

CONSTITUTIONAL LAW/AMERICAN GOVERNMENT COURSE SYLLABUS

LENGTH OF COURSE: Approximately 30 – 32 Weeks (class sessions). The last night of class will be the first Thursday in May.

LOCATION: Charleston Southern University – Ashby Hall – Rm 105

START DATE: September 8th, 2022

REGULAR CLASS SCHEDULE: Thursday Evenings 6:30 P.M. – 8:15 P.M.

TEXTBOOK REQUIREMENT:

1. Michael P. Farris, *Constitutional Law for Enlightened Citizens (2nd Edition 2012)*

COURSE OBJECTIVE: Understand and comprehend Constitutional Law and American Government through an in-depth study of the history surrounding the founding of our nation, America's foundational documents, Constitutional Law, and United States Government.

STUDENT GOALS:

1. Understand the linkage between the early settlers beginning in 1607 and the birth of the nation.
2. Identify basic facts concerning the history of American Constitutional government.
3. Become familiar with and interpret America's foundational documents.
4. Explain the three branches of American Government.
5. Explain basic principles outlined in the Constitution.
6. Identify the three tiers of the federal court system.
7. Explain how specific court cases were decided in light of the Constitution.
8. Explain how court decisions impact American citizens.
9. Analyze and develop summaries for Supreme Court cases.
10. Understand the Presidential Electoral Process as outlined in Article II, Sect 1.

STUDENT PREPARATION: You **MUST** complete all weekly chapter reading assignments prior to class and **come prepared** to discuss the chapter content (see syllabus). You may call me at home if you have any questions.

Grading for the course will be as follows:

- Six unit tests each worth 100 points (600)
- Three written papers worth 100 points each (300)
- Final exam worth 100 points (100)
- Total (1000 points)
- There will also be opportunities for 50 points extra credit

You must accumulate at least 700 points to pass the course (700 Pts would be a D-)

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Approximate Schedule

Week # 1	Class Orientation (Read Textbook Preface & Introduction before class)
Week # 2	Chapter 1 First principle of American Government Chapter 2 Introduction to Original Intent
UNIT 1	Historical background of the founding of the United States of America (Unit 1 also includes Chapters 1 & 2)
Week # 3	Chapter 3 Our written Constitution: An Historical Overview
Week # 4	Chapter 3 (continued)
Week # 5	Chapter 4 The Failure of the Articles of Confederation
Week # 6	Chapter 5 Was the Constitution illegally adopted? Chapter 6 Lessons from the Conventions
Week # 7	Chapter 7 The Constitution of the United States
Week # 8	Chapter 7 (continued) Chapter 8 How to read Supreme Court Cases
UNIT 2	The Constitution as Higher Law
Week # 9	Chapter 9 The doctrine of Judicial Review- <i>Marbury v. Madison</i> Chapter 10 Judicial Supremacy— <i>Boerne v. Flores</i>
UNIT 3	Executive and Congressional Authority
Week # 10	Chapter 11 The Power of the President: Part 1— <i>Youngstown Sheet and Tube v. Sawyer</i> The Power of the President Part 2— <i>United States v. Curtiss-Wright Export Corp.</i>
Week # 11	Chapter 13 The Power of the Congress to Regulate Commerce Chapter 14 The Commerce Clause: Part I— <i>Schechter Poultry Corp. v. United States</i>
Week # 12	Chapter 15 The Commerce Clause Part II— <i>Katzenbach v. McClung</i> Chapter 16 The Commerce Clause Part III— <i>United States v. Lopez</i>
Week # 13	Chapter 17 The Power of Congress to Tax & Spend: Part I— <i>United States v. Butler</i> Chapter 18 The Power of Congress to Tax & Spend Part II— <i>South Dakota v. Dole</i>

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UNIT 4 Religious Freedom

- Week # 14 2nd Ed. 19 The Fourteenth Amendment
Chapter 19/20 Introduction to Religious Freedom
- Week # 15 Chapter 20/21 The Establishment Clause: Part I—*Marsh v. Chambers*
Chapter 21/22 The Establishment Clause Part II—*Wallace v. Jaffree*
- Week # 16 Chapter 22/23 The Establishment Clause Part III—*Witters v. Washington
Department of Services for the Blind*
Chapter 23/24 The Establishment Clause and Freedom of Speech—
Widmar v. Vincent
- Week # 17 Chapter 24/25 Free Exercise of Religion: Part I—*Murdock v.
Pennsylvania*
- Week # 18 Chapter 25/26 Free Exercise of Religion: Part II—*Wisconsin v. Yoder*
- Week # 19 Chapter 26/27 Free Exercise of Religion: Part III—*Employment Division v.
Smith*
- Week # 20 Chapter 27/28 Free Exercise of Religion Part IV—*People v. DeJonge*

UNIT 5 Other First Amendment Issues

- Week # 21 Chapter 29 Freedom of Association: Part II—*Roberts v. Jaycees*
- Week # 22 Chapter 30 Freedom of Association: Part III—*Boy Scouts v. Dale*

UNIT 6 Persisting Current Constitutional Issues

- Week # 23 Chapter 31 Legislating the Death of Innocents—*Roe v. Wade*
- Week # 24 Chapter 32 Homosexual Rights: Part I—*Bowers v. Hardwick*
Chapter 33 Homosexual Rights: Part II—*Lawrence v. Texas*
- Week # 25 Chapter 34 Parents' Rights: Part I—*Pierce v. Society of Sisters*
Chapter 35 Parents' Rights: Part II—*Troxel v. Granville*
- Week # 26 Chapter 36 Fourth Amendment Rights: Part I—*Wyman v. James*
- Week # 27 Chapter 37 Fourth Amendment Rights: Part II—*Calabretta v. Floyd*

Note: Where you see two chapter numbers separated by a slash (Chapter 19/20), the slash signifies that the chapter numbers are different between the 1st edition and the 2nd edition of the textbook. The number after the slash is the chapter in the 2nd edition.

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UNIT 6 **Persisting Current Constitutional Issues (Continued)**

- Week # 28 **2nd Ed** 38 Second Amendment Rights: *District of Columbia v. Heller*
Chapter 39/40 Property Rights: Part II—*Kelo v. City of New London*
- Week # 29 Chapter 40/41 The Threat of International Law—*Roper v. Simmons*
- Week # 30 Presidential Electoral Process: *Bush v. Gore* (The 2000 Presidential Election)
- Week # 31 Final Exam (in class)

Time and schedule permitting we will visit the South Carolina Supreme Court to sit in on two to three appellate cases (if they are open for visitors).

*This field trip typically takes place during a weekday in April.

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Unit Writing Assignments

1. You will be writing **three** 2 to 4 page papers over the course of the school year. The papers will be written to defend a “Position Statement”.

Notes on Position Statements:

- a. A Position Statement defines an argument.

Example: The majority decision in the case of Roe V. Wade has no Constitutional basis.

- b. In order to develop your position on paper you must break down one side of your argument into “Critical Attributes” (things that define or describe the one side of the argument).

- c. Once you have decided on the critical attributes (pick two or three), use them as main points in the body of the paper to defend your Position Statement.

Examples of main points:

Main Point #1 The majority decision does not identify an enumerated Constitutional right.

Main Point #2 The majority decision does not identify original intent.

Main Point #3 The majority decision violates states rights.

2. Instructions for the paper:

- a. You will be writing **3** of these papers during this course. The first one will cover **Units 1 & 2**, the second will cover **Units 3 & 4**, and the third will cover **Units 5 & 6**.

- b. The papers will be due the day that we start covering the next Unit in class (for example, the paper for Units 1 and 2 is due the day we begin covering the first chapter in Unit 3).

- c. Your Positional Statement is the title of your paper.

- d. The paper must be typed.

- e. Double-space the text.

- f. You may choose any topic within the assigned units for your Position Statement.

- g. Ensure that all three elements of good communication are present;

- *Introduction* (tell the reader what it is you are trying to get across) **25 Pts**
- *Body* (make your case or defense) **35 Pts**
- *Conclusion* (summarize your main points to your reader) **25 Pts**
- *2+ Sources and Citations* **10 Pts**
- *Following Directions* **5 Pts**

- h. Do not hesitate to call me if you have **any** questions.