Course Description: This class will begin with a brief study of the Constitution of the United States. Students will read the Constitution in whole, following revisions and amendments through time, ending with the failure of the ERA to be ratified. Having developed a base of understanding of the general concepts of the Constitution, the class will turn to an examination of the Constitutional right of privacy as dealt with by the Court in some of its controversial decisions: contraception, interracial marriage, pornography, abortion, homosexuality and same-sex marriage. We will examine how the constitutional right of privacy functions as a limitation on democracy in the U.S. to protect the rights of minorities in the face of majority desires or prejudices and how such protection creates civil unrest, calms civil unrest, and shapes the evolution of society. We will also consider limitations on the protection of minorities as determined by the Supreme Court. Students will investigate other primary sources (including the Federalist Papers) for the debate among the Founders regarding the value of limited democracy, the concern for the protection of minorities and the source of that concern. Additionally, the class will consider alternate forms of government, particularly the parliamentary systems of western Europe but also other world governments, and how those alternate forms result in varying results in terms of xenophobia, free speech, and the protection of minorities.

Required texts: There is no required textbook you must purchase. You will be assigned readings that are required and necessary to prepare for class discussions.

Assignments/Grading:

Your grade will be based on my evaluation of your work in the three following categories:

Participation: 60%
Participation includes class session participation, discussion leadership during class and online, online participation, general participation, written assignments, and generally everything except your final exam and attendance.

Attendance:
Attendance is required -- this seems self-explanatory in a seminar setting, but see the note below on attendance.

Final Exam: 40%
See description below.

Academic Integrity: Please thoroughly familiarize yourself with University Policy 407, The Code of Student Academic Integrity. I will not tolerate academic dishonesty and if you plagiarize, you will fail this course.

Reading: Please note that the reading in this class, while not voluminous, is at a very high level. A court decision may only be 20-30 pages long, but it may take you quite a bit longer to read than the same volume of material in a novel, for instance. Please do not wait until the last minute to tackle the reading
assignments. You will find that you have to use a dictionary often and you may have to reread sections. A good understanding the Constitution, its amendments, the assigned articles and the Supreme Court opinions (controlling and dissenting) is essential for successful participation in class.

Other assignments: I may give you weekly assignments beyond the reading (similar to the brief research assignment I have given you on Moodle2 for the first class session). These assignments will be part of your participation grade.

Written assignments: As a general rule, all written assignments prepared for this class should be double spaced, with 1 inch margins all around, and in 12 point Times New Roman font.

Class participation: Class discussion is required for this class and your participation is essential. Class participation means coming to class prepared, taking an active part in class discussions, interacting with other class members in class and in online discussions, offering well thought out comments, responses and questions to your classmates’ ideas and comments, and turning in assigned work in a timely manner.

Group projects: Early in the semester, I will assign the various materials we will read (primarily the decisions) to groups of class participants. Those groups will work together to lead class discussion on the assigned materials.

General participation: In addition to class participation, your participation in online projects and discussions and office hours is also essential to the success of the class for all of us. The following items also comprise your general participation:

1. Weekly Summaries: You will be writing weekly summaries of class material and discussion (described on Moodle2) which are due by midnight on Wednesday following each class session.
2. Online Discussions: You will participate in online discussions on Moodle2. I expect you to participate by posting at least one comment each week or significantly participating in discussion of another students comment (Moodle2 has a discussion forum for class discussion).
3. Contemporaneous Responses: For each of the six substantive topics we will discuss (contraception, interracial marriage, etc.), you will find a contemporaneous response to the opinion of the court (for topics with more than one case, choose one case). These responses can be news reports (written or oral, i.e., newspapers, television, radio, or the like), official organizational responses (Catholic bishops or other religious organizations, political parties or other political organizations, etc.). Half of your contemporaneous responses should be from an international perspective. These responses will be due on Monday at noon prior to each class session (submit a link via Moodle2 forum for this assignment or, if no link is available contact me). When you post your contemporaneous response, you should include a paragraph or two explaining it (who gave the response, the essence of the response, what you find interesting about the response, etc.). You also should be prepared to use your source in the class discussion. Your contemporaneous response can also reference reactions or responses from international governments.
4. Office Hours: I will try to always make myself available to you after class. I am also available by appointment (which meetings may need to be via telephone). I will usually arrive a bit early (5:30 – 6 pm) and you will usually be able to find me outside the coffee shop in Fretwell (Peet’s) ingesting sugar and caffeine. I’m happy to have company.
**Attendance:** Regular class attendance is necessary and expected. Any absence can affect you in a variety of ways: you will miss instruction, class discussion, schedule changes, assignments made during class, etc. You may miss one class without any effect on your grade resulting from my action. Any absences over this one, regardless of the reason, will negatively affect the participation portion of your grade. More than two absences will result in a letter grade reduction in the grade you earn. If you miss more than three classes, you will automatically fail the course. Repeated tardiness could also affect your grade. If you are absent, you are responsible for getting any missed assignments, class notes, or handouts. If you need to miss class for any reason allowed by University policy, notify me in writing no later than one week prior to your absence.

**Electronic devices:** Part of adequate class participation is being completely engaged with the class throughout the entire time period. For that reason, cell phone usage, texting or inappropriate Internet surfing in class is not permitted. I reserve the right to ask you to leave class and be counted absent for the day should this occur. Please silence or turn off all electronic devices before the beginning of each class session. You may use laptops or tablets for class related work (or note taking) during the class sessions.

**Final Exam:**
Your final examination will be an essay exam to be held at the time and location designated by the University. The exam will cover the reading material and the material covered in class. My expectation is that you will be able to synthesize the material we have covered and craft essays (in response to my questions) that show that you understand the material and can apply it. Examples of likely questions would include the following, (1) Describe the history of the development of the constitutional right of privacy including specific references to Supreme Court decisions as well as other materials, and (2) Tell me what you know about [Supreme court case covered by the course, TBD] in detail.

**READINGS:**

*January 13, 2015*
Constitution
Bill of Rights
The article titled "A More Perfect Union"

All of these readings can be found at the following link: [http://www.archives.gov/exhibits/charters/constitution.html](http://www.archives.gov/exhibits/charters/constitution.html)

*January 20, 2015*
Federalist Paper 10 available online from the Library of Congress at this link: [http://thomas.loc.gov/home/histdox/fedpapers.html](http://thomas.loc.gov/home/histdox/fedpapers.html)

Read the remaining amendments to the Constitution 11-27 [http://www.archives.gov/exhibits/charters/constitution.html](http://www.archives.gov/exhibits/charters/constitution.html)

SPECIAL HOMEWORK:
At this link you will find a game called “Do I have a Right?”  http://www.icivics.org/games
Please enjoy this game for an hour before the next class period.  See further description on Moodle2.
NOTE: For all Supreme Court opinions we read for class, please read concurring and dissenting opinions in addition to the controlling opinion for each case.

January 27, 2015  
Meyer v. State of Nebraska, 262 U.S. 390 (1923)

[I am trying to schedule a guest presentation led by UNCC librarian Stephanie Otis who will share information about researching, available resources at UNCC, etc. The timing of that presentation will be announced in class. Please note that your attendance is absolutely mandatory for Ms. Otis’ presentation.]

February 3, 2015  
Contraception  
Griswold v Connecticut, 381 U.S. 479 (1965)  
Eisenstadt v Baird, 405 U.S. 438 (1972)

February 10, 2015  
Interracial Marriage  
Loving v Virginia, 388 U.S. 1 (1967)

February 17, 2015  
No additional readings.

February 24, 2015  
Pornography  
Jacobellis v Ohio, 378 U.S. 184 (1964)  
Stanley v Georgia, 394 U.S. 557 (1969)  
Miller v California, 413 U.S. 15 (1973)

March 3, 2015  
SPRING BREAK!

March 10, 2015  
No additional readings

March 17, 2015  
Abortion  
Roe v Wade, 410 U.S. 113 (1973)

March 24, 2015  
Homosexuality  
Bowers v Hardwick, 478 U.S. 186 (1986)  
Lawrence v Texas, 539 U.S. 558 (2003)

March 31, 2015  
No additional readings

April 7, 2015  
Same-Sex Marriage  
US v Windsor 2013 (DOMA)  
Hollingsworth v Perry (Calif Prop 8)

April 14, 2015  
[Potential other readings assigned in class]

April 21, 2015  
No additional readings

April 28, 2015  
No additional readings