

CONSTITUTIONAL ISSUES IN MODERN AMERICA

Spring, 2013, DAVID OSHINSKY

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Office Hours: Monday, 3-4, and by appointment

This seminar will examine a number of key constitutional issues in Modern America, including speech, reproductive rights, gun ownership, and capital punishment.

GRADING: Students will be expected to keep up with the reading and to participate actively in class discussion. Each student will help to lead one class meeting. There will be a term paper based on original research (approximately 8,000 words). This paper must be on a constitutional subject of historical and/or contemporary importance. All subjects must be cleared by Professor Oshinsky.

REQUIRED TEXTS:

Carpenter, *FLAGRANT CONDUCT*; Irons, *COURAGE OF THEIR CONVICTIONS*; Oshinsky, *CAPITAL PUNISHMENT ON TRIAL*, Sanford Levinson, "The Embarrassing Second Amendment."

CLASS SCHEDULE:

January 14: INTRODUCTION

January 21: MLK DAY

January 28: *Gobitis v. Minersville*; *Hirabayashi v. United States* (IRONS chapters)

February 4: *Epperson v. Arkansas*; *Rodriguez v. San Antonio* (Irons Chapters)

February 11: *Furman v. Georgia* (OSHINSKY, entire)

February 18: Second Amendment Issues (LEVINSON, entire, class debate)

February 25: *Hodgson v. Minnesota*; *Hardwick v. Bowers* (Irons Chapters)

March 4: *Lawrence v. Texas* (CARPENTER, entire)

March 11: SPRING BREAK

From Monday, March 18, until the end of the term, students will meet individually with Professor Oshinsky to discuss their progress in writing the term paper. Six new pages of the draft will be required each week; the student and Professor Oshinsky will go over these pages, line by line, until the draft is transformed into a polished product. Students will email their weekly pages to Professor Oshinsky no later than 1:00 p.m. each Friday.

The final paper is due May 2. Late papers will not be accepted.