

Oxford College of Emory University
Pol. Sc. 352 Constitutional Law
Syllabus

Pierce Seminar Room
T, Th 11:05-12:20
Fall 1996
Prerequisite: Pols 101

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Language 202
Phone: 784-8444
Hours: M, W 10-11, 1-3
T, Th 9:30-11
and by appointment

COURSE OBJECTIVES:

This course is intended to introduce the student to the basics of American Constitutional Law. Particular attention will be devoted to the doctrine of judicial review, the constitutional roles and limitations of the president and Congress, the constitutional aspects of the federal system, and the constitutional provisions relating to representative government and democracy in the United States. It is fundamentally a course on the United States Supreme Court and its interpretation of the Constitution as that document relates to the governing of America.

TEXTS:

Bolt: *A Man For All Seasons* (Vintage)
Mason & Stephenson: *American Constitutional Law*, 11th Ed. (Prentice-Hall)
McCloskey: *The American Supreme Court*, 2nd Ed. (Chicago)

COURSE REQUIREMENTS:

Three announced in-class tests will be given during the course of the semester. These tests will be given during regular class periods and will count for a total of 50% of the student's final grade. Any unexcused absence from a test will result in a grade of zero for that test. The scheduled dates for these tests are **September 26, October 31, and December 5**. A comprehensive final examination is scheduled for **9:00-12:00 on December 13, 1996**. The final exam will count for 20% of the student's final grade. In addition, there will be not fewer than three unannounced quizzes and/or homework assignments. The average on these quizzes/homeworks will count for 10% of the student's final grade. These quizzes may be given on any scheduled class day. The remaining 20% of the student's final grade will be based upon the quality of that student's participation in class discussion. Since this is a law course, a variation of the Socratic method will be used: questions concerning the assigned material will be asked by the professor and answered by students on both a volunteer and non-volunteer basis. All students should be prepared to be called on in any class! All examinations, tests, and quizzes are cumulative. The requirements listed above are comprehensive and inclusive--no "extra credit" will be allowed.

MAKE-UP WORK:

An unexcused absence from any quiz, test or examination will result in the grade of zero for that quiz, test or examination.

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ATTENDANCE:

Students are expected to attend class on a regular basis. Students are also expected to arrive for class on time. Students who are not in class are unable to participate in discussion and take quizzes. In addition, students who miss more than three classes will lose the benefit of the doubt in the calculation of his or her final grade.

HONOR CODE:

It is assumed that all students are aware of the Honor Code. The Honor Code is always in force! Read it and be familiar with it. When in doubt, ask first!

ASSIGNMENTS:

A tentative outline of the class schedule for the entire semester is attached. Unless otherwise notified in class, students should complete the reading assignments for each chapter by the first day scheduled for discussion of that chapter on the outline. The reading assignments listed below may be modified from time to time or supplemented with additional photocopied case materials supplied in class.

GRADES:

Oxford College's Optional Plus-Minus Grading Scale (as described on page 32 of the Catalog of Oxford College) will be used in determining grades for this class.

**THE COURSE SYLLABUS PROVIDES A GENERAL PLAN FOR THE COURSE;
DEVIATIONS MAY BE NECESSARY.**

TENTATIVE OUTLINE OF THE CLASS SCHEDULE

Aug. 29:	Introduction
Sept. 3:	Bolt (all)
Sept. 5:	M & S, Ch. One; McCloskey (chapters 1-2; finish all of McCloskey by October 17)
Sept. 10, 12, 17, 19:	M & S, Ch. Two ["Unstaged Debate," <i>Calder v. Bull</i> (314), <i>Marbury v. Madison</i> , <i>Eakin v. Raub</i> , (<i>Scott v. Sandford</i>), <i>Baker v. Carr</i> , <i>Reynolds v. Sims</i> , <i>Davis v. Bandemer</i> , <i>Missouri v. Jenkins</i> , (Unstaged Debates)]
Sept. 26:	TEST I
Sept. 24; Oct. 1, 3, 8:	M & S, Ch. Three [<i>Federalist</i> , <i>Watkins v. U.S.</i> , <i>Barenblatt v. U.S.</i> , <i>INS v. Chadha</i> , <i>Mistretta v. U.S.</i> , <i>U.S. v. Curtiss-Wright</i> , <i>Youngstown Co. v. Sawyer</i> , <i>New York Times Co. v. U.S.</i> (497), <i>U.S. v. U.S. District Court</i> , <i>U.S. v. Nixon</i> , <i>Morrison v. Olson</i>]
[Oct. 15:	FALL BREAK. NO CLASS.]
Oct. 10, 17, 22, 24:	M & S Ch. Four [<i>McCulloch v. Maryland</i> , <i>Cohens v. Virginia</i> , <i>Texas v. White</i> , <i>New York v. U.S.</i> , <i>Missouri v. Holland</i> (128), <i>National League of Cities v. Usery</i> , <i>Garcia v. San Antonio Metropolitan Transit Authority</i> , <i>Pacific Gas & Electric Co. v. ERCDC</i> , <i>U.S. Term Limits, Inc. v. Thornton</i> (716)]
Oct. 31:	TEST II
Oct. 29; Nov. 5:	M & S Ch. Five [<i>Gibbons v. Ogden</i> , <i>Cooley v. Board of Wardens</i> , <i>Leisy v. Hardin</i> , <i>Southern Pacific v. Arizona</i> , <i>Philadelphia v. New Jersey</i> , <i>Reeves, Inc. v. Stake</i>]
Nov. 7, 12, 14:	M & S Ch. Six [<i>U.S. v. E.C. Knight Co.</i> , <i>Champion v. Ames</i> , <i>Hammer v. Dagenhart</i> , (<i>Stafford v. Wallace</i> , <i>Carter v. Carter Coal Co.</i>) <i>NLRB v. Jones & Laughlin Steel Corp.</i> , <i>U.S. v. Darby</i> , <i>Wickard v. Filburn</i> , <i>Heart of Atlanta Motel v. U.S.</i> & <i>Katzenbach v. McClung</i> , <i>United States v. Lopez</i> (712)]
Nov. 19, 21, 26:	M & S Ch. Seven [<i>Hylton v. U.S.</i> , <i>Pollock v. Farmers' Loan & Trust Co.</i> , <i>McCray v. U.S.</i> , <i>U.S. v. Butler</i> , <i>Steward Machine Co. v. Davis</i> , <i>New York v. U.S.</i> (190), <i>South Dakota v. Dole</i>]
[Nov. 28:	THANKSGIVING RECESS. NO CLASS.]
Dec. 5:	TEST III
Dec. 3, 10:	M & S Ch. Eight (partial) [<i>Dartmouth College v. Woodward</i> , <i>Charles River Bridge v. Warren Bridge</i> , <i>Home Building & Loan v. Blaisdell</i>] + Summary and Conclusions
Dec. 13:	FINAL EXAMINATION (9:00-12:00)