

## History 355S: U.S. Constitutional History

Spring 2014  
Unique #40025  
M & W 3:30-5:00  
JGB 2.218

George Forgie  
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Garrison 3.212 (475-7231)  
Friday 2:30-4:30

OVERVIEW. This course investigates the history of the development of the American constitutional tradition from colonial times to the present. Particular attention will be paid to the drafting and ratification of the Constitution, the rise of the Supreme Court and the doctrines of judicial review and judicial supremacy, and the expansion of the meaning of liberty in modern applications of the Fourteenth Amendment to civil rights, civil liberties and other modern constitutional issues. The course will always keep a sharp focus on the historical context in which these questions have arisen.

READING. The following paperback book should be acquired:  
Alpheus Thomas Mason and Donald Grier Stephenson, Jr. *American Constitutional Law: Introductory Essays and Selected Cases*, 16<sup>th</sup> edition. Specific reading assignments will be announced as we go along. In addition, students will be expected to have with them in class a copy of the U.S. Constitution. A handy and inexpensive pocket-sized copy of the Constitution is available at the University Co-op.

CLASSES. Each class will consist of a lecture and organized discussion for 50-60 minutes, followed by informal discussion among those students who wish to stay.

Students will be expected to have read and absorbed the reading assigned for a day's class and be prepared to speak about it in class when called on by the instructor.

Unless authorized by SSD, no laptop computers or similar devices may be used or open during the lecture. The use--*any use*--of phones in class is not permitted. Three points will be deducted from a student's course average for each infraction of these rules.

### SCHEDULE OF CLASSES (topics subject to change):

Monday, January 13  
Introduction

Wednesday, January 15  
Background

Monday, January 20  
Martin Luther King holiday

Wednesday, January 22  
American Revolution

Monday, January 27  
Constitutional Convention

Wednesday, January 29  
Ratification and the Bill of Rights

Monday, February 3  
Constitutional Battles of the 1790s

Wednesday, February 5  
Judicial Review

Monday, February 10  
The Marshall Court

Wednesday, February 12  
The Marshall Court, continued

Monday, February 17  
Constitutional Battles of the Jacksonian Period

Wednesday, February 19  
Constitutional Battles of the Jacksonian Period, continued

Monday, February 24  
**First Examination**

Wednesday, February 26  
The Taney Court

Monday, March 3  
Slavery and the Constitution

Wednesday, March 5  
The Dred Scott Case

Monday, March 17  
Secession and Civil War

Wednesday, March 19  
Reconstruction: The Fourteenth Amendment

Monday, March 24  
Interpreting the Fourteenth Amendment: Civil Rights

Wednesday, March 26  
Interpreting the Fourteenth Amendment: Economic Rights

Monday, March 31  
World War I and Freedom of Speech

Wednesday, April 2  
**Second Examination**

Monday, April 7  
The New Deal

Wednesday, April 9  
World War II

Monday, April 14  
The Segregation Cases

Wednesday, April 16  
First Amendment Cases

Monday, April 21  
Affirmative Action

Wednesday, April 23  
Privacy: Roe v. Wade

Monday, April 28  
Current Constitutional Issues

Wednesday, May 1  
**Third Examination**

EXAMINATIONS AND GRADING: There will be three exams—on Monday, February 24; Wednesday, April 2; and Wednesday, May 1, at the class period. Each of the exams will count 30% of the course grade. The exams will consist of short-answer and essay questions on the material from the classes and readings (including any handouts that may come your way from the instructor). Enrollment in this course constitutes a commitment on your part to be present at all of these examinations. Exams will not be given ahead of schedule, nor will any make-ups be given, for any reason.

In addition to the three exams, unannounced short, objective-question quizzes will be given frequently at the beginning of class, testing mastery of recent course material as well as the reading assigned for that day. These quizzes will constitute 10% of a student's course grade. Only three-quarters of these quizzes—a student's best scores—will be

counted for the purpose of calculating the course grade; the other one quarter—including any zeroes resulting from absences—will not count.

The instructor reserves the right to add or subtract as many as five points to/from a student's course average based on the quality (not quantity) of class participation.

COURSE GRADING SCALE:

93-100%	A
90-92%	A-
87-89%	B+
83-86%	B
80-82%	B-
77-79%	C+
73-76%	C
70-72%	C-
67-69%	D+
63-66%	D
60-62%	D-
Below 60%	F

TEACHING ASSISTANT:

Robert Icenhauer-Ramirez  
rirlawyer@gmail.com  
Office hours by appointment.

SERVICES FOR STUDENTS WITH DISABILITIES:

Students with disabilities may request appropriate academic accommodations from Services for Students with Disabilities at 471-6259 (voice) or 232-2937 (video phone) or <http://www.utexas.edu/diversity/ddce/ssd>

STATEMENT FROM THE CENTER FOR THE CORE CURRICULUM:

“This course carries the flag for Cultural Diversity in the United States. Cultural Diversity courses are designed to increase your familiarity with the variety and richness of the American cultural experience. You should therefore expect a substantial portion of your grade to come from assignments covering the practices, beliefs, and histories of at least one U.S. cultural group that has experienced persistent marginalization.”

ACADEMIC INTEGRITY:

Allegations of plagiarism or any other act of scholastic dishonesty will be referred to Student Judicial Services, with the instructor's recommendation that any penalty assessed against a student should be no more lenient than a failing grade in the course.