Course Description

Constitutional Law is the study of the United States Constitution and the Supreme Court decisions that interpret and apply the Constitution. As the fundamental and supreme law of the United States, the Constitution (1) establishes the institutional structure and powers of the national government, (2) defines the relationship and relative powers between the national government and state governments, and (3) imposes specific restrictions on both national and state government power through the legal recognition of individual rights.

In all of these areas, disagreements arise over the interpretation and application of constitutional provisions. These disputes inevitably take the form of court cases that usually make their way to the Supreme Court for resolution. The decisions of the Supreme Court are often controversial because of what is at stake: who has what power, and what rights do people have.

In this course, we will study how the Supreme Court decides who has what power, and what rights do people have. You can think of this subject as an ongoing debate over really important issues that determine what kind of government we live under and what rights we have. We will join in the debate and have our own dialogue about these important questions.

Course Objectives

In this course (and everywhere else), I don't want you to settle for superficial thinking about things; push yourself to analyze issues and ideas more deeply by asking yourself after each thought you have, "why? - why do I think that?" and "why does the author think that?" If you keep questioning your own thoughts and opinions and those of others by asking the "why question" over and over again, you will gradually get deeper and deeper into the issue. Think of it like diving into a pool. Rather than being content to swim along the surface, push yourself to go deeper and deeper in the pool until you reach the bottom of it. "Getting to the bottom of things" is the mark of an intelligent mind.

Upon successful completion of the course, students will be able to:

- Describe and explain the principles of constitutionalism and the relationship between the Constitution and the Declaration of Independence as well as the connection between both and the political philosophy of John Locke;
• Describe, explain and evaluate the arguments for and against originalist and non-originalist approaches to constitutional interpretation;
• Describe and explain the constitutional principles of federalism, separation of powers, judicial review, incorporation and enumerated powers;
• Describe, explain and evaluate Supreme Court’s decisions regarding judicial review, the scope of government power, the commerce clause, the tax and spend power, and the Second Amendment.

Course Communication

This is how we will communicate with each other for this course:
• Use email or Course Messages ONLY when the subject is of a personal and confidential matter. If you have questions about the course materials or course requirements whose answer would benefit even one other person in the course, post the question in the “General Discussions and Questions” forum on MyCourses.
• I check my email daily Monday through Friday from 9 am to 5pm. You can expect a reply from me via email within 24 hours during the work week.
• I check the discussion forums daily during the work week. I will post often during the first weeks of the course to help get things going and then decrease my own activity as the course progresses so that the discussions mainly take place between students. However, I will participate in discussions periodically throughout the course.

Time Considerations

Because this course does not meet in person, your success depends on completing all of the required readings and assignments by the dates indicated in the course syllabus. These readings are essential to your learning the subject matter and successfully completing the course (i.e., getting a passing grade). You must read each of the readings listed for each section and draw on these readings for your discussion board postings and other assignments. You will need to make the time commitment to keep up with this reading load and assignment schedule because late assignments will not be accepted except under extraordinary circumstances. Make sure you set aside the necessary time each week for reading your course materials and completing assignments and you will do fine.

Course Participation

Civility
Students are expected to treat each other civilly and to respect others’ opinions and learning experience. Remember that the discussion of politics often involves conversations about issues that touch on deeply held values. Just because someone disagrees with you does not make him or her a bad person; it simply means they feel differently about this issue. Treat others the way you would want to be treated yourself—with respect and courtesy.
Participation Guidelines

- Add value to the discussion and avoid simply repeating, agreeing with, or answering yes or no to peer's comments.
- Challenge comments in class, including those of the facilitator.
- Ask insightful questions.
- Answer other people’s questions.
- Exemplify the point with real-life events, when possible.
- Make comments that are relevant to the course content and objectives.

Ideas for Course Participation

- Share an experience that is related to the discussion. Comment on other participants’ experiences that are related to the course.
- Ask others questions about their ideas and experiences that are related to the course.
- Challenge a point that another participant made in a respectful manner. Offer a different perspective on an idea that is being discussed.
- Give insights gained from readings that were assigned for the week. If you need more information, ask the participants a question about the week's reading.
- Discuss a work issue that is related to the course or discussion and ask for feedback.
- Relate how you have applied what you have read, learned or discussed regarding the course to your personal and professional life.
- Share another resource such as Web links, books, etc. that you have used to answer other participants’ questions or as you explore the topics of the course, (as it is a violation of copyright law to copy the actual page).

Course Grade and Related Policies

Your grade will be based on four quizzes (each one 10% of final grade), three discussion forums (each one 10% of final grade), and two papers (the first one being 10% and the second one being 20% of final grade). The details of the assignment are provided each week in MyCourses.

Discussion forums will ask you a specific question or questions related to the readings that you will discuss with the professor and your classmates. These assignments will be graded in the following way: five substantive posts will receive 75 out of 100 points, six substantive posts will receive 80 points, seven substantive posts will receive 85 points, eight substantive posts will receive 90 points, nine substantive posts will receive 95 points, and ten substantive posts will receive 100 points. A substantive post is one that goes beyond merely stating an opinion in a conclusory manner or simply agreeing or disagreeing with something we have read or a point another person makes. It must contain a real insight, make an argument, draw out implications, reason out consequences, or raise a further question that reflects a real grasp of and engagement with the materials and corresponding discussion. Posts can be both your own initial thoughts and responses to posts by someone else.

Late assignments will not be accepted except under extraordinary circumstances so you must stay on schedule. Incompletes will only be given in exceptional circumstances. A request for an incomplete must be made prior to the last day of class. You must be passing at the time of the request or sufficiently close to passing that the completion of the work after the semester will likely lead to a passing grade. Please note that being busy or forgetting to complete your assignments are not valid excuses for requesting an incomplete.
Academic dishonesty will not be tolerated. In an on-line class, you will be allowed to use your books and readings as a reference. However, any time you quote from a book or readings in your work for this class, you MUST indicate this in your work. Furthermore, if you use information from an outside source, you MUST indicate this in your work as well. Failure to indicate that you have quoted or used information from any source constitutes academic dishonesty. Students who engage in academic dishonesty will fail the course; under NO circumstances will there be any exceptions to this policy. If you have any doubts or questions about whether some action constitutes academic dishonesty, simply ask me; I am happy to help. As a condition of continued enrollment in this course, you agree to allow any of your course work to be submitted to SafeAssign services for textual comparison or originality review for the detection of possible plagiarism. All submitted assignments will be included in the UMass Dartmouth dedicated databases of assignments at SafeAssign. These databases of assignments will be used solely for the purpose of detecting possible plagiarism during the grading process during this term and in the future. Unless otherwise specified, you may NOT collaborate with your fellow students on assignments. Collaboration will be treated as academic misconduct on the part of ALL students involved and will result in a failing grade for the course and referral of the case to the University for possible judicial action. A student found responsible of academic dishonesty is subject to severe disciplinary action which may include dismissal from the University. The procedure for responding to incidents of academic dishonesty may be found in Section III of the Student Academic Integrity Policy (see below). You may also refer to the Student Handbook for information about the judicial process. Students must assume responsibility for maintaining honesty in all work submitted for credit and in any other work designated by the instructor of the course. Students are also expected to report incidents of academic dishonesty to the instructor or dean of the instructional unit. For additional information on violations, infractions, and consequences visit the UMass Dartmouth Student Academic Integrity Policy at the link below.

http://www.umassd.edu/studentaffairs/studenthandbookintroduction/studentconductpolicies/academicintegritypolicy/

Student Resources

Library Resources
http://guides.lib.umassd.edu/librarieservices

Center of Access and Success
In accordance with University policy, if you have a documented disability and require accommodations to obtain equal access in this course, please meet with the instructor at the beginning of the semester and provide the appropriate paperwork from the Center for Access and Success. The necessary paperwork is obtained when you bring proper documentation to the Center, which is located in Liberal Arts, Room 016; phone: 508.999.8711.

Tutoring
If you are having difficulty with the class please:

- Post a message on the Discussion Board – be sure to use your classmates for troubleshooting and problem solving.
- Make an appointment to come in and meet with me during my office hours.
- Contact the Academic Resource Center (ARC) for support:
  
  **Academic Resource Center, Liberal Arts – Room 7**
  Phone: 508.999.8708, Fax: 508.910.6404

**Technical Help**

If you are in need of technical assistance the IT Service Desk is available to students.

**Claire T. Carney Library, lower level**
508.999.8884 (x8884) or Email

- Sunday: 12:00pm-2am
- Monday thru Thursday: 7:30am-2am
- Friday: 7:30am-11pm
- Saturday: 9:30am-1pm

**Students living in the Residence Halls may also contact the Residential Technology (ResTech) Support Center:**

Visit [ResTech](#) in Elmwood Hall, lower level
Call the ResTech Help Line at 508.999.8040 (x8040)