications for the policy in question? Thus, this course not only focuses on how judges interpret and understand the Constitution but also on the nature of constitutional politics in America.

## **Required Text:**

O'Brien, David M., *Constitutional Law and Politics, Volume 2: Civil Rights and Civil Liberties*

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## **Accommodations (Brought to you, in part, by the Provost's Office):**

Students with disabilities are requested to inform the instructor of their needs at the beginning of the course. Accommodations for disabilities will be happily granted, however, all such guidelines will follow the requirements of university-wide policy (see <http://www.unlv.edu/studentlife/disability/>).

As a general rule, a student missing a class assignment because of observance of a religious holiday shall have the opportunity to make up missed work. Students must provide notice of anticipated absences by the last day of late registration (September 2) to be assured of this opportunity.

Also, students who represent UNLV at any official extracurricular activity shall have the opportunity to make up assignments, but the student must provide official written notification no less than one week prior to the missed class(es).

Missing deadlines or exams due to illness requires documentation from a doctor. Please refer to University policy if you have any questions or contact me directly.

## **Course Requirements:**

Announced Quizzes (2)	30%
Unannounced Quizzes (2 or more)	20%
Final Exam	40%
Class Participation	10%

## **Course Outline:**

September 2—NO CLASS

September 9—Introduction/Class Preliminaries and Theories of Interpretation

- Chapter (67-98; skim material on comparative perspective)

September 16—Incorporation of the Bill of Rights

- Chapter 4 (301-349)

September 23—Economic Rights

- Chapter 3 (222-300)

September 30—Right to Privacy

- Chapter 11 (1210-1307)

October 7—Equal Protection I

- Chapter 12 (1308-1413)

October 14—Equal Protection II (**QUIZ**)

- Chapter 12 continued (1416-1537)

October 21—Free Expression I

- Chapter 5 (370-470)

October 28—NO CLASS

November 4—Free Expression II

- Chapter 5 continued (471-502; 560-588; 611-662)

November 11—NO CLASS

November 18—Religious Freedom I

- Chapter 6 (663-785)

November 25—NO CLASS

December 2—Religious Freedom II (**Quiz**)

- Chapter 6 continued (785-829)

December 9—Cruel and Unusual Punishment

- Chapter 10 (1132-1209)

December 16—**FINAL EXAM**