

Course Preview Page

Political Science 0105 LAW, COURTS AND POLITICS (ONLINE) (3 CREDITS)

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(NOTE: For Westfield State students, this course earns 3 of the 9 required "Social Understanding" credits in the Common Core).

Course Description: This online course will introduce students to the American the legal system, and to the policy-making role of courts. The general theme of the course is that courts need to be viewed as political institutions. We will look at the structure and operation of the state courts and the federal courts. We will examine the role of judges and lawyers in American courts. Does it matter if judges are elected directly by the voters? Is it better to have judges appointed on "merit" by the Governor of a state? What role do lawyers play in the judicial system? Are there too many "frivolous lawsuits"? Are the courts impartial, or is "justice for sale"? A major focus of the course is on the policy-making role of the courts, and here we focus on particular policy areas where the courts have had a great influence: affirmative action, women's rights, abortion, gay rights/marriage, among others.

Increasingly, for better or worse, the state and federal courts are at the center of many difficult and controversial issues such as affirmative action, abortion, gay rights, gun ownership, gender and race discrimination, the regulation of medical marijuana, and our "First Amendment" freedoms of speech and religious expression. Our home state of Massachusetts is a major battleground in the national debate over gay marriage due to a decision of its Supreme Judicial Court to declare a constitutional right to marry for same-sex couples. Rulings like this force us to confront one of the great debates in American legal history: What is the proper role for unelected judges in a democratic political system? We will look at the role the courts have played, what the framers originally intended, and the arguments for and against "activist" courts. We will describe and analyze the judicial process, with special attention given to the function of the U.S. Supreme Court. We will take a look at court rulings in the areas of controversy referred to above, and attempt to measure the impact of these rulings on society. Throughout the course we will evaluate the role of the judiciary in a democracy, and attempt to present a vision of the courts as fully integrated into the political process.

Required Text: Neubauer and Meinhold, JUDICIAL PROCESS: LAW, COURTS AND POLITICS IN THE UNITED STATES, 5th ed., Thomson-Wadsworth, 2010. Students are encouraged to purchase online just the chapters we will use. Each chapter costs \$6.95, and the total cost should be around \$56.00.

Other readings will be supplied, or accessed from web sites.

Course Format:

The content of the course will be presented online in weekly modules, each centered on an aspect of one of the themes of the course. Each module will contain a wide variety of materials that will help you understand the theme. These may include: study guides, weekly projects, reading assignments, relevant and interesting web links, and chapter quizzes. For each module, you will **read assigned materials** and complete **assignments** and assessments by posted due dates. I will offer you 13 assignments of which you must do 10. The grade is based primarily on your grades on the 10 assignments you choose to do. I will also ask you to participate in **discussions** on topics and readings I will assign. These are asynchronous discussions where you will be posting responses to a series of questions I ask, and responding to posts from me and from other students. The final grade will be based upon your performance in the discussions and the weekly assignments.