

Constitutional Structure and Rights (Political Science 223)

Mr. Jackson

Fall 2007

In this course, through the lens of the Constitution and Supreme Court cases, we examine the essential structure of the American legal system (both separation of powers at the federal level and the authority of, and relationship among, states and the federal government), as well as the essential nature of rights of citizens vis-à-vis the political order. Topics covered include the nature of the Supreme Court's authority, separation of powers, federal limits on state powers, economic rights, equal protection, and freedom of speech. The ability to read, discuss (as well as place in perspective and disagree with) Supreme Court opinions is an essential part of the course.

(Page numbers are from Kathleen Sullivan & Gerald Gunther, *Constitutional Law* (Foundation Press, 16th edition 2007).)

Week 1 (September 6)

Judicial Review & its Limits (pp. 1-59) (In lieu of the edited version of *Marbury v. Madison* in the Sullivan & Gunther book, please read the full version (under "course materials").) Also, in conjunction with *Marbury v. Madison*, please read Articles I, II, III, and VI of the Constitution of the United States, paying particular attention to Article III, and Section 13 of the Judiciary Act of 1789 (also under "course materials").

Weeks 2 & 3 (September 13 & 20)

Separation of Powers (pp. 244-338)

Weeks 4 & 5 (September 27 & October 4)

The Nation and the States in the Federal System (pp. 60-81)

Federal Limits on State Regulation (pp. 174-243)

Weeks 6 & 7 (October 11 & 18)

Due Process (pp. 339-341, 354-361 & 362-485)

Week 8 (October 25)

Midterm

Weeks 9, 10, & 11 (November 1, 8, & 15)

Equal Protection (pp. 486-638 & 661-673)

Weeks 12, 13, & 14 (November 29, December 6 & 13)

Freedom of Speech (pp. 741-970 & 1080-1117)