IMPORTANT NOTICE: In order to protect the health and wellbeing of all members of the Rutgers-Newark community, masks must be worn by all persons inside campus buildings when in the presence of others, and in buildings in non-private enclosed settings (e.g., common workspaces, workstations, meeting rooms, classrooms, etc.). Masks should securely cover the nose and mouth. Masks must be worn during class meetings. Each day before you arrive on campus or leave your residence hall, you must complete the brief survey on the My Campus Pass symptom checker self-screening app found at: myRutgers Portal.

To My Dear Students:
My thoughts go out to all of you, who have lived through a Pandemic and are still probably worried about what other unwelcome surprises your futures have in store for you. Old as I am, however (and I’m as old as the rocks), and having seen so much in my long life, of this I’m sure: Masks or no masks, new variants or whatever, you’ll go on to graduate, obtain satisfying careers and enjoy rich, purposeful lives. In time you’ll drive your grandchildren crazy every time you tell them, yet again, about how you survived the Great Plague.

Plus, often we’ll go the whole class period without even thinking about Covid because while there’s always a lot to discuss in any Civil Liberties class, this semester we’ll have a staggering number of crises to talk about: Our country is in very bad shape and our institutional integrity in serious jeopardy. (Not to lay too much on you, but my fellow Baby-boomers are counting on you, members of a remarkable generation, to set things right!)

Speaking of crises—though this isn’t really a crisis---you, as members of this class, will be wearing masks and sitting as far away from one
another as our room will allow. However, clever beings that we are, we can still get to know one-another: Whenever we want, and as long as the weather remains cooperative, we can meet, individually or in small groups, on a bench in Samuels Square (outside Robeson Center), for instance, or have a cup of coffee in the atrium outside Whole Foods.

So, we’ll trudge along together---studying Civil Liberties, briefing cases, enjoying one another, sharing our war stories and even the moments of joy that catch us by surprise. Onward!

Lisa Hull

SYLLABUS FOR CIVIL LIBERTIES

Recent headlines, *The New York Times*: “Supreme Court Won’t Overturn Georgia Election Results;” “Court Won’t Touch Gerrymandering;” “First Amendment Allows Jersey Woman to display offensive Political Posters on her lawn;” “High Court Will Decide in the Federal Government can mandate Vaccinations.” For better or worse, and to an extent unparalleled in any other country, almost every important social and political conflict in the United States ultimately reaches the Supreme Court for resolution.

In this class we shall “brief” cases involving our civil liberties, and discuss a number of issues: Are the courts the proper tribunals for resolving our most explosive issues? In this tension-infused Trumpian world will the Supreme Court be able to balance the sometimes competing claims of freedom and security? In a civilization increasingly characterized by global tensions and technological “revolutions,” is our Constitution still a viable document?

**WRITING INTENSIVE**: This class is a Writing Intensive one, meaning that I will require two short papers from you (unless you’ve already fulfilled your WI requirements). Since the best way to improve your writing is to revise and
revise again, I’ll read each paper, return it for revisions, and then read it again. I’ll talk to you early in the semester about your topics, and offer you suggestions as we go along.

**Tracking me Down:** I’ll have Office Hours after class on Mondays and Wednesday from 11:30 a.m. until 1:00 p.m. (and by appointment) in my office---Hill Hall, Room 725. You can also e-mail me: eahull47@hotmail.com, we can set up times to Zoom together; and you can e-mail me any time at eahull47@hotmail.com. Remember, when you track me down you’re not inconveniencing me: getting to know you and assisting you in any way I can is my pleasure.

**Required Reading:**

*One: Civil Liberties* casebook (available on-line; book is not mandatory since assigned cases available on line)

*Two: Carmon & Knizhnik, The Notorious RBG, 2015*

*Three: Nossel, Dare to Speak: Defending Free Speech for All, 2020.*

**Course Requirements:**

There will be two mid-term exams (the second one is optional), a final exam, and two short papers due. It is crucial that you attend class regularly, and students will be docked one grade point for every three absences.

**WARNING:** KEEP YOUR ELECTRICAL GADGETS TURNED-OFF and out of sight (I’ll dock you a full letter grade and hurl your gadget down the stairwell!) GRRrrrrr

Grading: (a) two mid-term exams (one optional): 25%; (b) WI-required papers: 25 %; participation and preparedness:15%; (d) final exam: 35%.
SCHEDULE:

ONE: CIVIL RIGHTS: DISCRIMINATION

**Read**: First half of *The Notorious RBG*

**Brief**: Dred Scott v. Sanford; Plessy v. Ferguson; Sweatt v. Painter; Brown v. Bd. of Ed.; Swann v. Charlotte-Mecklenburg.; Loving v. Va.; Shelley v. Kraemer; Burton v. Wilmington Parking Authority; Moose Lodge v. Irvis; Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project; Schuette v. BAMN

First paper due

TWO: Rights of Other “Suspect” and “Sensitive” Groups:

**Read**: Second half of *The Notorious RBG*


**MID-TERM EXAM**

Revisions of First Paper due

THREE: Voting Rights


FOUR: Religious Exercise and Establishment


**OPTIONAL MID-TERM**

**FIVE: Freedom of Speech, Assembly, and Association**

**READ:** Nossel, *Dare to Speak*


**Second Paper Due**

**SIX: Freedom of the Press**


**SEVEN: THE Rights of the Criminally Accused**


**Revisions of second paper due**

**FINAL EXAMINATION**