Constitutional Law:
The Founding (And After)

Sec. 131-001
Professor Rabkin
Spring 2012

I. English Foundations and the American Revolution

Course Book (CB): Ch. 1 (pp. 33-49, esp. state constitutions)
Declaration of Independence; Articles of Confederation
The Federalist: No. 2 (pp. 31-33); No. 6 (48-49, 53-54); No. 15 (100-06);
No. 22 (139-40, 145-47)

II. Framing and Ratifying the Constitution

CB, Ch. 2; The Federalist: No. 1 (p. 27); No. 9 (66-68); No. 40 (all);
No. 39 (239-43); No. 43 (275-77); No. 85 (523-25)

III. Security and Force, At Home and Abroad

CB, Ch. 3; The Federalist: No. 4 (40-43); No. 8 (60-64); No. 11 (81-82);
No. 23 (148-49, 152); No. 31 (189-91); No. 63 (380-81); No. 70 (421-22)

IV. The Character and Reach of National Administration

CB, Ch. 4; The Federalist: No. 17 (113-15); No. 27 (170, 172); No. 35 (210-211);
No. 62 (378-80); No. 77 (458)
V. The Federal Judiciary and the Bill of Rights
CB, Ch. 5; The Federalist: No. 78 (463-66, 469); No. 80 (474-77); No. 82 (492-93); No. 84 (509-15)

VI. State Sovereignty and National Parties
CB, Ch. 6; The Federalist: No. 33 (197-99); No. 45 (288-89); No. 46 (294-95); No. 55 (340); No. 58 (358); No. 81 (455-56)

VII. Slavery and the Specter of Succession
CB, Ch. 7; The Federalist: No. 16 (109-111, 112); No. 42 (262-63, 266-67); No. 54 (all); No. 43 (271-74 = Pt. 6)

VIII. Coercing the States
CB, Ch. 8; The Federalist: No. 21 (134-36); No. 28 (176-78); No. 42 (265); No. 60 (364-65, 369-70); No. 74 (447-48)

IX. Reconstruction and the Promise of Civic Equality
CB, Ch. 9

X. Constitutionalism and Populism
CB, Ch. 10; The Federalist: No. 30 (183-86); No. 35 (207-09); No. 49 (all)

XI. Federal Police Powers, At Home and Abroad
CB, Ch. 11
XII. Progressivism and the New Deal
CB, Ch. 12; *The Federalist*: No. 51 (all); No. 70 (425-27); No. 72 (all)

XIII. Individual Rights in a Modern Society
CB, Ch. 13

XIV. Living with a Brief Constitution
CB, Ch. 14