

## **GOV1004: The Supreme Court & Social Change**

Fall 2017

Mass Hall FAC

T/Th 11.30 – 12.55

**Professor Maron W. Sorenson**

Office: 301B Dudley Coe

Office Hours: T/Th 1.05-2.05; W 11.00-12.00

Email: msorenso@bowdoin.edu

### **COURSE DESCRIPTION**

Although known as the third branch of our government, the Supreme Court has adjudicated many of the nation's most important social issues: integrating schools, banning gender discrimination, and most recently legalizing same sex marriage. Since Thurgood Marshall orchestrated the NAACP's legal strategy to bring Civil Rights issues before the Supreme Court rather than Congress, many other interest groups have followed suit.

This first year seminar will investigate the trend of seeking legal change via courts instead of legislatures, focusing on the Supreme Court's role in social change by asking two connected questions: first, should the Supreme Court – 9 unelected jurists with lifetime tenure – be deciding issues with such far-reaching impacts, and second, since the Court does wade into these matters, how effective are the justices in moving public opinion and affecting real social change? To approach these questions, we will focus on 3 areas of policy in which the Court has been particularly active: civil rights, women's reproductive rights, and same sex marriage.

In addition, First Year Seminars are designed to introduce students to the rigors of college-level reading and writing at Bowdoin. As such, course assignments will focus on critical reading while offering students the opportunity to engage in drafting and revising their essays.

### **REQUIRED TEXTS:**

- Greenhouse, Linda. 2012. *The U.S. Supreme Court: A Very Short Introduction*. New York: Oxford University Press.
- Roosevelt, Kermit III. 2006. *The Myth of Judicial Activism: Making Sense of Supreme Court Decisions*. New Haven: Yale University Press.
- Rosenberg, Gerald N. 2008. *The Hollow Hope: Can Courts Bring About Social Change?* **Second Edition**. Chicago: The University of Chicago Press.

### **GRADES:**

**Three Essays [40% of course grade]:** The main writing component of the class will consist of three essays of increasing length and complexity. The idea is to build your skills toward a larger final paper. These essays will require you to synthesize your understanding of multiple readings and express an argument. Paper topics and instructions will be provided well in advance of the papers' due dates.

**Reading Reactions [20% of course grade]:** Throughout the course of the semester you will also complete three reading reactions of 700-800 words each – one from each thematic topic (civil rights, women's rights, same-sex rights). These reaction papers should specifically engage at least two readings, and will be judged on originality and depth of thought. Due dates are listed on the schedule below, but you are highly encouraged to turn these in early since you can choose any two readings.

**Daily Reading Briefs [20% of course grade]:** Throughout the semester, you will complete 20 reading briefs from 24 assigned readings. You will not need to turn in briefs for the two **Court Basics** topics, and you can skip any other two briefs at your discretion. You should show up to class with each brief in hard copy so you can take notes directly onto it. Daily briefs are graded for completion – either you completed it or you didn't – and will be collected at the end of every class. Daily briefs must be turned in at this time – late or emailed daily briefs will not be accepted. Formatting and contents will be discussed during

the first week of class, but to put your mind at ease, these should only be about one page long, and **are not graded on spelling /grammar, but rather on your processing of the assigned reading**. These briefs are a structured way of thinking about the readings, and will assist in the essay-writing process.

**Discussion Lead [10% of course grade]:** Each student will sign up to lead one class discussion. A sign-up sheet will be circulated the second day of class.

**Class Participation [10% of course grade]** Presence in class is a minimum requirement for class membership. You are expected to read and understand the assignments and contribute to class discussions. For some, constructive participation will mean speaking more than you are naturally inclined to do. For others constructive participation may mean speaking a bit less than usual and encouraging others to contribute. Participation in class might involve any of these things:

- Trying to make a point that is difficult to articulate,
- Challenging or distinguishing points made by others,
- Elaborating or clarifying arguments that have been made by others,
- Offering textual evidence for or against a claim.

The purpose of a good discussion is not personal victory, but understanding. You should use our conversations to speculate about, explore, refine, and qualify your ideas and even to change your mind! Class is not a time for you to sit passively, waiting for a brilliant comment to spring into your mind. Treat discussion as group work on a rough draft—get all the ideas out, see where they lead. One final point - tardy arrivals are distracting and disruptive; promptness is appreciated.

## FORMATTING ASSIGNMENTS

**Essays and Reading Reactions:** should be double-spaced and written in a 12-point standard and readable font of your choosing. Do not use a separate title page, but instead include a 4-line, *single-spaced header* at the end of your assignment – I like not knowing whose work I’m grading.

1. Your Name
2. Assignment
3. Date Turned In
4. Word Count

**All citations:** should be done using APA style.<sup>1</sup> You will only need to add a works cited page if/when you include sources that do not appear on our syllabus.

## CLASS EXPECTATIONS

**Integrity.** One of the great goals of education is to learn to conduct oneself honorably in intellectual affairs. This means you are responsible for understanding and following Bowdoin’s Academic Honor Code. Plagiarism, the unacknowledged appropriation of another person’s words or ideas, is a serious academic offense. It is imperative that you hand in work that is your own, **and that you cite or give credit to others whenever you draw from their work**. If you have questions concerning plagiarism please ask me or consult [Bowdoin’s Academic Honor Code](#).

**Engagement.** Come to class ready to discuss readings and engage in discussion; you therefore should bring the day’s assigned readings with you to class. Additionally, since good discussions require a variety of voices, I expect all participants to be present both physically and mentally. **Because of this, the use of electronic devices will not be allowed during lectures. Students should turn off and put away all electronic devices, including cell phones, tablets, and laptops.**

---

<sup>1</sup> For formatting tips on APA style, see, i.e. <https://owl.english.purdue.edu/owl/resource/560/02/>.

**Communication.** Class announcements may be sent out via email, and you are therefore expected to use your Bowdoin email account, and check the blackboard site on a regular basis in case of changes. I can be reached via email or during office hours. I generally check my email three times a day: morning, early afternoon, and evening. I respond to emails within 24 hours on weekdays and 36 hours on weekends. If I do not respond in that time period, please resend your email as it might have been inadvertently missed.

**Changes.** I reserve the right to make reasonable alterations to the syllabus and the class policies during the semester. I will email you an updated syllabus as appropriate.

<b>Date</b>	<b>Topic</b>	<b>Reading</b>	<b>Also Due</b>
Aug 31	Intro		
Sept 5	Court Basics	Greenhouse2012 p1-47; Federalist 78	
Sept 7	Court Basics	Greenhouse2012 p48-93	
Sept 12	Theory: Hollow Hope	Rosenberg2008 p1-36; <i>Brown v. Board</i> (1954)	
Sept 14	Civil Rights 1	Rosenberg2008 p39-71	
Sept 19	Civil Rights 2	Rosenberg2008 p72-106	
Sept 21	Civil Rights 3	Rosenberg2008 p107-169	
Sept 26	Civil Rights 4	Klarman2004 p290-343	
Sept 28	<b>NO CLASS</b>		
Oct 3	Civil Rights 5	Klarman2004 p344-389	
Oct 5	Civil Rights 6	Klarman2004 p389-442	Reading Reaction
Oct 10	<b>FALL BREAK</b>		
Oct 12	Theory: General Opinion Change	FlemmingEtal1997 Hoekstra1995	Essay #1 Draft
Oct 17	Theory: Myth of Judicial Activism	Roosevelt2006 p1-61	
Oct 19	Abortion & Women's Rights 1	Roosevelt2006 p111-132 <i>Roe v. Wade</i> (1973)	
Oct 24	Abortion & Women's Rights 2	Rosenberg2008 p173-227	Essay #1
Oct 26	Abortion & Women's Rights 3	Rosenberg2008 p228-265	
Oct 31	Abortion & Women's Rights 4	FranklinKosaki1991	
Nov 2	Abortion & Women's Rights 5	Vecera2014	
Nov 7	Abortion & Women's Rights 6	Reading TBD	Reading Reaction
Nov 9	<b>NO CLASS</b>		
Nov 14	Gay Rights, Same-Sex Marriage 1	Hull2001	Essay #2 Draft
Nov 16	Gay Rights, Same-Sex Marriage 2	Brewer2003; Roosevelt2006 p91-110	
Nov 21	Gay Rights, Same-Sex Marriage 3	Rosenberg2008 p339-382 <i>Obergefell v. Hodges</i> (2015)	Essay #2
Nov 23	<b>THANKSGIVING</b>		
Nov 28	Gay Rights, Same-Sex Marriage 4	Rosenberg2008 p382-429; Klarman2014 p1-10	
Nov 30	Gay Rights, Same-Sex Marriage 5	Klarman2014 p156-219	
Dec 5	Gay Rights, Same-Sex Marriage 6	TankardPaluck2017	Reading Reaction
Dec 7	Theory: Myth, why fail	Roosevelt2006 p167-236	
Dec 18			Essay #3