PLS 321-740: American Constitutional Law  E-Mail: woodfred@msu.edu
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Summer 2007 (Hybrid)                       Office Phone: 517-353-4578

Course Content and Instructional Objectives
Students will become familiar with the decision-making process of the United States Supreme Court, the important role of the Supreme Court within the federal government & society, and the evolution of constitutional doctrine in civil liberties cases.

From the Registrar
Restrictions: Not open to freshmen or sophomores.

Description: U.S. Supreme Court policy making and its effect on issues of current importance, including First Amendment freedoms, due process, race relations, sex discrimination, and privacy. This hybrid section blends an in person Orientation Session and other meeting dates with on-line instruction.

Meeting Place & Time: Mandatory Orientation Session on Wednesday, May 16, 2007 at 6 p.m. The class will also meet on June 6 & June 27.

Location: Athens High School, 4333 John R Rd, Troy MI. From campus, take 96 to 696 keep left to Port Huron and exit onto I-75 N via exit 18 toward Flint. Take the Crooks Rd exit. At the light, turn left onto Crooks Rd and go south to Wattles Rd. At Wattles Rd turn left and take to John R. At John R turn right and the school will be on your right. Park in the front of the school and enter the door under the ATHENS sign. ANOTHER ROUTE from campus, take Saginaw I-69 to I-75 south to the Crooks Rd exit. Follow the above directions to Athens High School.

Important Dates:
Class Begins 5/14/2007
Open adds end 5/16/2007
Last day to drop with refund 5/24/2007
Last day to drop with no grade reported 6/6/2007
Class Ends 6/28/2007

Recommended Course Texts
None of these materials is required. Court opinions are available through Lexis-Nexis via the MSU Library. http://er.lib.msu.edu/item.cfm?item=000212

The United States Constitution

A Dictionary
When you read the court opinions, you are going to come across words that are rarely used.
A Constitutional Law casebook:
There are dozens of casebooks that condense opinions and provide context for constitutional controversies. You are not required to purchase a casebook. Here are four books I recommend.

- **Constitutional Law for a Changing America: A Short Course** by Epstein & Walker
  - Pro: Includes Process Materials
  - Con: Fewer Cases

- **Constitutional Law: Principles and Policies** by Erwin Chemerinsky
  - Pro: Clearly written
  - Con: Cost $50-60

- **Constitutional Law and Politics** by David M. O’Brien
  - Pro: Commonly used
  - Con: Two volumes

- **Constitutional Law: Cases in Context** by James C. Foster & Susan M. Leeson
  - Pro: Very cheap used
  - Con: Last edition was in 1998

If you have not taken an introductory American politics class or a judicial politics class, I strongly recommend you purchase this book. The 6th edition has just been replaced by a new version, so you can get it used online for about ten dollars.

**Meeting Dates**
May 16 - Syllabus Day & Orientation
June 6 - Midterm Exam
June 27 - Final Exam & Paper Due

**Grades**
- Weekly Briefs for each course section 20% (5 briefs at 4 points each)
  - Submitted by e-mail on May 28, June 4, June 11, June 18, June 26
- Midterm 25%
- Final 30%
- Course Paper 25% Due June 27

There is no incentive for me to trick you or otherwise punish you by way of your grade in this course. I want every student to do well in all of your endeavors. To be fair and equitable to every student in this class, I will not make any individual exceptions to course policy unless exigent circumstances arise that require empathy from the instructor. No extra credit assignments will be available. Assignments and exams that are not completed receive a score of zero (0.0). The commercialization of lecture notes and university-provided course materials is not permitted. In addition, the creation, reproduction, distribution, or publication (on-line or otherwise) of abbreviated, transcribed, or taped versions of my lectures and auxiliary materials is not allowed as I retain all copyrights.
Cheating, plagiarism, or any other act of academic dishonesty will result in the student receiving a 0.0 for the course (www.msu.edu/unit/ombud/dishonestyFAQ.html).

Students with disabilities are responsible for seeking available assistance in a timely manner. This syllabus is not a legal contract. It is my intention to keep with the schedule laid out in this syllabus but I reserve the right to change or course topics, assignments, readings, and deadlines. I will announce any changes to the course on ANGEL.

Readings
Weeks 1 & 2. May 16 – May 30
Background Information
A lecture and ancillary materials on the structure of the American judiciary, a history of the Supreme Court, and an outline of the Court’s case selection process, and an evaluation of the Court’s power are available on ANGEL for download.

Watch a discussion between Justices Scalia and Breyer regarding the use of foreign law in Supreme Court opinions. A RealPlayer link is on ANGEL rtsp://video.c-span.org/archive/sc/sc011305_scalia.rma

Government Power
*Marbury v. Madison 5 U.S. 137 (1803)
Gibbons v. Ogden 22 U.S.1 (1824)
*The Civil Rights Cases 109 U.S. 3 (1883)
U.S. v. Carolene Products 304 U.S.144 (1938)
*Katzenbach v. McClung 379 U.S.294 (1964)

Week 3. May 31 – June 6
Free Speech
Chaplinsky v. New Hampshire 315 U.S. 568 (1942)
Beauharnais v. Illinois 343 U.S. 250 (1952)
*Tinker v Des Moines 393 U.S. 503 (1969)
*Texas v Johnson 491 U.S. 397

Watch an interview of Justice Breyer by Charlie Rose. A link to the Google video is on Angel.

June 6 - Midterm Exam
Details will be posted on ANGEL
Week 4. June 7 - June 13

Privacy
*Griswold v. Connecticut 381 U.S. 479 (1965)
Roe v. Wade, District Atty. of Dallas County 410 U.S. 113 (1973)

Watch a video made by Justice Blackmun about his decision in Roe v. Wade. A RealPlayer link is on ANGEL.
A Real rtsp://video.c-span.org/project/supct/blackmun082104ac.rm

Week 5. June 14 – 20

Gender Discrimination
*Bradwell v. Illinois 83 U.S. 130 (1872)
Reed v. Reed 404 U.S. 71 (1971)
*Frontiero v. Richardson 411 U.S. 677 (1973)
Michael M. v. Superior Court of Sonoma County 450 U.S. 464 (1981)

Week 6. June 21 – June 27

Rights of the Accused
Gideon v. Wainwright 372 U.S. 335 (1963)
*In re Gault 387 U.S. 1 (1967)

Watch a video discussing the Court’s decisions on the detention of suspected terrorists. A RealPlayer link is on ANGEL.
rtsp://cspanrm.fplive.net/cspan/project/ter/ter062904_georgetown.rm

June 27 - Final Exam & Paper Due

**Weekly Briefs:**
You will write a brief for the selected cases (denoted by an asterisk *) within each section and e-mail them to me as a .doc, .pdf, or .rtf file. Each case brief should be no shorter than a single page and no longer than two and a half pages.

See http://hilltop.ic.edu/~dean/brief.html for a useful guide to writing a brief.
Briefs for each of these cases are due on the following dates:

May 28
*Marbury v. Madison 5 U.S. 137 (1803)
*The Civil Rights Cases 109 U.S. 3 (1883)
*Katzenbach v. McClung 379 U.S.294 (1964)

June 4
*Tinker v Des Moines 393 U.S. 503 (1969)
*Texas v Johnson 491 U.S. 397

June 11
*Griswold v. Connecticut 381 U.S. 479 (1965)

June 18
*Bradwell v. Illinois 83 U.S. 130 (1872)
*Frontiero v. Richardson 411 U.S. 677 (1973)

June 26
*In re Gault 387 U.S. 1 (1967)

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Course Paper:

You have a number of options for this course paper, but I must approve your choice by June 6.

1. Brief a Landmark Case - You can write on another landmark case not covered on the syllabus. You should write an extended brief addressing the facts, the opinions of the court, and the impact of the decision on public policy and future cases.
2. Predict a Current Case – Go to the On The Docket website run by Northwestern’s Medill School of Journalism (http://docket.medill.northwestern.edu/) and pick an interesting case that is on the Court’s schedule and has not been decided. You will need to describe the facts and history of the case, the arguments of the main litigants, the participation of any amicus curiae, and most importantly predict the outcome of the case.

3. Create your own section and write an extended brief for each case.

4. Watch the discussion between Justice Scalia and the President of the ACLU Nadine Strossen regarding civil liberties and write a summary of each side’s viewpoint of constitutional interpretation. You should highlight the difficulties that each point of view presents when interpreting the Constitution.

rtsp://video.c-span.org/archive/sc/ac102106.rm

5. Create your own paper topic - If you have your own interest in constitutional law, foreign or domestic, you may propose an alternative research question.

Format: The paper will be between 7 and 9 full pages in length, double-spaced, 12 point Times New Roman font, with 1 inch margins all around. On a title page, you will include your name, the date, my name, the name of the class, day and time the class meets, and a title for your essay if you wish. There is no need to place your paper in a cover or folder, just use a staple in the corner. Spelling, grammar, and the format proscribed above is considered when grading your paper. Papers that do not conform to the above format will be returned. All students should photocopy or have a digital copy of all work handed in during the class. The grades of any papers turned in late will be reduced in proportion to their lateness. All students are responsible for learning what constitutes plagiarism and the proper procedure for the citation of the work of others.

Exams:
The examinations will be composed of a wide variety of question formats, including, but not limited to, true/false, multiple choice, short answer, and an essay. Examples of test questions will be posted on ANGEL.