

Prof. Michal Belknap  
Spring 2006

Tuesday & Thursday 5:00-6:20  
Center Hall 212

### HIUS 151: AMERICAN LEGAL HISTORY SINCE THE CIVIL WAR

The reading assignments for the course are from one textbook and a series of monographs that deal with incidents that highlight particular issues covered by the course. The textbook is Melvin I. Urofsky and Paul Finkelman, *A March of Liberty: A Constitutional History of the United States*, vol. II. *From 1877 to the Present*. (identified in the syllabus as *March*). Since this class covers from 1865 to the present, there is also an assignment from volume I of the Urofsky and Finkelman book. It will be distributed in class as a handout.

Also assigned in the class are five monographs and one collection of essays. They are the following:

Michal R. Belknap, *The Vietnam War on Trial: The My Lai Massacre and the Court-Martial of Lieutenant Calley* [Vietnam War]

Robert J. Cottrol, Raymond T. Diamond, and Leland B. Ware, *Brown v. Board of Education: Caste, Culture and the Constitution* [Brown v. Board]

N.E.H. Hull and Peter Charles Hoffer, *Roe v. Wade: The Abortion Rights Controversy in American History* [Roe v. Wade]

Paul Kens, *Judicial Power and Reform Politics: The Anatomy of Lochner v. New York* [Lochner]

Ronald M. Labbe and Jonathan Lurie, *The Slaughterhouse Cases: Regulation, Reconstruction and the Fourteenth Amendment* [Slaughterhouse Cases]

William E. Leuchtenburg, *The Supreme Court Reborn: The Constitutional Revolution in the Age of Roosevelt* [Supreme Court]

<u>Date</u>	<u>Topic</u>	<u>Reading Assignment</u>
January 9	Civil War	None
January 11	Reconstruction	<i>March</i> , chapter 21 (handout)
January 16	Retreat from Reconstruction	<i>March</i> , 479-82; <i>Slaughterhouse Cases</i> (all)
January 18	Minorities and the Law	<i>March</i> , 482-99
January 24	Law and the Economy	<i>Lochner</i> , 1-43
January 26	Regulation & Reaction	<i>March</i> , 521-44; <i>Lochner</i> , 44-78
January 31	Triumph of Substantive Due Process	<i>March</i> , 500-15; <i>Lochner</i> , 79-127
February 2	The <i>Lochner</i> Era?	<i>March</i> , 545-97; <i>Lochner</i> , 128-65
February 7	Emergence of the Modern Legal Profession	<i>March</i> , 413-20
February 9	World War I	<i>March</i> , 598-623
<b>February 13 (Monday)</b>		<b>Midterm Examination Due</b>

<u>Date</u>	<u>Topic</u>	<u>Reading Assignment</u>
February 14	Law and Reaction in 1920s	<i>March</i> , 624-662; <i>Supreme Court</i> , 1-25
February 16	Origins of the “Court Fight”	<i>March</i> , 663-86; <i>Supreme Court</i> , 26-162
February 21	A New Deal in American Law?	<i>March</i> , 687-730; <i>New Deal</i> , 213-58
February 23	Hot and Cold Wars	<i>March</i> , 731-72
February 28	Civil Rights	<i>March</i> , 774-92; <i>Brown v. Board</i> , 1-207
March 2	<i>Brown</i> ’s Legacy: The Warren Court	<i>March</i> , 793-816; <i>Brown v. Board</i> , 208-43
March 7	<i>Roe v. Wade</i>	<i>Roe v. Wade</i> , (all)
March 9	Constitutional Counterrevolution?	<i>March</i> , 858-63. 901-12, 930-43, 947-72, 975-86, 994-97
March 14	The Vietnam War	<i>March</i> , 852-57; <i>Vietnam War</i> (all)
March 16	Vietnam, Iraq, and Afghanistan	Review March 16 assignment

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**Office Hours: (California Western) Tuesday and Thursday, 9:30-12:00**

**(UCSD) Tuesday 2:00-4:00 and immediately after class & Thursday 3:00-4:00**