

**CALIFORNIA STATE UNIVERSITY CHANNEL ISLANDS**

**NEW COURSE PROPOSAL**

PROGRAM AREA HISTORY

- 1. Catalog Description of the Course.** *[Include the course prefix, number, full title, and units. Provide a course narrative including prerequisites and corequisites. If any of the following apply, include in the description: Repeatability (May be repeated to a maximum of \_\_\_ units); time distribution (Lecture \_\_\_ hours, laboratory \_\_\_ hours); non-traditional grading system (Graded CR/NC, ABC/NC). Follow accepted catalog format.]*

HIST 272 CONSTITUTIONAL HISTORY OF THE US (3)

Three hours of lecture per week

Examines the origins of American constitutional thought and practice, the framing and adoption of the Constitution and the Bill of Rights, the establishment of the U.S. Supreme Court and of its power of judicial review. Topics include: a series of critical tests to the constitutional framework in the context of a continuous social change, major decisions by the Supreme Court in history and their impacts on society. Meets Title V U.S. History and Constitution Requirement

- 2. Mode of Instruction.**

	<b>Units</b>	<b>Hours per Unit</b>	<b>Benchmark Enrollment</b>
Lecture	<u>3.0</u>	<u>1</u>	<u>30</u>
Seminar	<u>          </u>	<u>          </u>	<u>          </u>
Laboratory	<u>          </u>	<u>          </u>	<u>          </u>
Activity	<u>          </u>	<u>          </u>	<u>          </u>

- 3. Justification and Learning Objectives for the Course.** (Indicate whether required or elective, and whether it meets University Writing, and/or Language requirements) *[Use as much space as necessary]*

This course meets i Title V requirement mandated by the State of California Educational Codes and is required for all our history majors in the future.

The learning objectives for the course are 1) to explain the historical origins and development of the U.S. Constitution, 2) to demonstrate critical thinking skills in dissecting, writing, and presenting major Constitutional cases and controversies, and 3) to demonstrate analytical skills in synthesizing the impacts of significant Constitutional changes on society.

- 4. Is this a General Education Course** YES ☒ NO

If Yes, indicate GE category:

<b>A (English Language, Communication, Critical Thinking)</b>	
<b>B (Mathematics &amp; Sciences)</b>	
<b>C (Fine Arts, Literature, Languages &amp; Cultures)</b>	
<b>D (Social Perspectives)</b>	
<b>E (Human Psychological and Physiological Perspectives)</b>	

- 5. Course Content in Outline Form.** *[Be as brief as possible, but use as much space as necessary]*

Course content:

- 1: Historical background of the American constitutional tradition  
The English constitutional thought and experience. Law and the legal framework of colonial government.  
Imperial control and local government. The legal profession in colonial time.
- 2: Enlightenment philosophies of balanced government  
John Locke and his Treatises on Government. Montesquieu and The Spirit of the Laws.

The ideological origins of the American Revolution. Thomas Paine and his political ideology.

- 3: The experience of the American Revolution  
The Articles of Confederation. The Critical Period. State constitutional conventions and constitutions.
- 4: The Constitutional Convention of 1787  
James Madison. Debates and adoption of the Constitution. The Bill of Rights.
- 5: The early days of the Federal Supreme Court  
The Judiciary Act of 1789. The establishment of the power for judicial review.  
The Supreme Court under John Marshall.
- 6: Supreme Court decisions during the early national period  
Marbury v. Madison (1803). Fletcher v. Peck (1810). Dartmouth College v. Woodward (1819).
- 7: Society, law, and the issue of race  
Dred Scott v. Sandford (1857). Civil Rights Cases (1883). Plessy v. Ferguson (1896).
- 8: Law and business  
The Sherman Act of 1890. Standard Oil Co. v. United States (1911).  
United States v. American Tobacco Co. (1911). The Clayton Act of 1914.
- 9: Law, government, and civil liberties  
The Espionage Act of 1917. The Sedition Act of 1918.  
Miller v. United States (1958). In re Debs (1895). Abrams v. United States (1919).
- 10: The New Deal and the law  
FDR, New Deal legislations, and the Supreme Court.
- 11: The law and racial equality  
Brown v. Board of Education (1954). Reitman v. Mulkey (1967).  
The Civil Rights Movement. The Civil Rights Act of 1964. The Civil Rights Act of 1968.
- 12: The structure of the Supreme Court and its members  
The Warren Court. Judicial activism and judicial self-restraint. Tradition of the Supreme Court.
- 13: Life or choice: the law and the controversy over abortion  
Roe v. Wade (1973). Religion, law, and the issue of women's right. Law and gender equality.
- 14: Power, politics, and law  
United States v. Nixon (1974). Clinton impeachment hearings. The court and the 2000 election.
- 15: Understanding the role of the Constitution in American life: controversies, hopes, and realities  
Major constitutional amendments. Failed attempts to amend the Constitution in history.  
Regents of the University of California v. Bakke (1978). Service v. Chadha (1983).  
Myths, assumptions, and misassumptions about the Constitution.

**6. References.** *[Provide 3 - 5 references on which this course is based and/or support it.]*

Alexander Hamilton, John Jay, and James Madison, *The Federalist* (1787-88; Friedman/Fairfax Publishing, 2002).  
Bernard Bailyn, ed., *The Debate on the Constitution* (Library of America, 1993), 2v.  
William Dudley, ed., *The Creation of the Constitution: Opposing Viewpoints* (Greenhaven Press, 1994).  
Gordon Wood, *The Creation of the American Republic* (1969; University of North Carolina Press, 1998).  
Jack N. Rakove, *Original Meanings: Politics and Ideas in the Making of the Constitution* (Vintage Books, 1997).

**7. List Faculty Qualified to Teach This Course.**  
History Faculty

**8. Frequency.**

a. Projected semesters to be offered: Fall   X   Spring   X   Summer       

**9. New Resources Required.     NONE**

- a. Computer (data processing), audio visual, broadcasting needs, other equipment
- b. Library needs
- c. Facility/space needs

**10. Consultation.**

Attach consultation sheet from all program areas, Library, and others (if necessary)

**11.** If this new course will alter any degree, credential, certificate, or minor in your program, attach a program modification.

Frank Barajas

11-7-02

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Proposer of Course

Date