

American Constitutional Law
Public Policy 420
Fall 2004

Dr. Matthew Woessner Department of Public Policy Penn State Harrisburg Phone: 717-948-6489 E-mail: mcw10@psu.edu http://www.personal.psu.edu/mcw10/	Class Time: Tuesday/Thursday 11:00-12:15 Room: 245E Olmstead Office Hours: Tuesday and Thurs.3:20-4:20 or by appointment Office: West 160W Olmstead Final Exam Schedule: Thursday, December 16, 8:00-9:50 a.m.
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Course Description

This course introduces students to the American Constitution by examining the design, purpose and application of the nation's supreme legal authority.

The first part of the course will provide students with a brief introduction to the Constitutional Convention. A sophisticated understanding of the Constitution requires an appreciation for the debates that shaped its inception. By examining early controversies, students will develop a more thorough understanding of contemporary issues including due process, federalism, legislative responsibilities and presidential power.

The second part of the course will focus on the federal judiciary and the challenge of Constitutional interpretation. The US Constitution offers few specifics on the powers or structure of the federal judiciary. The court itself was created by an act of Congress on September 24th, 1789. Students will explore the ever-changing role of the federal courts by learning how cases come before the courts, how they move through the judicial system, and what impact these decisions have on the execution of federal power. In addition, students will learn disparate theories of Constitutional interpretation, perspectives on the role of the federal judiciary, and the process by which the Constitution can be amended over time.

The third part of the course will trace the evolution of the Constitutional power in the two centuries since its first implementation. While the overall framework functions largely as the Founders envisioned, there have been some significant changes in the way power is distributed. The principle of judicial review, in conjunction with an activist presidency, has transformed the original balance of power once held by the three branches of government. In addition, events like the Civil War, the Great Depression and the Civil Rights Movement have expanded the traditional role of the federal government to include powers and responsibilities once reserved for the states. Students will come to see the process of constitutional government as a continuous battle between a diffuse set of established powers. Under the administration of the courts, the balance of power shifts in accordance with the amendment process, national emergencies, and occasionally, popular will.

Student Responsibilities

Students are responsible for regular attendance in lectures and for careful attention to the course readings. There will be three exams in the course and three brief writing assignments. Students are required to actively participate in the class discussion, especially as it pertains to the debate of recent political controversies.

Required Readings

Epstein, Lee and Thomas G. Walker. Constitutional Law for a Changing America: Institutional Powers and Constraints. Third Edition Congressional Quarterly Press

Constitutional Law course pack. Available on the internet or on CD-ROM.

(http://www.personal.psu.edu/mcw10/Classes_ppl420.htm)

Class Grading

Class Grading	Grading Scale	
Midterm 40%	100-93=A	79-77=C+
Final Exam 50%	92-90=A-	76-70=C
Class Participation 10%	89-87=B+	69-60=D
	86-83=B	59-0=F
	82-80 B-	

Exams – The midterm and final exams will include vocabulary, and essays. The final exam will also include long essays based on the course as a whole. If you miss one of the exams, you will not be able to take a make-up exam unless you have an acceptable written explanation for the absence (e.g. a letter from your doctor), and have contacted me about the problem in advance. For details on preparing and writing my essay exams visit my website.

How to Make the Best Grade Possible

Become familiar with the course materials before coming to class

- Read the material repeatedly if initially the concepts seem unclear.
- Take notes as you read. Brief remarks from the reading help facilitate class discussion.
- Raise any questions you have during class, office hours, or by e-mail.
- In order to learning course vocabulary, create flashcards from which you can repeatedly review key terminology.

Participant frequently in class discussions

- Pay close attention to lecture.
- Take notes during class.
- Readily interact with the instructor by raising questions about the material.
- Challenge your instructor on points with which you disagree.

Take advantage of your instructor's time.

- Help me learn your name.
- Discuss assignments, papers and exams with me well before the assigned date.
- Stop by my office, or email me any questions.
- Demonstrate an obvious commitment to master the course material.

Academic Integrity Policy

All of the work you do in this course is expected to be your own. Absolutely no cheating or plagiarism (using someone else's words or ideas without proper citation) will be tolerated. Any cases will be reported to the Committee on Academic Misconduct and handled according to University policy. Typically, students involved in plagiarism fail the course outright. In some cases students are recommended for suspension or expulsion from the university. Paraphrasing others' words is fine. Just be sure to cite the original source. Should you have any questions concerning appropriate conduct, feel free to contact me beforehand. For additional information on plagiarism, or Penn State policies concerning academic integrity, visit the university's "Statement on Plagiarism and Academic Dishonesty" (<http://tlt.its.psu.edu/suggestions/cyberplag/cyberplagstudent.html>).

Course Policies

It is expected that exams will be taken when they are scheduled. Make-up exams will only be given in extreme situations with prior permission. Failure to take an exam without approval results in a zero for that test. Late assignments will be lowered by one letter grade (10%) each day that they are late.

I strongly encourage you to come to every class meeting. Attendance is an important component of this course. Some testable material will be presented in class that cannot be found in the textbooks.

Students with disabilities are responsible for making their needs known to the instructor and seeking available assistance in a timely manner. Course materials are available in alternative formats upon request. Contact Linda Meashey, Disabilities Coordinator (W117 Olmstead Building) if you have any documented disability that may require accommodations in this class.

#	Date	Day	Topic
1	09/02/04	Thursday	British & American Constitution
2	09/07/04	Tuesday	Constitutional Interpretation I (Legal)
3	09/09/04	Thursday	Constitutional Interpretation II (Extra-Legal)
4	09/14/04	Tuesday	Judicial Powers
5	09/16/04	Thursday	Judicial Constraint I
6	09/21/04	Tuesday	Judicial Constraint II (Political Questions)
7	09/23/04	Thursday	Judicial Constraint III (Bush v. Palm Beach)
8	09/28/04	Tuesday	Judicial Constraint IV (Bush v. Gore)
	09/30/04	Thursday	MIDTERM
9	10/05/04	Tuesday	Legislative Powers I
10	10/07/04	Thursday	Legislative Powers II
11	10/12/04	Tuesday	Executive Powers I
12	10/14/04	Thursday	Executive Powers II
13	10/19/04	Tuesday	Separation of Powers I
14	10/21/04	Thursday	Separation of Powers II
15	10/26/04	Tuesday	Nation State Relations I
16	10/28/04	Thursday	Nation State Relations II
17	11/02/04	Tuesday	Commerce Powers I
18	11/04/04	Thursday	Commerce Powers II
19	11/09/04	Tuesday	Taxation I
	11/11/04	Thursday	FREE DAY
	11/16/04	Tuesday	FREE DAY
20	11/18/04	Thursday	Taxation II
21	11/23/04	Tuesday	Contracts Clause I
	11/25/04	Thursday	THANKSGIVING
22	11/30/04	Tuesday	Contracts Clause II
23	12/02/04	Thursday	Economic Due Process I
24	12/07/04	Tuesday	Economic Due Process II
	12/09/04	Thursday	Constitution Follies