Course Outline

I. THE CONSTITUTIONAL BLUEPRINT

A. The Forces Shaping the Constitution -- A Short History

B. The Scope of Judicial Review
   1. Of Congress
   2. Of President
   3. Of States

C. Congressional Powers
   1. Commerce Clause
   2. War Clauses

D. Federal Limits on State Power
   1. The Dormant Commerce Clause

E. Separation of Powers Between Congress and the President
   1. Checks and Balances
   2. Legislative and Executive Immunity
   3. Foreign Affairs

II. INDIVIDUAL RIGHTS

A. The Equal Protection Clause
1. Race and Brown v. Board of Education
2. Economic regulation
3. Affirmative Action

B. Implied Fundamental Rights
1. Incorporation of the Bill of Rights
2. Substantive Due Process
   a. Lochner
   b. Roe v. Wade & Reproductive Rights
   c. Gay marriage (also addressed under Equal Protection)

C. Freedom of Expression
1. The Speech Clause
   a. Content-based Restrictions
   b. Brandenburg/Fighting Words
   c. Obscenity/Commercial Speech
   d. Content-Neutral Restrictions/Election Law

D. Freedom of Religion (Time Permitting)
1. Establishment Clause
2. Free Exercise Clause

Note: Reading assignments will be given out at the end of each class. Please read all assigned cases for each class.
Requirements:

- There will be an open-book take-home exam at the end of the semester. You will have 48 hours to complete the final exam.

- The casebook for this course is the most recent edition of Stone, Seidman et al, *Constitutional Law*, together with the current supplement.

- Participation in class discussions is encouraged and expected, and quality class participation may be a positive factor in determining your final grade. However, non-participation will not be counted against you in determining your final grade.