

# AMERICAN RIGHTS AND FREEDOMS

## 1. MODULE SUMMARY

### Aims and Summary

The main objective of the module is to introduce students into the American system of civil rights and liberties. The analysis revolves around the constitutional system of rights and liberties as contained in the Bill of Rights and its historical evolution as applied by the Supreme Court interpretation, in relation to changes in the American political culture and legal system. The major contemporary decisions of the Supreme Court are going to be analyzed and their diverse social, political as well as cultural consequences. At last, the American civil rights and liberties system will be looked upon in a context of the international system of human rights and a tension between the two systems in particular areas will be given due attention.

### Module Size and credits

<b>CATS points</b>	10.0
<b>ECTS credits</b>	5.0
<b>Total student study hours</b>	100
<b>Number of weeks</b>	12
<b>School responsible</b>	Łazarski University, Faculty of Economics and Management
<b>Academic Year</b>	2022-2023

### Entry Requirements (pre-requisites and co-requisites)

N/A

### Excluded Combinations

None

### Composition of module mark (including weighting of components)

Coursework 60%, composed of research paper

Final exam 40%

### Pass requirements

To pass the course a student must score at least 40% of the overall weighted average and not less than 35% for each assessment component (i.e. final exam and coursework). Re-assessment: coursework component(s) and/or examination as appropriate.

### Special Features

None

### Course stages for which this module is mandatory

BA Year 3 International Relations (level 6)

### Course stages for which this module is a core option

None

## 2. TEACHING, LEARNING AND ASSESSMENT

### Intended Module Learning Outcomes

By the end of the course students should be able to:

1. Demonstrate an understanding of the modern, complex, and controversial field of civil rights and liberties in the universal context
2. Analyze versatile subjects taken from history, society, politics, legal system

3. Identify and assess critically ideas which drive American society as a fundamentally rights conscious society;
4. Explain the connection between the US understanding of rights and the international rights culture.

### **Indicative Content**

- The Anglo-Saxon tradition of rights and its American reception, the Declaration of Independence 1776, the Virginia Bill of Rights, the Constitution and the federal Bill of Rights, the XIV Amendment and the incorporation of the Bill of Rights into the state system.
- The Supreme Court's emergence as the main interpreter of individual rights, the 'living Constitution' doctrine, the unwritten fundamental rights in the Constitution and the Culture Wars over interpretation of rights.
- The 1st Amendment: freedom of religion and the establishment clauses.
- The 1st Amendment: freedom of speech, assembly and petition of government; the II Amendment: the right to bear arms.
- The importance of the XIV Amendment in American constitutional system of rights.
- Procedural Due Process and Substantive Due Process; modern Contract Clause Doctrine; the Taking Clause.
- Procedural rights in criminal and civil cases; rights of the accused; death penalty and its international implications;
- Privacy rights and reproductive rights: the abortion controversy, 'homosexual marriage' controversy etc.
- Slavery and its political and cultural history; the Civil Rights Revolution and its consequences.
- Women and equal rights: three phases of the feminist movement; affirmative action controversies; other selected issues and rights: e.g. immigration.
- Transnational justice and the American understanding of rights.
- The United States and the human rights culture as an issue of culture war's controversies

### **Teaching and Learning**

This module will be taught by means of seminars, workshops, and self-directed study.

Formative Assessment: Comments will be given on assessments, and tutorial guidance will be provided for coursework and exam.

Student activity and time spent on each activity comprises:

<b>Guided</b>	0 hours	(0%)
<b>Lecture</b>	0 hours	(0%)
<b>Self-guided</b>	60 hours	(60%)
<b>Seminar</b>	30 hours	(30%)
<b>Workshop</b>	10 hours	(10%)
<b>Total</b>	100 hours	

### **Method of Assessment**

Essay (60% – 6 Credits): 2000 words; contributes to learning outcomes 1, 2, 3, 4

Final exam (40% – 4 Credits): 120 minutes; contributes to learning outcomes 1, 2, 3, 4

### **Re-sit**

Students failing any component of assessment, at the first attempt, are entitled to one re-sit attempt. This will be by new examination and/or new coursework scheduled for the next assessment opportunity.

For coursework, if more than one element existed in the first attempt, this may be combined into one assessment for re-sit.

**Date of last amendment**

25-10-2016

**3. MODULE RESOURCES**

**Essential Reading**

Bodenhamer, D.J., 2006. *Our Rights*. Oxford: Oxford University Press.

Smith, S.W., Shelley, M.C., Barber, B.A., 2011. *American Government and Politics Today: Essentials 2011-2012*. Boston: Cengage Learning.

**Recommended Reading**

George, R.P., 2002. *Great Cases in Constitutional Law*. Princeton: Princeton University Press.

Rabkin, J., 2005. *Law Without Nations?* Princeton: Princeton University Press.

**Required Equipment**

None

**4. MODULE ORGANISATION**

**Module leader**

**Name** Prof. Andrzej Bryk

**E-mail** [apbryk@gmail.com](mailto:apbryk@gmail.com)

**Length and month of examination**

120 minutes in June

**Expected teaching timetable slots**

Note that some tutorials/seminars may be provided at times other than those shown below. Timetable information should be verified with the School responsible for the module

No timetable information available

**Subject Quality and Approval information**

**Board of Study** Faculty Collaborative Provision Committee

**Subject Assessment Board** Faculty Council, Faculty of Economics and Management

**Shortened title**

**Date of approval by FCPC** 15 February 2017