Instructor: Dr. Carol Walker  
Email: cwalke22@gmu.edu  
Office Hours: Virtual appointments available most evenings/weekends; please contact instructor to make an appointment.  

Recommended Prerequisite: GOVT 103  

Course Description: This course examines how—primarily the Supreme Court—has interpreted the constitution and the powers the legislature, executive, and judicial branches of government derive from the Constitution. Understanding will be gained from looking at major judicial decisions.  

Learning Objectives:  
- Learn to critically assess how the U.S. Constitution is interpreted.  
- Be able to describe and apply the different approaches to analyze the U.S. Constitution.  
- Gain a better understanding of the U.S. Constitution, how it is interpreted, and in what ways interpretation has changed over time.  
- Develop a firm grasp and command of how to convey in writing sophisticated analytic arguments related to constitutional interpretation.  

Textbooks:  
Barber and Fleming, Constitutional Interpretation (2007)  
- ISBN: 9780195328585  
Carter and Burke, Reason in Law (2016)  
- ISBN: 9780226328188  

*Note: The course syllabus provides a general plan for the course; deviations may be necessary. As necessary, updates will be available in class or on Blackboard.*
Course Requirements:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Due Date</th>
<th>Percent of Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class Participation</td>
<td>Continuous</td>
<td>10%</td>
</tr>
<tr>
<td>Quiz</td>
<td>Tuesday, September 22</td>
<td>15%</td>
</tr>
<tr>
<td>Midterm Exam</td>
<td>Tuesday, October 6</td>
<td>25%</td>
</tr>
<tr>
<td>Case Summary</td>
<td>Tuesday, December 1</td>
<td>25%</td>
</tr>
<tr>
<td>Final Exam</td>
<td>Tuesday, December 15</td>
<td>25%</td>
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</tbody>
</table>

- **Class Participation** will be determined by your participation in class during the semester either via Zoom sessions or on the Discussion Board.
- The **Quiz** will be an open book, open note check in on readings and lectures.
- The **Midterm Exam** will consist of multiple choice, fill-in-the-blank responses, and some short answer responses. It will address questions stemming from your readings, lectures, or class discussions.
- The **Case Summary** will be a short research paper requiring you to summarize a Supreme Court case that we will not be discussing in class and analyze it using the ideas discussed in class and in the readings.
- The **Final Exam** is cumulative and will consist of multiple choice, fill-in-the-blank responses, and some short answer responses.

Grade Scale:

- 98 and above: A+
- 93-97 and above: A
- 90-92.99%: A-
- 86-89.99%: B+
- 83-85.99%: B
- 80-82.99%: B-
- 77-79.99%: C+
- 73-76.99%: C
- 70-72.99%: C-
- 65-69.99%: D
- 64.99 and below: F

Policies:

*Please review the GMU website for information on academic policies. Some items:*

**Late Assignments**: You may turn in an assignment up to one week late. You will be deducted ten points a day, for a maximum of 70 points. **No assignments will be accepted after a week unless prior arrangements were made due to mitigating circumstances.**
**Attendance Policy:** Students are strongly encouraged to attend every class and their grade will be negatively impacted if they miss too many classes. Please make every effort to get to class on time and please notify the instructor if you will have to leave early. If you must arrive late or depart early, please take a seat in a location where your arrival or departure will not disrupt ongoing class activities. Students who miss class or any part thereof are responsible for all materials covered during that class and are expected to work with classmates to ensure they know what they missed. Please contact the instructor if medical difficulties or a personal crisis prohibits you from attending class.

**Honor Code:** Established rules per the GMU honor code covering plagiarism and academic honesty must be followed at all times. In this class, all written assignments, including examinations, must be completed individually. Web postings, reports, and examinations are to be the sole products of the individual whose name is on them. Collaborations on written assignments and exams are not permitted. Any confirmed violations of this rule will result in a grade of “F” for the assignment in question and may be turned over to Honor Committee for additional action.

**Important Dates:** Please review the GMU website for important dates for the semester, such as the drop/add deadline.

For more information on the resources available to you on campus, see Student Support Resources on Campus.

**Course Schedule:**

See GMU’s academic calendar for more details.

*All readings are expected to be completed prior to reviewing lectures and other material online.*

**Tuesday, August 25**

- **First Day of Class**
- **Readings:**
  - *Reason in Law* — Chapter 1: What Legal Reasoning Is and Why It Matters
  - *Reason in Law* — Appendix A: Introduction to Legal Procedure and Terminology

**Tuesday, September 1**

- **Readings:**
  - *Reason in Law* — Chapter 2: Change and Stability in Legal Reasoning

**Tuesday, September 8**

- **Readings:**
- Constitutional Interpretation—Chapter 1: The Presuppositions of Constitutional Interpretation
- Reason in Law — Chapter 5: Interpreting the U.S. Constitution

Tuesday, September 15
- **Readings:**
  - Constitutional Interpretation—Chapter 2: The Principal Questions of Constitutional Interpretation

Tuesday, September 22
- **Readings:**
  - Constitutional Interpretation—Chapter 3: The Principal Features of the American Constructional Order: The Positive Constitutionalism of The Federalist
  - **Quiz (Complete after reading Chapter 3)**

Tuesday, September 29
- **Readings:**
  - Reason in Law — Chapter 6: Law and Politics

Tuesday, October 6
- **Midterm Exam**

Tuesday, October 13
- **Readings:** Constitutional Interpretation—Chapter 4: Approaches to Constitutional Interpretation

Tuesday, October 20
- **Readings:**
  - Reason in Law—Chapter 3: Common Law
  - Reason in Law—Chapter 4: Statutory Interpretation

Tuesday, October 27
- **Readings:** Constitutional Interpretation—Chapter 5: Textualism and Consensualism

Tuesday, November 3
- **Readings:** Constitutional Interpretation—Chapter 6: Narrow Originalism/Intentionalism
  - Constitutional Interpretation—Chapter 7: Broad Originalism

Tuesday, November 10
• **Readings**: Constitutional Interpretation—Chapter 8: Structuralism
• Constitutional Interpretation—Chapter 9: Doctrinarism and Minimalism

Tuesday, November 17
• **Readings**: Constitutional Interpretation—Chapter 10: The Philosophic Approach

Tuesday, November 24
• **Readings**: Constitutional Interpretation—Chapter 11: Pragmatism

Tuesday, December 1
• Last Day of Class
• **Case Summary Assignment Due**

Tuesday, December 15
• **FINAL EXAM**
  o **Must be complete by 10:15 pm**