

## PLSC 3140: Constitutional Law, Summer 2005

Monday & Wednesday 5:30–9:30 p.m. in Sullivan-Harrell Room 221

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Hours: by appointment.

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Course Web Page: <http://home.millsaps.edu/~lawrecn/sum05/plsc3140/>

This course is designed to introduce you to the key Supreme Court decisions that have affected our understanding of the Constitution of the United States. This semester, we will focus on the relations among political institutions (Congress, the Judiciary, and the executive branch), as well as relations between local, state and federal governments, and economic liberties and rights.

In addition to familiarizing you with the actual decisions of the Supreme Court, it is my hope that you will gain a greater appreciation for the decision-making processes that the justices use when deciding cases that are before them.

Required Textbook:

- Lee Epstein and Thomas G. Walker. 2004. *Constitutional Law for a Changing America: Institutional Powers and Constraints*, 5th ed. Washington: CQ Press. ISBN 1-56802-822-9.

This textbook should be available at the Millsaps bookstore (if it isn't, please let me know!). You may also be able to order it from retailers on the Internet at a discount.

You may also find the textbook's companion website (<http://clca.cqpress.com/>) a helpful resource for the course.

Assignments and Grading: Your grade in this course will be based on the following elements:

Class Participation	10%
Briefs (6)	30%
Exams (3)	60%

Briefs: At the beginning of each class, you should have prepared *briefs* for each case excerpted in the textbook chapter(s) that we plan to cover in that class. The purpose of the briefs is two-fold: to encourage you to complete the readings for the class, and to help facilitate class discussion of the cases. Briefing is covered in Appendix 8 of Epstein and Walker (page 691).

You are required to turn in briefs for all the cases to be covered in *six* of the eight class sessions. Each set of briefs will count for 5% of your final grade.

Participation: 10% of your grade will be based on your level of participation in class when you are not the discussion leader; you will not be graded on the relative *quantity* of your participation, but rather on the *quality* of that participation. All students are expected to be prepared for class, *including* having completed the relevant readings prior to class.

Exams: The exams will be open-book, take-home examinations, with questions in short answer and essay format. You may not consult with anyone (classmates, friends, acquaintances, other professors, etc.) other than the professor on these examinations. They will be assigned on June 8th, June 20th, and June 30th, and will be due one week later at the beginning of class; late exams will not be accepted, except as provided below. Each exam will count as 20% of your final grade in the course.

Honor Code: Millsaps College is an academic community dedicated to the pursuit of scholarly inquiry and intellectual growth. The foundation of this community is a spirit of personal honesty and mutual trust. Through their Honor Code, the students of Millsaps College affirm their adherence to these basic ethical principles.

An Honor Code is not simply a set of rules and procedures governing students' academic conduct. It is an opportunity to put personal responsibility and integrity into action. When students agree to abide by an Honor Code, they liberate themselves to pursue their academic goals in an atmosphere of mutual confidence and respect.

The success of the Code depends on the support of each member of the community. Students and faculty alike commit themselves in their work to the principles of academic honesty. When they become aware of infractions, both students and faculty are obligated to report them to the Honor Council, which is responsible for enforcement.

The pledge signed by all students upon entering the College is as follows:

As a Millsaps College student, I hereby affirm that I understand the Honor Code and am aware of its implications and of my responsibility to the Code. In the interests of expanding the atmosphere of respect and trust in the College, I promise to uphold the Honor Code and I will not tolerate dishonest behavior in myself or in others.

Each examination, quiz, or other assignment that is to be graded will carry the written pledge: "I hereby certify that I have neither given nor received unauthorized aid on this assignment. (Signature)" The abbreviation "Pledged" followed by the student's signature has the same meaning and may be acceptable on assignments other than final examinations.

It is the responsibility of students and faculty to report offenses to the Honor Code Council in the form of a written report. This account must be signed, the accusation explained in as much detail as possible, and submitted to the Dean of the College.

Policies: Attendance at class is required. Please discuss any planned absences with me at least two weeks in advance. Per college policy, excessive absences will be reported to the director of Academic Support Services.

Students with disabilities are encouraged to contact the instructor to discuss their individual needs for accommodations.

Late mid-term exams will only be accepted in the case of an illness or emergency that is documented with a doctor's note dated on the original due date or earlier.

Make-ups for the final exam will be subject to the same policy; however, if you need to reschedule the final due to having more than two exams on one day, please consult with me to make any necessary arrangements.

This syllabus is subject to revision by the professor.

Course Roadmap: The schedule below is tentative; I do expect to cover all of this material in the order given, but the exact schedule is subject to revision.

Date(s)	Topic	Readings (chapters)
Jun 1	The U.S. Constitution and the Supreme Court	EW Part 1
Jun 6	Institutional Authority, The Judiciary, The Legislature	EW Part 2 (Intro and Ch 2-3)
Jun 8	The Executive, Separation of Powers	EW Part 2 (Ch 4-5); <i>Hamdi v. Rumsfeld</i>
Jun 13	Federalism	EW Part 3 (Intro and Ch 6)
Jun 15	The Commerce Power	EW Part 3 (Ch 7)
Jun 20	Taxing and Spending	EW Part 3 (Ch 8)
Jun 22	The Contract Clause	EW Part 4 (Intro and Ch 9)
Jun 28	Substantive Due Process	EW Part 4 (Ch 10)
Jun 30	The Takings Clause	EW Part 4 (Ch 11)