

American Constitutional Development

PSC 411Z

Spring 2008

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Office Hours: Monday 9-10:30; Wednesday 9-10:30; or by appointment.

Course Overview:

This is a course designed to highlight American constitutional *politics*. Most undergraduate courses that touch upon constitutional issues focus (almost exclusively) on the courts—particularly the Supreme Court—and often treat judicial opinions as the final word on constitutional meaning. The readings and discussions in this course will reveal that American constitutionalism is much more robust and that the attempt to give the Constitution meaning is inherently political and a practice in which all departments of government engage.

As you will see from the course outline, the course predominantly focuses on American constitutionalism before the 1940s when constitutional politics increasingly became the purview of the courts and constitutionalism became constitutional law. We will attempt to understand this phenomenon and understand its relationship to contemporary American governance.

The overarching objective of this course is to provide students with an understanding of constitutional politics across the various departments of government, how this form of politics is unique, and its impact on creating and altering constitutional meaning.

Grading:

Take Home Midterm	40%
Take Home Final	40%
Unannounced Quizzes	10%
Class Participation	10%

Text:

Gillman, Graber, and Whittington, *American Constitutionalism*

American Constitutionalism has yet to be published but a pdf version of the text is available on webcampus available at <http://webcampus.nevada.edu>

Academic Misconduct:

Academic integrity is a legitimate concern for every member of the campus community; all share in upholding the fundamental values of honesty, trust, respect, fairness, responsibility and professionalism. By choosing to join the UNLV community, students accept the expectations of the Academic Misconduct Policy and are encouraged when faced with choices to always take the ethical path. Students enrolling in UNLV assume the obligation to conduct themselves in a manner compatible with UNLV's function as an educational institution.

An example of academic misconduct is plagiarism (i.e., using the words or ideas of another, from the internet or any source without proper citation of the sources).

Classroom Policies/Rules:

It is a faculty member's discretion and prerogative to determine what is and is not acceptable behavior in his or her classroom (i.e., late arrival, wearing hats). Also, classroom occupants are at the discretion of the instructor (per UNLV General Counsel). See: <http://studentlife.unlv.edu/judicial/student.html>

Copyright:

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Accommodations:

Students with disabilities are requested to inform the instructor of their needs at the beginning of the course. Accommodations for disabilities will be happily granted, however, all such guidelines will follow the requirements of university-wide policy (see <http://www.unlv.edu/studentlife/disability/>).

As a general rule, a student missing a class assignment because of observance of a religious holiday shall have the opportunity to make up missed work. Students must provide notice of anticipated absences by the last day of late registration (August 31) to be assured of this opportunity.

Also, students who represent UNLV at any official extracurricular activity shall have the opportunity to make up assignments, but the student must provide official written notification no less than one week prior to the missed class(es).

Missing deadlines or exams due to illness requires documentation from a doctor. Please refer to University policy if you have any questions or contact me directly.

Course Outline:

January 22—Course Introduction and Preliminaries

January 24—What is Constitutional Development?

January 29—What is Constitutionalism?

- Chapter 1, pages 1-19

January 31—Constitutions and Constitutionalism***

- Chapter 1, pages 19-32

February 5— Constitutions and Constitutionalism

- Chapter 1, 53-71

February 7— Constitutions and Constitutionalism

- Chapter 1, 71-95; 104-105

February 12—Colonial Constitutionalism

- Chapter 2, 1-20

February 14—Colonial Constitutionalism

- Chapter 2, 20-35; skim 36-43

February 19—Post-Revolutionary Constitutionalism

- Chapter 3, 1-7; 9-14; 24-31

February 21— Post-Revolutionary Constitutionalism

- Chapter 3, 32-54

February 26— Post-Revolutionary Constitutionalism

- Chapter 3, 55-76

February 28— Post-Revolutionary Constitutionalism

- Chapter 3, 77-97

March 4—The Federalist/Jeffersonian Era

- Chapter 4, 1-28

March 6— The Federalist/Jeffersonian Era

- Chapter 4, 28-50

March 11—Jeffersonian Constitutionalism

- Chapter 4, 62-79

March 13—Jeffersonian Constitutionalism (Midterm)

- Chapter 4, 80-98

March 25—Jacksonian Constitutionalism

- Chapter 5, 1-24

March 27—Jacksonian Constitutionalism

- Chapter 5, 35-50

April 1—Civil War

- Chapter 6, 1-30

April 3—Civil War and Reconstruction

- Chapter 6, 63-70; 73-80; 121-137

April 8—Civil War and Reconstruction

- Chapter 6, 57-62; 90-98

April 10—Reconstruction

- Chapter 6, 151-167; 180-186

April 15—Industrialization and Gilded Constitutionalism

- Chapter 7, 1-10; 35-50

April 17—Industrialization and Gilded Constitutionalism

- Chapter 7, 50-61; 97-102; 109-110; 159-160; 188-198

April 22—New Deal Constitutionalism

- Chapter 8, 1-17; 29-36; 55-65

April 24—New Deal/Great Society Constitutionalism

- Chapter 8, 18-28; 68-95

April 29—Modern War Constitutionalism

- Chapter 8, 205-237

May 1—Recent Developments

- Chapter 9, 1-39

May 6—New Developments

- Chapter 9, TBA

May 8—Catch-Up Day