

Course Syllabus
Mississippi Valley State University
Department of Social Science
Constitutional Law I (PS 349-01)

Instructor: Cassie Osborne, Jr., PhD
Office Location: W. A. Butts Social Science Building
Class Time/Place: Tuesday Evenings 6:00 – 8:40 pm; W. A. Butts SSB; Room #8
Office Hours: Mondays 10:00 am – 12:00 noon & 2:00 pm – 5:00 pm
Wednesdays 10:00 am – 12:00 noon & 2:00 pm – 5:00 pm
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COURSE DESCRIPTION

This is the first half of Constitutional Law. The purpose of the course sequence is to introduce students to the basic principles of Constitutional Law as interpreted by the Supreme Court of the United States. The primary objective is for the students to learn to cut through the legal jargon that permeates cases in constitutional law to think, write, and talk about important issues in the cases.

The first course concerns the powers of various branches of government, the meaning and nature of federalism, and the use of the powers granted under the Constitution to regulate our economic and social life. These seemingly dry topics relate to almost every aspect of what government can do for you or to you. They are issues that should concern every citizen.

I have designed this course to require you to think. Instead of my lecturing and you writing what I say, you will be thinking about the key issues in constitutional law arriving at your own conclusions. This is not just a matter of giving your opinion. Merely having an opinion requires no effort whatsoever, and there is surely no need to give you a grade for having an opinion.

There is a world of difference between having an opinion and having an informed opinion. Having an informed opinion requires you to know all sides of an issue. You also need to state what reasoning and evidence supports your position (Please note that sensible people will frequently decide that there are insufficient grounds to take a position one way or another). Making a good grade will depend upon showing that you are developing informed opinions about constitutional rights.

TEXTS

These texts will be required for both Constitutional Law and Civil Liberties.
Constitutional Government, James A. Curry, et.al.
The American Constitutional Experience, James A. Curry, et. al.

EVALUATION OF STUDENTS

Students will be evaluated using subjective to examinations, assigned written projects and case briefs.

ATTENDANCE

Class participation is difficult to quantify but because of the necessity of self-expression and class-sharing. All students are expected to participate in class discussions, which will account for 10% of total grade.

BRIEFS

You must submit briefs for five (5) cases to pass the class. The cases you **must** brief are *Youngstown Sheet and Tube v. Sawyer*; *U. S. v. Nixon*; *McCulloch v. Maryland*; *Heart of Atlanta Motel v. U. S.*; and *South Dakota v. Dole*. **You may brief ten (10) additional cases for credit if you wish.** The instructor will provide a format for your briefs. You must follow the prescribed format to get credit for a brief. The briefs are worth 10% of your grade.

TESTS

There will be four exams given during the semester. There will be two identifications exams – a mid-term exam and a final exam. I will provide a list of terms for the identification exams. There will also be two essay exams...one of these will be an in-class exam during mid-term week and the other will be a take home exam, due at the end of the term. The in-class essay exam will be an open book/open notes exam. Each exam is worth 20% of your grade.

EXTRA CREDIT

You may write a review of a book that you have chosen with the instructor's approval. The review must include both a summary and an evaluation of the book. The review must be 3 – 8 pages handwritten or 2 – 5 pages typewritten. If you are to write a book review you must select it by October 2th (during mid-term). The review would count as 10% of your grade.

GRADE SCALE

- A-90
- B-80
- C-70
- D-60
- F-59 or less

PLAGIARISM

Do not claim the work of another as your own! If you do, you will fail this course.

CELLPHONE & BEEPERS

Disable all cellphones and beepers!!!! If you answer a cellphone or beeper in class, you will be counted as absent that day!

CLASS SCHEDULE

Tuesday, August 21, 2018 – Course Introduction

Tuesday, August 28, 2018 – Chapter 1: What is Constitutional Law? *Note:* Additional Reading: CG: Chapter 1: The Constitution of the United States and CG: Chapter 2: American Constitutionalism: The Founding Generation.

Tuesday, September 4, 2018 – CG: Chapter 3: The Nature and Scope of Judicial Powers and CG: The Structure of the Federal Court System, pp. 60 – 70. Brief a Court Case.

Tuesday, September 11, 2018 – CG: Brief 3.1: “The Men and Women of October,” Brief 3.2: “Clerking at the Supreme Court”; The Limits on Jurisdiction (lecture and discussion) and CG: “The Appointment of Judges and Justices,” pp. 72 – 83.

Tuesday, September 18, 2018 – CG: “The Origins and Practice of Judicial Review in the American System,” pp. 85 – 92; CG: “The Supreme Court Revolutions of 1937,” pp 93 – 102.; Chapter 3 of ACE; and *Discussion of Marbury v. Madison*.

Tuesday, September 25, 2018 – CG: “Separation of Powers and Congress,” pp. 139 – 150; Brief 6.3, “What was Watergate?” pp 151-155; Chapter 4 of ACE.

Monday October 1 – 5, 2018 MID-TERM EXAMINATIONS

Tuesday, October 2, 2018.....Mid-term Examination

Tuesday, October 9, 2018 – CG: “The Rise of Government,” pp 156-158; “Federalism: The Interaction of National and State,” pp. 162-163.

Tuesday, October 16, 2018 - CG: “Horizontal Federalism: The Legacy of the Articles of Confederation,” pp. 167-174; Chapter 5 of ACE; CG: “The Constitution of the Confederate States of America,” pp. 175-182.

Tuesday, October 23, 2018 – CG: “Federalism: The Growth of Federal Power and Economic Regulation,” pp. 183-189; CG – “Women and Wages: Challenges to the Freedom of Contract,” pp. 190-193.

Tuesday, October 30, 2018 – CG: “The Shreveport Rate Cases: Offspring of the Marshall Legacy,” pp. 194-195; CG: “The Sherman Anti-Trust Act and Monopolies,” pp. 196-198.

Tuesday, November 6, 2018 – CG: “The Federal Wage,” pp.198-200

Tuesday, November 13, 2018 – CG: “Obama Care: The Fight over Obama Care,” National Federation of Independent Business, et. al v. Sebelius,” pp 200-204.

Monday, November 19 – 23, 2018.....Thanksgiving Break

Tuesday, November 27, 2018 – Presentations and Review

Monday, December 3 – 7, 2018.....Final Exam