

Constitutional Law:
Issues of National Power

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PSC 320
Spring 2002

Office Hours: MWF: 8:00-8:50, TTH: 8:10-8:50, 10:30-12:00. As well, I will usually be in my office M-F: 2:00-5:00.

This course examines the power of the federal judiciary, Congress, and the president; the distribution of authority between the national and state governments; and how the Constitution has reflected our evolving theories of politics. Special attention is paid to the development of these institutions and practices throughout the course of American history.

Because this course is designed as a seminar, regular attendance and preparation are required. There will be four tests, each worth 15% of your final grade. In addition, your class participation and case briefs determine 10% of your grade.

A major component of this course is writing a research paper. I will work with you to find a topic related to the course that interests you and would make a good research paper. All topics must be approved by me. You must turn in a paper proposal on January 29, the first page of the paper (including a clear thesis statement) and a bibliography on February 21 (1% of final grade), a detailed outline of the paper and a written summary of three recent journal or law review articles about your topic on April 4 (3% of final grade), and the final paper on April 25 (25% of final grade). Papers should be 13-16 typed, double-spaced pages in length (excluding the cover sheet and bibliography). Please use regular fonts and margins. Late papers will be assessed a penalty of three points for every day they are late. You may discuss your paper with other students, and you may have them proofread your work, but otherwise all research and writing must be done by you alone. Unintentional plagiarism will result in an automatic "F" on the paper. If I judge plagiarism to be intentional, it will result in an automatic "F" for the course. If you have questions about what constitutes plagiarism, please see me.

Required Texts:

David M. O'Brien, Constitutional Law and Politics, Vol. 1, **Fourth Edition** (New York: W.W. Norton and Co., 1997).

Optional reading:

A. P. Melone, Researching Constitutional Law (1990).

William Strunk and E.B. White, The Elements of Style, 3rd. ed., (1979).

Dates and Assignments:

The Supreme Court

January

15. Skim 1-21.
17. Read 23-60, 983-994.
22. Read 61-114.
24. Read 114-162. Brief Baker v. Carr.
29. Read 162-181. Paper proposal due
31. Read 182-217.

February

5. Test #1.

The Presidency

7. Read 218-253.
12. Read 253-282. Brief Korematsu v. US
14. Read 284-315.
19. Read 315-367. Brief Myers v. US.
21. Read 367-404. First page of paper and bibliography due.
26. Read 404-431.
28. Test #2

Congress

March

5. Read 432-465. Brief Powell v. McCormack.
7. Read 465-501.
12. Read 502-549. Brief McCulloch v. Maryland.
14. Read 549-591. US v. Lopez.
19. Read 591-633.

21. Test #3.

26, 28 Spring Break

Federalism, Voting, and Economic Regulation

April

2. Read 634-680

4. Read 680-721. Outline of paper and article summaries due.

9. Read 721-764. Brief Michigan v. Long.

11. Read 765-814.

16. Read 814-862; Retrieve and skim Bush v. Gore (2000) from Findlaw.com.

18. Read 862-901. Brief Buckley v. Valeo

23. Read 902-954.

25. Read 955-982. Final paper due.

30. Test #4, 10:00.