

U.S. Constitutional History after 1865
HIUS 152B
Professor Ken Vandavelde
Spring 2019

Required Text

Melvin Urofsky & Paul Finkelman, *A March of Liberty, Volume II, From 1898 to the Present* (Third Edition, Oxford University Press).

Please note that additional required readings will be published on the TritonEd site for this course. They are designated below with an asterisk.

Assignments

I. Formation of the Constitution

- 1/7 Introduction
- 1/9 The Constitution
 - The U.S. Constitution, U&F A5-A13
 - The Bill of Rights, U&F A13-A15
- 1/11 The Civil War Amendments
 - 13th, 14th and 15th Amendments, U&F A15-A17
 - The Civil Rights Cases*

II. The Civil War to the New Deal: The Court as a Conservative Bulwark

- 1/14 Race, Gender and Religion in the Gilded Age
 - U&F 591-595, 662-666
 - Plessy v. Ferguson*
 - Bradwell v. Illinois*
 - Reynolds v. United States*
- 1/16 Populism, Progressivism and the Supreme Court
 - U&F 595-612, 615-632, 635-639, 643-648
 - Lochner v. New York*
- 1/18 The Constitution and World War I
 - U&F 669-694, 723-727
 - Abrams v. United States*
 - Whitney v. California*

III. The New Deal: The Emergence of Modern Judicial Liberalism

- 1/23 The New Deal and Economic Regulation
U&F 737-738, 740-759, 761-769, 778-779
- 1/25 The New Deal and Preferred Rights
U&F 787-803, 833-842
U.S. v. Carolene Products*
West Virginia State Board of Education v. Barnette*

IV. The Warren Court: Judicial Liberalism Ascendant

- 1/28 The Warren Court and Racial Segregation
U&F 816-823, 851-870
Korematsu v. United States*
Brown v. Board of Education*
- 1/30 The Civil Rights Movement
U&F 873-895, 937-938
- 2/1 The Warren Court and Free Speech
U&F 897-906, 923-926
New York Times v. Sullivan*
- 2/4 The Warren Court and Freedom of Religion
U&F 906-912
Everson v. Board of Education*
- 2/6 The Warren Court and Criminal Defendants
U&F 912-917, 938-940
Miranda v. Arizona*
- 2/8 Midterm Exam

V. The Burger Court: A Time of Transition

- 2/11 The Right of Privacy in the Warren and the Burger Courts
U&F 917-919, 996-999
Griswold v. Connecticut*
Roe v. Wade*
- 2/13 The Burger Court and the Presidency
U&F 947-973

2/15 The Burger Court and Equal Protection
U&F 977-994

2/20 The Burger Court and the Bill of Rights
U&F 1003-1027
Miller v. California*
Cohen v. California*

VI. The Rehnquist Court: A Conservative Majority with Swing Votes

2/22 The Rehnquist Court and Federalism
U&F 1069-1076

2/25 The Rehnquist Court and Equal Protection
U&F 1032-1049

2/27 The Rehnquist Court and Religion
U&F 1086-1098

3/1 The Rehnquist Court and the War on Terror
U&F 1111-1133

3/4 The Rehnquist Court and Privacy
U&F 1029-1032, 1049-1056, 1057-1060
Planned Parenthood v. Casey*
Lawrence v. Texas*

3/6 The Rehnquist Court and Free Speech
U&F 1076-1084
Ashcroft v. Free Speech Coalition*

3/8 The Rehnquist Court and the Presidency
U&F 1060-1064
Bush v. Gore*

VII. The Roberts Court: Conservatism Ascendant

3/11 The Roberts Court and Federalism
U&F 1135-1138

3/13 The Roberts Court and the Bill of Rights
U&F 1084-1086, 1148-1150, 1160-1162
Citizens United v. Federal Election Commission*
District of Columbia v. Heller*

Grading Policy

The grade in this course will be based on the midterm and final exams. The midterm will count for 20 percent of your grade and the final exam will count for 80 percent of your grade.

The exams will cover the material discussed in lecture. The exams will be closed book and therefore you will not be permitted to consult any resource during the exams.

Office Hours and Contact Information

My office is H&SS 5073.

My office hours are on Wednesdays and Fridays from 9 to 10 a.m.

I am also happy to meet with you at other times by prior arrangement.

Please feel free to contact me by e-mail or by telephone to discuss whatever you wish or to arrange a meeting.

My e-mail address is kvandev@ucsd.edu.

My cell phone number is 858 414 1602.

In addition to my Ph.D. in history, I have a law degree and I practiced law for a decade before I began teaching law full-time. If you are interested in pursuing a legal career, I would be pleased to discuss law school or legal careers with you.