THE SCHOOL FOR NEW LEARNING  
DEPAUL UNIVERSITY  

HC 274 THE BILL OF RIGHTS IN CONTEMPORARY LIFE AND WORK  

Fall 2017  

Faculty  
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Hours  
Mondays, September 11, 2017 – November 20, 2017  
5:45 p.m. - 9:00 p.m.  

Location:  
Lewis 1403, Loop Campus  

Competencies:  
H-1-X: Can identify, analyze and apply the elements and methods of American constitutional law to current issues.  
H-4: Can analyze power relations among racial social, cultural or economic groups in the United States.  
H-5: Can analyze issues and problems from a global perspective.  

Learning Outcomes:  
H1X - Can identify, analyze and apply the essential elements and methods of American constitutional law to current issues.  
Can identify various protections afforded by the Bill of Rights;  
Can identify which rights might apply to current legal and social issues;  
Can discuss and analyze how the U.S. Supreme Court has used these rights to address one or more current issues;  
Can argue persuasively and knowledgeably that certain rights can and should be used to resolve a particular case or issue.  

H4 - Can analyze power relations among racial social, cultural or economic groups in the United States.
Can identify federal or state laws or public acts which have the effect of disenfranchising or discriminating against a particular social group or class;

Can identify constitutional rights that these groups might use for legal protection;

Can analyze how the United States Supreme Court has interpreted these rights in previous similar cases;

Can argue persuasively and knowledgeably that such rights can and should be used in a particular case.

**H5 - Can analyze issues and problems from a global perspective.**

Can identify one or more issues that have human rights implications for citizens of both the United States and at least one other county;

Can identify relevant U.S. and foreign or international laws, cases or other sources for resolving such issues;

Can compare how the U.S. Supreme Court and courts in other countries have resolved these issues;

Can argue persuasively and knowledgeably that the best way to resolve these issues is through U.S. law, foreign/international law or some combination of both.

**Sources:**

**Required**

Anthony Lewis, *Gideon’s Trumpet*
A copy of the United States Constitution
e-reserves at the DePaul Library website- password: **HC274**
The D2L course website
Various handouts

**Useful websites:**

[www.constituteproject.org](http://www.constituteproject.org)
[www.oyez.org](http://www.oyez.org)
[http://www.hrcr.org/docs/, containing the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.](http://www.hrcr.org/docs/)
Course Description:
This course will be organized around a series of central questions: What is a law? Who has the authority to make one? What are the various sources of law and the origin of rights? What is or should be the relationship between law, tradition, culture and morality, between law and religion? What is the difference between legislative law and constitutional law? What are the legal, historical, philosophical and political sources of American constitutional law? What sort of society did the Framers of the Bill of Rights have in mind and are their ideas still applicable in 21st century America? How does the Bill of Rights fit into our constitutional framework and what rights does it guarantee? What is the relationship between the states and the federal government in guaranteeing those rights? What criteria or tests do judges use to interpret laws? How does our own legal system differ from those of other countries and cultures? Are there any rights worth protecting that are universally agreed upon? What is the best way to balance liberty and equality in our democracy? Topics to be covered are freedom of speech, religion, establishment of church and state, the right to privacy, the right to bear arms, the 6th Amendment right to counsel for criminal defendants, the death penalty and equal protection of the laws.

Learning Experience:
Students will read cases, listen to and assess Supreme Court oral arguments, watch videotapes, write several short assignments and complete several reflective essays. They will also participate in group discussions and make oral presentations to the class regarding current topics in the news. There will be an occasional lecture.

Assessment:
Class and group participation (partially dependent on attendance) - 25%.
Reflective essays and other written work – 75%  - See Rubric for essays at the end of this syllabus

I will assess your work with quality, integrity, flexibility and empathy, as outlined in SNL's Qualities and Principles for Assessing Learning.
This is a graded course. If you wish to take it for a Pass/Fail grade, you must notify me in writing by the end of the second week of class.

Grades on individual assignments and the final grade for the course will be based on the following grading scheme:
A, 95-100; A-, 91-94; B+, 88-90; B, 85-87; B-, 81-84; C+, 77-80; C, 73-76; C-, 69-72; D, 68 or below.

Five points will be deducted for every day an assignment is handed in late.

Final grades below C- will not satisfy competence and students will have to repeat competencies they fail in future courses or other ways.

Here is the link to the DePaul grading rubric:
http://www.depaul.edu/university-catalog/academic-handbooks/undergraduate/undergraduate-academic-policies/Pages/grades.aspx

**Incomplete Policy:**

If you wish to take an Incomplete in this class, you must fill out and submit to me no later than November 6th a "Contract for the Issuance of an Incomplete Grade," found on the forms page of the SNL website. I will only give an Incomplete to students who have been keeping up with their work throughout the quarter but who experience a medical, family or business emergency which prevents them from completing the remainder of their work on time.

**Writing and Writing Resources:**

Clear, well-organized, grammatical writing is a key component in my assessment of all of your written work. If you are weak in this area, you should take advantage of the DePaul Writing Center or work with a tutor on your assignments during the class. DePaul University’s Writing Centers offer resources for student writers through on-site and online services. Visit the Loop Writing Center in 1620 Lewis Center, call 312-362-6726, email wcenter@depaul.edu, or go to http://condor.depaul.edu/~writing/. Writing resources tailored for SNL students are also available at http://snl.depaul.edu/writing/index.html.
Disability Accommodations:

Any student needing an accommodation in this course due to a documented disability must be registered with the Office of Students with Disabilities and must present a letter of recommended accommodations to me at the beginning of the course. Needs will be addressed in cooperation with the Office of Students with Disabilities, 773-325-7290 or 773-325-7296 (TTY); or the Productive Learning Strategies Program (PLuS), 773-325-1677.

Academic Integrity and Classroom Behavior:

As a student you are expected to familiarize yourself with and observe the University’s established guidelines regarding academic integrity, including its policy on plagiarism. You can find this policy at http://academicintegrity.depaul.edu/.

You are also expected to be courteous to me and your fellow students. What this means is showing up on time, not leaving early except in cases of emergency and being engaged with your fellow students throughout each class session. The subjects raised in the course material are often of a controversial nature so please be respectful in your disagreement with your fellow students. I will not tolerate personal attacks. You should also understand that surfing the Internet, sending and receiving text messages and making and receiving cell phone calls is not acceptable during class.

Withdrawals:

Students who need to withdraw from the course should consult the DePaul Academic calendar for all relevant dates, https://offices.depaul.edu/oaa/academic-calendar/Pages/Full-Year-2017-2018.aspx

Fred A. Wellisch has been a resident faculty member at SNL since 2000. He was an adjunct faculty member from 1998-2000. He has taught Foundations, Research Seminar, Critical Thinking, The Death Penalty: A Multidisciplinary Approach, Race and Identity in American Theater, and From Page to Stage: Bringing Characters to Life. Before coming to DePaul, he practiced criminal law at the Office of the Cook County Public Defender and in private practice.
He has a B.A. (1969) and M.A. (1973) from the University of Chicago and a J.D. (1984) from the John Marshall Law School. He is also a professional actor and director, having worked at Steppenwolf, A Red Orchid, Apple Tree, Strawdog, Eclipse and Lyric Opera of Chicago.

SYLLABUS AND COURSE CALENDAR SUBJECT TO CHANGE

COURSE CALENDAR

Pre-course assignment: begin reading Gideon’s Trumpet by Anthony Lewis. You must finish the book by September 18th and it will not be the only assignment you have during the first two weeks of class. I have placed some study questions to help you focus under “Links and Assignments” on the D2L website. You should also complete “You and the Bill of Rights: A Pre-Course Snapshot,” found under “Course Documents” on the D2L website, and bring it to class with you. It will be part of your introduction to your fellow students. Finally, have the syllabus and this course calendar handy. We will go over them the first night of class.


Homework: 1. Finish reading Gideon’s Trumpet.
2. Read “The Sixth Amendment” in Monk (pp. 147-166 in the 4th edition)


Homework: 1. Read “Equal Protection” section in Monk (pp. 230-245 in the 4th edition)
2. Read “Equality Jurisprudence” by Albie Sachs (on e-reserves)


2. Familiarize yourself with The Declaration of Human Rights and Article Three of the International Covenant on Civil and Political Rights, found at http://www.hrcr.org/docs/
3. Write reflective essay #1 (affirmative action) and submit to D2L drop box.

10/2 What is Justice – Here and Abroad? Essay #1 due. Natural and legal rights. The International Covenant on Civil and Political Rights, the Declaration of Human Rights and other Human Rights

**Homework:**
1. Print out and bring to class a copy of the excerpted transcript of *Abington School District v. Schempp*, 374 U.S. 203 (1963) (on D2L)
3. Read “The Establishment Clause” in Monk (pp. 46-56 in the 4th edition)


**Homework:**
1. Write reflective essay #2 (Trinity Lutheran) and submit to D2L drop box.
3. Print out and bring to class a copy of the excerpted transcript of *Wisconsin v. Yoder*, 406 U.S. 205 (1965) (on D2L)


**Homework:**
1. Read “Freedom of Speech” and “Limits on Free Speech” in Monk (pp.61-78 in the 4th edition)
2. Read “Liberty” by Albie Sachs (on e-reserves)
3. Write reflective essay #3 (*Heart of Atlanta Motel* and the baker).


**Homework:**
1. Write reflective essay #4 (*Snyder* and hate speech) and submit to D2L drop box.
2. Read “Reason and Judgment” by Albie Sachs (on e-reserves)

**10/30 The Art of Judging.** Essay #4 due. Bill Moyers interviews Supreme Court Justice Sandra Day O’Connor.

**Homework:**
1. Read “The Second Amendment” in Monk (pp. 91-100 in 4th edition).

**Homework:**
1. Read “The Eighth Amendment” in Monk (pp. 177-192 in the 4th edition)
2. Read “Constitutional Court Simulation, Case #2” by Albie Sachs (on e-reserves)


**Homework:**
1. Write Reflective Essay #5 (death penalty or gun control) and submit to D2L drop box.

11/20 **No class.** Essay #5 due.

**Rubric for Essays**

**A:**
1. The essay addresses the topic or competence and contains imaginative or original insights;
2. Claims and conclusions are well-supported by facts, arguments or examples;
3. There is a wealth of detail;
4. The argument is easy to follow and contains clear transitions;
5. Grammar and usage are nearly letter-perfect;
6. There are virtually no misspellings.

**B:**
1. The essay addresses the topic or competence and contains good, strong insights;
2. Claims and conclusions could use greater development or support;
3. There could be greater detail;
4. Transitions could be clearer;
5. There are several errors in grammar and usage;
6. There are several spelling errors.

C: 1. The essay addresses the topic or competence **but** the insights are obvious;
2. Claims and conclusions are insufficiently supported by facts, arguments or examples;
3. There is a paucity of detail;
4. Transitions are jerky and the argument is difficult to follow;
5. There are substantial errors in grammar and usage;
6. There are substantial spelling errors.

D: 1. The essay addresses the topic or competence only marginally **or** the insights are irrelevant;
2. Claims and conclusions are virtually unsupported;
3. There is virtually no detail;
4. The argument jumps from subject to subject and is impossible to follow;
5. The paper contains numerous errors in grammar and usage;
6. The paper contains numerous spelling errors.

F: 1. The essay fails to address the topic or competence **or** is intellectually dishonest;
2. Claims and conclusions are unsupported;
3. There are no details;
4. The argument is incomprehensible;
5. The paper contains innumerable errors in grammar and usage;
6. The paper contains innumerable spelling errors.