

Political Science BC 3326x  
Barnard College  
Fall 2008

Professor [Paula Franzese](#)  
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Colloquium on  
**Civil Rights and Civil Liberties**

Thursdays 11:00 a.m.–12:50 p.m.

Texts (available at Columbia University Bookstore):

- Lee Epstein & Thomas Walker, *Constitutional Law for a Changing America: A Short Course* (third edition, 2005) (referred to hereafter as EW)
- Cass Sunstein, *The Second Bill of Rights*
- Kenji Yoshimo, *Covering*
- Walter Benn Michael, *The Trouble With Diversity*
- *Why Are All the Black Kids Sitting Together in the Cafeteria?*, Beverly Tatum
- Andrew Sullivan, *Same-Sex Marriage: Pro and Con*
- Scott Turow, *Ultimate Punishment*

*This class is conducted like a law school seminar. Thus, in addition to preparing an in-depth scholarly research paper, you will be responsible for briefing cases as well as providing weekly reflections on selected readings. Please see the attached materials on how to brief a case.*

Prerequisites: POLS BC1001 “Dynamics of American Politics” or equivalent. This is a limited-enrollment course, open to undergraduate political science majors and concentrators of sophomore standing or above. Students are assigned to the course by the Barnard Political Science Department after application. See also [details on-line](#).

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; how to brief a case.  
Background reading to be read as an after-class review: EW 3-50.

**Week Two:**

Please read Cass Sunstein, *The Second Bill of Rights*. Please bring to class a two-page typed summary of your reactions/criticisms/agreements and disagreements with the author’s thesis.

**Week Three:**

Eminent Domain and the Guarantees of the Fifth Amendment.  
Economic Liberties: EW 315-331.

**Week Four:**

Freedom of Speech, Assembly and Association: EW 393-440.

**Week Five:**

Freedom of the Press: EW 441-480.

**Week Six:**

PAPER TOPICS DUE. Please bring to class a one-page summary of your proposed paper topic, core thesis and plan for exploring its dimensions.

Discrimination: EW 600-649.

Class viewing of documentary “A Time for Justice.”

**Week Seven:**

*Why Are All the Black Kids Sitting Together in the Cafeteria?*, Beverly Tatum  
Walter Benn Michael, *The Trouble With Diversity*

**Week Eight:**

Kenji Yoshino, *Covering*

**Week Nine:**

Andrew Sullivan, *Same-Sex Marriage: Pro and Con*

**Week Ten:**

The Right to Privacy: EW 481-524.

**Weeks Eleven and Twelve:**

The Rights of the Criminally Accused: EW 525-561.

Attorneys, Trials and Punishments: EW 562-588.

**Week Thirteen:**

Turow, *Ultimate Punishment*

**Week Fourteen:**

Paper presentations.

PAPERS ARE DUE ON THE LAST DAY OF THIS CLASS. Late submissions will suffer an automatic half-grade deduction.