

Lecture Course on
Civil Rights and Civil Liberties

Texts (available on Amazon and at Columbia University Bookstore):

- Vance, *Hillbilly Elegy*
- Sitaraman, *The Crisis of the Middle Class*
- Coates, *Between the World and Me*
- Steele, *Whistling Vivaldi*
- Stevenson, *Just Mercy*
- Ash, *Free Speech: Ten Principles for a Connected World*
- Forman, *Locking Up Our Own*
- Pollitt, *Pro*
- Tatum, *Why Are All the Black Kids Sitting Together in the Cafeteria?*
- Turow, *Ultimate Punishment*
- Sunstein, *The Second Bill of Rights*
- Recommended: Franzese, *A Short and Happy Guide to Being a College Student*

Course Description: This course explores seminal law and policy to inform contemporary civil rights and civil liberties jurisprudence. Specifically, the readings examine discrimination, class, freedom of speech and the press, the right to privacy, reproductive freedom, criminal procedure and adjudication, the rights of the criminally accused and the death penalty.

Requirements: Students are required to attend all classes. Class participation counts for 20% of the final grade, the take-home midterm for 40% and the take-home final for 40%.

Learning Objectives: This course will provide students with a working knowledge of the legal method of inquiry, as it pertains to matters of constitutional interpretation and adjudication. Civil rights and civil liberties will be assessed in their legal context. Specifically, students will learn to:

1. Read and analyze judicial opinions.
2. Identify the various constitutional standards of judicial review.
3. Apply legal and analytical constructs.
4. Evaluate the merits and shortcomings of the major theoretical debates within the civil liberties discourse, both in oral and written presentations.
5. Analyze and assess contemporary scholarly and journalistic writings on civil rights and civil liberties by critically examining their claims and applicable counterpoints.

Grading: Grades will be calculated as follows:

Class participation: 20%

Take-Home Midterm: 40%

Take-Home Final Exam: 40%

Topics and Readings Schedule

Week One

Overview of the judicial system and court organization; introduction to key concepts of judicial review and theories of constitutional interpretation.

Week Two

Ash, *Free Speech*, assigned chapters

Are free speech rights absolute? How does social media affect the marketplace of ideas? For better or for worse?

Week Three

Race Discrimination

Tatum, *Why Are All the Black Kids Sitting Together in the Cafeteria?*, assigned chapters

Steele, *Whistling Vivaldi*, assigned chapters

Week Four

Race and Identity

Coates, *Between the World and Me*

Imagine Coates, Tatum, and Steele in conversation. What would that exchange sound like with respect to race in America?

Week Five

Mass Incarceration

Forman, *Locking Up Our Own*

Week Six

Economic Inequality

Sitaraman, *The Crisis of the Middle Class Constitution*

TAKE-HOME MIDTERM EXAM DISTRIBUTED

Week Seven

The Intersection of Race, Class, Culture and Identity

Vance, *Hillbilly Elegy*

Did this book change any of your perceptions? How so?

Week Eight

Impediments to gender-based equality

Course Reader

MIDTERM DUE

Week Nine

The Right to Privacy

Pollitt, *Pro*

Course Reader

What is the counter-argument to Pollitt's thesis?

Week Ten

The Right to Privacy: Marriage Equality, Transgender Equality

Course Reader

Contrast the strides made here and not made here with those made and not made in the pursuit of racial equality. Do you see commonalities?

Week Eleven

The Death Penalty

Turow, *Ultimate Punishment*

Course Reader

What mattered most to you in these two accounts? Why?

Week Twelve

The Rights of the Criminally Accused

Stevenson, *Just Mercy*

What would a persuasive argument in support of the death penalty rely on? How so?

Week Thirteen

Sunstein, *The Second Bill of Rights*

Think about what your second bill of rights would be, as informed by this semester's readings.

TAKE-HOME FINAL DISTRIBUTED