

# INTRODUCTION to LAW & POLITICS SYLLABUS

S'2007

Professor: Tim Chambless, Ph.D.  
Hrs: 9:00-10:00 a.m. M-F (801) 581-4965  
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PS 3200-001 OSH WPR Aud.  
10:45 a.m.-12:05 p.m.  
Tuesdays and Thursdays

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## COURSE OVERVIEW

INTRODUCTION to LAW and POLITICS is a very contemporary course. It's conceptual theme will be "Legal Justice in Today's Political World." This course gives students the opportunity to see how political issues become legal questions. However, most Americans have only a superficial knowledge of the U.S. Constitution -- the basis for all U.S. law. As a result, complicated political issues become difficult legal problems with very elusive answers for all serious students of Political Science and U.S. law.

This course utilizes significant U.S. Supreme Court decisions/cases, relevant readings and guest speakers -- all which will highlight the relationship between U.S. law and American politics. This important course considers very timely general subject areas: Civil Rights, the role of the U.S. Supreme Court today, and Civil Liberties.

**Civil Rights** focuses upon the struggles of African-Americans to achieve equal treatment and simple justice in the United States, and utilizes the award-winning historic documentary "Eyes On The Prize." A chronology of significant events and persons will be provided on the Marriott Library's e-reserve along with Acts of Congress and related U.S. Supreme Court cases. How the Civil Rights movement impacted law and politics for "Immigration Reform" + "Hate Crimes" legislation and "Rights of the Disabled" are studied.

**Recent significant U.S. Supreme Court decisions** will be studied for their impact upon American law and politics. Students will be able to read and hear the legal arguments of rival lawyers as well as read and hear the questions posed by the Justices in these landmark cases: Bush v. Gore (2000), Grutter v. Bollinger (2003), City of New London, Connecticut v. Kelo (2005), and Hamdan v. Rumsfeld (2006).

**Civil Liberties** considers how the U.S. Supreme Court has interpreted/applied the Bill of Rights to political questions of fundamental freedoms. Attention will be given to landmark cases which address fundamental questions of human freedom and liberty.

Redistricting/“Gerrymandering” – i.e., how congressional/legislative districts are drawn – will be examined, in addition to legal/political questions of free expression, privacy, and equal protection of the laws associated with the practice of Polygamy (“Plural Marriage”).  
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## COURSE REQUIREMENTS

Three examinations (100 multiple-choice questions and 10 bonus questions) and two papers (5-6 pages each) constitute the grading criteria for this rigorous course. The papers and examinations will test your understanding of American law and American politics. Course readings will be contemporary. Speakers will be relevant. And the subject matter will be extremely interesting and timely.

Here are the dates for the three exams and two papers...

EXAM #1	Due: February 15th	(25%)	= 100 points
PAPER #1	Due: February 20th	(12.5%)	= 50 points
EXAM #2	Due: March 15th	(25%)	= 100 points
PAPER #2	Due: March 27th	(12.5%)	= 50 points
EXAM #3	Due: April 24th	(25%)	= 100 points

Points earned from the three examinations and the two papers will be considered on a 100 point grade scale. The traditional standard grading scale will be utilized.

A = 100-93	A- = 92-90	B+ = 89-87	B = 86-83
B- = 82-80	C+ = 79-77	C = 76-73	C- = 72-70
D+ = 69-67	D = 66-63	D- = 62-60	E = 59-00

Total Points Possible = 400 points possible divided by 4 scores.

TEXTS     Law, Politics, and Society (2006) by Suzanne Samuels [LP&S]

Civil Rights and Liberties: Provocative Questions and Evolving Answers (2005) by Harold J. Sullivan [CR&L]

Active Liberty: Interpreting Our Democratic Constitution (2005) [AL]  
by Stephen Breyer, Associate Justice of the U.S. Supreme Court

READINGS     Civil Rights Record: Black Americans and the Law, 1849-1970 (1970)  
on RESERVE     OVERTIME! – The 2000 Election Thriller (2002) by Larry J. Sabato

READINGS     Bush v. Gore (2000), Grutter v. Bollinger (2003), Hamdan v. Rumsfeld (2006)

on e-RESERVE City of New London, Connecticut v. Kelo (2005), and some study sheets

**FILM:** “Eyes On The Prize” historic award-winning documentary film

**VIDEOS:** C-SPAN, CNN News, CBS 60 Minutes, MSNBC, ABC, PBS “News Hour”

**Newspaper:** daily New York Times – stories, columns, editorials

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I prefer to discuss with my students rather than lecture to them in the learning environment. In class discussion, I will proceed with class discussion with the hope that you have already read and understood the structure/key aspects of the subject matter scheduled for that day’s class meeting. Frequently, we will consider new material and perspectives in lectures than subject matter encountered in the textbook.

Class participation is considered IF the student’s final grade is on the borderline. Class participation involves a question and answer seminar format with a substantive exchange of information necessary in the examination of “controversial legal issues.” I believe the answer cannot be known unless the question is asked. I believe there is no such thing as a “bad” question – only “bad” answers; if you think I have given you a bad answer, then please do let me know. I observe students who sit close to the front of the classroom do well in Q/A dialogue – and far better than those who do not attend.

A grade of “Incomplete” is only given in certain extraordinary circumstances. Incompletes will be given only if the student has completed at least two of the five major assignments (two exams but no papers, or one exam and one paper) and the student submits a formal request for a grade of Incomplete in writing to the Instructor prior to the final class day. A physician’s note on official stationery is required. All Incompletes must be approved by the Instructor – otherwise, a grade will be submitted. A student must indicate why he/she is requesting a grade of Incomplete, and specify a plan to complete the necessary examinations.

Special accommodations are made for students who ask PRIOR to the exams. If you have a disability of any kind, please do speak to me for a special accommodation. “Make-up” exams are NOT given. A student can make a special arrangement prior to the scheduled exam date to take an exam at an earlier date.

The University of Utah seeks to provide equal access to its programs, services and activities for people with disabilities. If you will need accommodation in the class, reasonable prior notice needs to be given to the Center for Disability Services (CDS), 162 Olpin Union Building, 581-5020 (V/TDD). CDS will work with you and the Instructor to make arrangements for accommodations. All written information in this course can be made available in alternative format with prior notification to the Center for Disability Services.

**NOTE:** All work done is expected to be your original work. Plagiarism in any form (use of other people’s work without proper attribution) or cheating on exams or papers will NOT be tolerated. Cheating is unacceptable behavior. Such behavior will be grounds for a failing grade for this course. Please do not cheat. Do your own work.

**Please turn off all cell phones during class meetings. A ringing phone is highly disruptive to the learning environment. Please be considerate.**

**I believe it is important to have appreciation and awareness of the legal process as well as the political process. Over the years I have worked as an aide for both a U.S. Senator and Congressman, for a Governor of Utah and for the Mayor of Salt Lake City. I have participated in about 25 Utah political campaigns.**

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**Between 1990-2001, I served on the Salt Lake City Board of Adjustment (which is a quasi-judicial legal body which hears/decides planning disputes), and was Board Chair for eight years. I served also on the Salt Lake County Fine Arts Advisory Board and was a member of the Salt Lake City Citizen-Police Review Board. Currently, I am a member of the Utah affiliate of the American Civil Liberties Union. Since September 2001, I have been a member of the Salt Lake City Planning Commission – appointed by the Mayor and City Council. I have served as Vice Chair and Chair of the Planning Commission. Each position has necessitated an understanding and respect for law and politics.**

**Since 1994 I have had the good fortune to take University of Utah student groups to Washington, D.C. for week-long seminars (“Spring Week in Washington, D.C.”) which have included visits to the United States Supreme Court, meetings with Justices, and observation of oral arguments. I have witnessed, over the years, 17 hours of oral arguments – which I have often perceived to be times of high legal drama. On April 28, 2004 I was fortunate to attend oral arguments for two landmark cases at the High Court: Hamdi v. Rumsfeld (2004) and Rumsfeld v. Padilla (2004)**

**My Hinckley Institute intern student groups have met with Justices Ginsburg and O’Connor, Scalia, Thomas, and Kennedy + law clerks at the U.S. Supreme Court. On May 13, 2004, I led a U of U student group to Washington, D.C., which met with Justice Sandra Day O’Connor at the High Court for a memorable question-and-answer session. On May 10, 2005 my student group met with Justice Stephen Breyer. On May 9, 2006 my students met with Chief Justice John Roberts. And on May 10, 2007 my U of U student group is scheduled to meet with Justice Samuel Alito at the United States Supreme Court.**

**As your professor and a former student at the University of Utah, I look forward to getting to know you during the semester. I believe a teacher learns from his/her students, and should be learning throughout life. Please know that your viewpoint is important to share. Note that it is expected that lawyers disagree and judges will differ, and a Supreme Court Justice can agree to disagree on a vast majority of legal issues. In conclusion, I have these questions for you... What are the answers?**

- (1) WHY do governmental questions soon become legal questions?**
- (2) WHAT is the legal basis for all United States law?**
- (3) WHERE are the legal boundaries of the First Amendment?**
- (4) WHAT is the legal distinction between civil liberties & civil rights?**
- (5) WHERE are the boundaries/levels of American Federalism?**
- (6) WHAT are the varying views of the 9 U.S. Supreme Court Justices?**

- (7) HOW is the concept of “due process” applied today?
- (8) HOW has the idea of “equal protection of the laws” been interpreted?
- (9) HOW should “wartime” be interpreted if Congress has NOT voted for an official/formal declaration of war?
- (10) CAN the legal definition of “marriage” jeopardize U.S. society?

Good luck!

Tim Chambless, Ph.D.

<u>DATE</u>	<u>READINGS</u>	<u>LECTURES, CLASS DISCUSSIONS, VIDEOS, EXAMS</u>
1/9	Class Notes “Eyes on the Prize” <u>Civil Rights Record</u>	INTRODUCTION & Historical Overview U.S. Constitution, Segregation, Violence, Federalism, U.S. Supreme Court, Integration, Non-violent Protest
[1/10]	Guest Speaker Union Ballroom	Prof. Angela Davis Protestor, Writer and Lecturer
1/11	Speech on 1/10 Class Notes “Eyes on the Prize”	Class Discussion – Analysis of Speech by Angela Davis Comparison and Contrasts – The Past & The Present <u>Brown v. Board</u> (1954), boycott, <u>Browder v. Gayle</u> (1956)
1/16	Class Notes “Eyes on the Prize”	The Politics of Race, “A new Civil War?” mob action, jail, Interposition? Supremacy clause? Federal Govt force?
1/18	Class Notes “Eyes on the Prize”	Acts of Congress, court decisions, presidential action Impact of Civil Rights movement on others today?
1/23	Guest Speaker Hinckley Forum Speech Topic: OSH 255 AL pp. 3-34	Dr. Kay Atkinson King, Democratic Senior Policy Advisor to House International Relations Committee “Heroes of the Holocaust: How One Person Can Make a Difference” [5 Bonus Questions for Exam #1] Class Discussion – Analysis of Dr. King’s remarks
1/25	CR&L pp. 97-133 LP&S pp. 281-287	“Affirmative Action” and U.S. Supreme Court decisions
1/30	AL pp. 75-84 CR&L pp. 119-132	<u>Grutter v. Bollinger</u> (2003) – Supreme Court oral argument [Law School admission standards & Affirmative Action”]
2/1	Videos/LPS 108-258	Illegal Immigration – WHY? Numbers? U.S. law today?
2/6	Guest Speakers	Is Immigration (legal, illegal) a “civil right?” Solutions?
2/8 Marriage?	<u>Law/Politics/Society</u> pp. 135-167, 290-312	The Legal arguments for & against Same-Sex Government’s role? Right to Privacy? Full Faith & Credit clause?

2/13	Hinckley Forum Guest Speakers	Problems: WHAT do the Disabled face? Statistics? Solutions: WHAT are legal “Rights of the Disabled?”
2/15		<b>EXAM #1</b> – 100 Multiple-choice Questions + 10 Bonus Questions
2/20	<b>DUE:</b> LPS 179, 234	<b>PAPER #1</b> – 5-6 pages, typed, standard margins/print font Is clean air, clean water, and wild country a “civil right?”
2/22	Oral Argument Class discussion	<u>City of New London, Connecticut v. Kelo (2005)</u> Should 5 <sup>th</sup> Amendment government condemnation power (eminent domain) be invoked for private use & public good?
2/27	Videos	Problems in U.S. Law/Politics – case study: 2000 Election
3/1	Supreme Court Oral Argument	Class Discussion <u>Bush v. Gore (2000)</u> – case decided December 12, 2000 Significance: U.S. Supreme Court selects the President
[3/1]	Legislative Wrap-up: Noon OSH 255	Utah Legislatives/leaders discuss new state laws Case Study: How do the Law and Politics Impact Utah?
3/6	Guest Speakers LPS pp. 275-281	WHAT is a “Hate Crime?” Statistics? U.S. law(s)? Federal Government role? State Government role? Utah?
3/8	AL 95-129 Oral argument LP&P 131	Class Discussion <u>Hamdan v. Rumsfeld (2006)</u> – habeas corpus rights Art. II & presidential power + Art. I & the role of Congress
3/13	110 <sup>th</sup> Congress	Congress today? Leadership? Issues? Votes? 2008?
3/15	LP&S 243-260	<b>EXAM #2</b> – 100 Multiple-choice Questions + 10 Bonus Questions
3/20 & 3/22	AL 39-74	<b>NO CLASS MEETINGS</b> – Spring Break Week
3/27	<b>DUE:</b> Guest Speakers OSH 255	<b>PAPER #2</b> – 5-6 pages, typed, standard margins/print font The Problem: Redistricting (“gerrymandering”) The Solution(s): Utah? Iowa? California? Florida?
3/29	Guest Speaker LP&S 13-27	Pat Shea (attorney, candidate for Senate/Governor) Topic: “Limits of Criminal Sanctions”
4/3	<u>FRONTLINE: The Torture Question</u>	Class Discussion – WHAT is an “enemy combatant?” Case Study: The Bush Administration – Iraq, Cuba, et. al.
4/5	<u>Torture Question</u>	Class Discussion – WHAT is “torture?” “Rendition?”

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| 4/10 | <u>CBS 60 Minutes</u><br>Guest Speakers<br>e-reserve | “RENDITION” as a U.S. practice in the “War on Terrorism”<br>Karen McCreery/Dani Eyre, Utah Dir., Amer. Civil Liberties Union<br>“Rendition?” “Torture?” <u>Hamdan</u> ? “Geneva Conventions?” |
| 4/12 | Speakers/OSH 255<br>CR&L 1-63                        | Congressman Wayne Owens (D-Utah) = 1973-74, 1987-1993<br>How did this Congressman impact national law & politics?   |
| 4/17 | LP&S 5-6<br>LP&S 141, 196-7                          | POLYGAMY -- Problems: First Amendment? Privacy?<br>Solutions: Legalization? Tolerance?  |
| 4/19 | CR&L 65-96<br>CR&L 134-178                           | POLYGAMY -- Problems: Fraud? Sexual abuse? Rape?<br>Civil Rights? Civil Liberties? Prosecutions? Imprisonment?  |
| 4/24 |  | <b>EXAM #3</b> -- 100 Multiple-choice Questions + 10 Bonus Questions  |

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### INFORMATION SHEET

Your Name:

Address:

Telephone #:

E-mail address:

Prior Education:  
(high school, college)

Academic Major:

Career Goal:

**Language(s) spoken:**

**Other nations lived in:**

**What do you like best about the study of U.S. law and politics?**

**What do you NOT like about the study of U.S. law and politics?**