

Constitutional Law

Pat Ferraioli, Ph.D.

Office Hours: T/TH 10:30 – noon, and by appointment

Office phone: ext. 5237

Cell phone: (518) 859-7263

e-mail: pferraio@skidmore.edu

It seems that constitutional law ought to be easy to understand. But despite the Constitution's simplicity—or perhaps because of it—what the Constitution means and how it should apply are the most hotly debated topics in law.

Jay M. Feinman, *Law 101*

Course Description

A survey of the American constitutional system emphasizing sources and uses of governmental power, the political role of the Supreme Court, the Court's jurisdiction, and the allocation of powers between the federal government and the states.

Required Text

Constitutional Law and Politics, volume 1, 7th edition, David M. O'Brien

Additional readings will be handed out in class (HO)

Course Requirements

1. Participation in class discussion is required (25%)
2. Take-home Midterm due October 21st (25%)
3. Law Review due Friday November 19 (25%)
4. Moot Court December 17 (25%)

Course Standards

Attendance. It counts. Poor attendance, defined as 2 or more unexcused absences, will result in your final grade being lowered. Tardiness counts as an absence.

Participation. I assume that if you stay in the course you agree to carefully prepare all class assignments, come to class prepared, actively listen, take meaningful notes, and thoughtfully participate in class discussions.

Late Papers. I don't accept them except under extraordinary circumstances and then *only with prior permission*.

Academic Integrity. Do your own work.

Equity. I assume that if you stay in the course you have agreed to the terms of the course as outlined above.

This syllabus is a "living and flexible document." I reserve the right to amend the syllabus, reading lists and assignments when "necessary and proper for carrying into the execution" the goals and objectives of the course.

Dates	Topics and Assignments	Readings
9/8	Law 101	
9/13	Judicial Review & Constitutional Interpretation	Ch. 1 (78)
9/15	<i>Friday December 17th: "Terror and the Constitution" 5:00 p.m. Pohndorff Room</i>	
9/20	Law and Politics in the Supreme Court	Ch.2A (69)
9/22		
9/27		Ch. 2 B (129)
9/29		
10/4	Presidential Power, The Rule of Law, Foreign Affairs	Ch. 3 (106)
10/6		
10/11		
10/13	Presidential Power as Chief Executive in Domestic Affairs	Ch. 4 (143)
10/18		
10/20		
10/21	<i>Take-home Midterm due</i> (Friday)	
10/25	Congress: Membership, Immunities, and Investigative Power	Ch. 5 (61)
10/27	Congress: Legislative, Taxing, and Spending	Ch. 6 (63)
11/1	The States and American Federalism	Ch. 7 (143)
11/3		
11/8		
11/10		
11/15	Representation	Ch. 8 (149)
11/17		
11/19	<i>Law Review due</i>	
11/22	Economic Rights	Ch. 9 (89)
11/29		
12/1		
12/6	Moot Court Preparation	
12/8		
12/10		
12/17	Moot Court 1 1:30 p.m. BO 100 Moot Court 2 2:30 p.m. BO 100 Moot Court 3 3:30 p.m. BO 100	