

**Texts:**

**LEE EPSTEIN & THOMAS G. WALKER, CONSTITUTIONAL LAW FOR A CHANGING AMERICA: INSTITUTIONAL POWERS AND CONSTRAINTS (6th ed. 2007) [hereinafter “IPC”]**

**LEE EPSTEIN & THOMAS G. WALKER, CONSTITUTIONAL LAW FOR A CHANGING AMERICA: RIGHTS, LIBERTIES, AND JUSTICE (6th ed. 2007) [hereinafter “RLJ”]**

**I. Introduction to the Constitution and Constitutional Interpretation**

- Lesson 1: Class Introduction. IPC 687-696, or RLJ 791-800 (skim the Constitution, especially Amendments I-X).
- Lesson 2: Introduction to the Constitution. RLJ 3-9; Articles of Confederation (Blackboard); Declaration of Independence (Blackboard); Federalist No. 84 (Blackboard).
- Lesson 3: Judicial Review. RLJ 49-59; Federalist No. 78 (Blackboard).
- Lesson 4: Constraints on Judicial Power. RLJ 59-69.
- Lesson 5: Constitutional Interpretation. Philip Bobbitt, *The Modalities of Constitutional Argument*, reprinted in JOHN H. GARVEY & T. ALEXANDER ALEINIKOFF, *MODERN CONSTITUTIONAL THEORY: A READER* 4-12 (5th ed. 2004) (Blackboard); Antonin Scalia, *Originalism: The Lesser Evil*, 57 U. Cin. L. Rev. 849 (1989) (Blackboard).
- Lesson 6: Incorporation of the Bill of Rights. RLJ 71-92.
- Lesson 7: State Action. *Civil Rights Cases* (Blackboard); RLJ 651-655.

**II. Cadet-Moderated Classes, Oral Arguments, and Supreme Court Trip**

- \* The remainder of the semester will consist of classes prepared and moderated by cadets, oral arguments, and our trip to the Supreme Court (which includes a judicial memorandum writing exercise). Please refer to the *Course Administrative Memorandum* for additional guidance. Schedule TBD.