**Law and Society - 790:340**

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**Office Hours by Appointment**

**This course will critically examine various aspects of the complex interrelationships between legal, social, political and moral values arising from, and within, American constitutional democracy. We will consider several historical and contemporary issues and problems in the contexts of: constitutional interpretation; voting; slavery; abortion; and judicial independence.**

**Required Readings: There are extensive readings for the course. All readings are on electronic reserve and accessible online through Alexander Library [http:/www.libraries.rutgers.edu. (click “course reserves” and search by course title or number, or my name]. Hard copies are also at the reserve desk in Alexander Library. *There are no books to buy* *for this course*.**

**9/1 Introduction to the course**

**9/3 Declaration of Independence; U.S. Constitution**

**9/8 Federalist #78; *Marbury v. Madison***

**9/10 Scalia, “A Matter of Interpretation”; Brennan, “Speech to the Text and Teaching Symposium”; *Griswold v. Connecticut***

**9/15 *Obergefel v. Hodges* (majority opinion)**

**9/17 *Obergefel v. Hodges* (dissenting opinions); Federalist #10**

**9/22 NO CLASS**

**9/24 Thompson, “Just Elections”**

**9/29 *Bush v. Gore*; [Background: Hasen, “The Voting Wars”]**

**10/1 *Reynolds v. Sims*; Voting Rights Act of 1965; [Background: Rutenberg, “Inside the 50 Year Campaign to Roll Back the Voting Rights Act”]**

**10/6 *Crawford v. Marion County Election Board*;** [**Background**: **Levitt, “The Truth About Voter Fraud”]**

**10/8 *Shelby County v. Holder***

**10/13 *Evenwel v. Perry***

**10/15 U.S. Constitution; Beeman, “Plain, Honest Men”; Federalist #54; Mason & Madison, “Debate Over the Slave Trade Clause”**

**10/20 Cover, “Justice Accused” (two chapters); Fugitive Slave Acts of 1793 and 1850**

**10/*22* MIDTERM**

**10/27 *Abelman v. Booth;* State Secession Acts**

**10/29 *Dred Scott v, Sandford***

**11/3 Brophy, “The Modern Black Reparations Movement”; Thompson, “The Rights of Descendants”; U.S. Congress, Slavery Study Bill**

**11/5 *Walker v. Texas Division, Sons of Confederate Veterans, Inc*.**

**11/10 Thomson, “A Defense of Abortion”**

**11/12 *Roe v. Wade***

**11/17 *Maher v. Roe*; *Right to Choose v. Byrne***

**11/19 Cuomo, “Religious Belief and Public Morality”**

**11/24 *Planned Parenthood of Southeastern Pennsylvania v. Casey***

**11/26 THANKSGIVING**

**12/3 *Jackson Women’s Health Org. v. Currier; Planned Parenthood Southeast v. Strange***

**12/8 *Brown v. Board of Education*; “The Supreme Court Justice Who Was Against Segregation”**

**12/10 *Caperton v. A.T. Massey Coal Company*; Albin, “Judicial Independence”**

**FINAL EXAM (in-class, closed book) (Start time: 8 p.m. per university exam schedule)** **[12/17/15]**

**COURSE REQUIREMENTS: All students are required to follow university policies and procedures. This includes the policy on academic integrity - http://academicintegrity.rutgers.edu/**

**In addition, students are required to attend class; to complete the assigned readings prior to class; and to participate in class discussions to the extent reasonably possible (given the class size). Grades will be determined by performance on the following:**

**Court observation report (20%) – Instructions for the assignment will be distributed separately [*Due 10/1/15*]**

**Midterm Exam (40%) (closed-book, in-class exam covering everything up to the midterm) [*10/22/15*]**

**Final Exam (40%) (closed-book, in-class exam covering everything after the midterm) [*12/17/15*]**

**For both the midterm and final exams attendance is mandatory! No one will be permitted to take a make-up exam unless they have prior written permission from the appropriate Dean.**

**Class participation – Although class participation is required, students who qualitatively (not necessarily quantitatively) participate can raise their grade. The determination of qualitative participation is at the sole discretion of the instructor.**

**Students with Disabilities: Any student with a documented disability requiring reasonable accommodations must make prior arrangements for such accommodations through the University’s Office of Disability Services (dsoffice@rci.rutgers.edu). I work closely with that office and will take whatever steps are necessary to ensure that the educational needs of such students are fully met pursuant to instructions and guidance from that office.**

***Note: This syllabus is subject to change with notice.***