

William G. Weaver, J.D., Ph.D.
108 Miners Hall
wweaver@utep.edu
915.747.8867
Office Hours: M 10:30-Noon; 1-3||T 9:00-Noon||W 10:30-Noon

POLS 4317 U.S. Constitutional Structure
Cotton Memorial 201
MW 9:00-10:20

Course Requirements

THERE IS NO MAIN TEXT FOR THIS CLASS. ALL COURSE MATERIALS WILL BE AVAILABLE IN BLACKBOARD OR ON LINE FROM VARIOUS WEBSITES.

Grading:

1. 12 page case brief (page count excludes sources, notes, title page and the like; 1.25 inch margins in 12 point Times New Roman font; two carriage returns between headings and one carriage return between paragraphs). You will submit a written case brief concerning a case you select from the readings or class discussion. A detailed outline of the case brief, including sources, is due on March 4, and the completed paper is due on the last day of classes for the semester (Thursday, May 9, 2019).

You must cite all quotes, all ideas that are not your own, paraphrased statements, and matters not part of common knowledge. For example, despite continuing controversy, you need not cite the statement “Elvis Presley is dead.” But you must cite the statement, “There is strong evidence that Elvis is still alive and is living in Vietnam.” Such a statement will require supporting citations to published sources. A good rule of thumb is that you should have one to two distinct sources for each page of text. So, a 12 page paper should have around 15 distinct sources cited.

DO NOT put papers under my door; give them to the office staff on the first floor of Benedict Hall.

The case brief must conform to one of the standard and broadly used citation forms (Chicago Manual of Style, Modern Language Association, American Psychological Association, or the Bluebook). **ALL NOTES MUST APPEAR AS FOOTNOTES.**

No late papers will be accepted. Comprises 30% of your final grade.

2. Midterm Exam (Short and long essay. Comprises 30% of your final grade).

3. Final examination. Essay format – Blue Book. Comprises 25% of your final grade.

4. Participation. I will call on students to explain matters concerning the readings for each class day. I may or may not give you advanced notice. You will also be required to meet with me individually or in small groups to discuss course material. The quality of your responses and discussion in the meetings makes up the final 15% of your grade.

Things to Consider for Class

- # Make sure you have done the reading. This class is small and discussion will be important.
- # Turn off beepers, watches, cell phones, etc.
- # Be on time. If you come in late I will pick on you.
- # Argument and confrontation are OK, but personal insult, cutting people off as they speak, and rudeness will not be tolerated.
- # You may not use cell phones during class and you must turn them off and place them face down if they are not stowed.

Special Situations

Americans with Disabilities Act (ADA)

The University and its employees are required under the ADA to make reasonable accommodation for many types of disabilities. I am thoroughly committed to the ADA and the reasoning that brought it into law. If you believe you have a disability – or if you already have a documented disability – you must: 1) Contact me in a timely manner and explain what sorts of accommodations you need and are entitled to; 2) If you have not already done so, notify and consult with the Center for Accommodations and Support Services as soon as possible (747-5148; Union East, Room 106).

Other Civil Rights Matters

I will maintain a class environment that conforms to all requirements found in the various applicable state and federal civil rights and criminal statutes and in the UTEP Handbook of Operating Procedures. Specifically, we will maintain an environment free from sexual harassment, undue intimidation, discrimination based on protected characteristics, and threats of violence or crime. This does not mean that you cannot hold and express, even vehemently, controversial or unpopular opinions. Indeed, the First Amendment protects us in the unpopular opinions we hold, otherwise it would be a useless gesture. But all members of the class should feel equally safe and able to express their opinions.

Academic Dishonesty

Examinations and Cheating

Unless I indicate otherwise, you may not use any notes or aids during the examination, nor may you discuss the exam during the exam period with other students. You may not copy off another student's exam or otherwise submit writing or answers that are not original to you. **I am required to report to the Dean of Students instances where I reasonably believe a student has cheated on an examination or otherwise engaged in scholastic dishonesty.**

Plagiarism

The Handbook of Operating Procedure for UTEP (Student Conduct and Discipline – Scholastic Dishonesty Section II, Chapter One, paragraph 1.2.2.1) states the following:

“Any student who commits an act of scholastic dishonesty is subject to discipline. Scholastic dishonesty includes but is not limited to cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, any act designed to give unfair advantage to a student or the attempt to commit such acts.”

To provide another definition that may help you understand the nature of plagiarism, I include the Indiana University at Bloomington’s definition of that offense: "Plagiarism is defined as presenting someone else's work, including the work of other students, as one's own. Any ideas or materials taken from another source for either written or oral use must be fully acknowledged, unless the information is common knowledge. What is considered `common knowledge` may differ from course to course.

- a. A student must not adopt or reproduce ideas, opinions, theories, formulas, graphics, or pictures of another person without acknowledgment.
- b. A student must give credit to the originality of others and acknowledge an indebtedness whenever:
 1. Directly quoting another person's actual words, whether oral or written;
 2. Using another person's ideas, opinions, or theories;
 3. Paraphrasing the words, ideas, opinions, or theories of others, whether oral or written;
 4. Borrowing facts, statistics, or illustrative material; or
 5. Offering materials assembled or collected by others in the form of projects or collections without acknowledgment."

Again, I am required to report to the Dean of Students instances where I reasonably believe a student has plagiarized his or her work or otherwise engaged in scholastic dishonesty.

Course Schedule:

If material is available in Blackboard a “(BB)” appears after the material identification.

SPRING 2019

January 23: Course introduction and discussion of syllabus and course requirements.

U.S. Constitution, Preamble:

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

Gregory E. Maggs: *A Concise Guide to the Federalist Papers*:
https://scholarship.law.gwu.edu/cgi/viewcontent.cgi?article=1821&context=faculty_publications

January 28:

Articles of Confederation:

<http://uscode.house.gov/download/annualhistoricalarchives/pdf/OrganicLaws2012/confederation.pdf>

Algernon Sidney: *Discourses Concerning Government* (READ SECTIONS 1-12)

<https://oll.libertyfund.org/titles/sidney-discourses-concerning-government>

Declaration of Independence: <http://www.vindicatingthefounders.com/library/declaration-of-independence.html>

Excised part of Declaration draft concerning blacks:

<http://www.vindicatingthefounders.com/library/jeffersons-draft.html>

The Rights of the Colonist: <http://www.vindicatingthefounders.com/library/rights-of-colonists.html>

NATIVE AMERICAN BATTLE: “Battle of Point Pleasant”

https://en.wikipedia.org/wiki/Battle_of_Point_Pleasant

SONG: Revolutionary War: “Chester”

[https://en.wikipedia.org/wiki/Chester_\(song\)](https://en.wikipedia.org/wiki/Chester_(song))

WWI Antiwar song: <https://www.youtube.com/watch?v=-C2qOAgMC14>

Art: Mythologizing the Revolution: <http://www.reenactmag.com/7-paintings-define-revolutionary-war/>

Commentary: <https://americanindian.si.edu/americans/#stories/the-invention-of-thanksgiving>

January 30:

POEMS:

Phillis Wheatley (First critically acclaimed African-American poet):

NO MORE, AMERICA, IN MOURNFUL STRAIN,
OF WRONGS AND GRIEVANCE UNREDRESSED COMPLAIN;
NO LONGER SHALL THOU DREAD THE IRON CHAIN
WHICH WANTON TYRANNY, WITH LAWLESS HAND,
HAD MADE, AND WITH IT MEANT T’ ENSLAVE THE LAND.

Philip Freneau (Prominent writer during the Revolution):

HAPPY SOME LAND, WHICH ALL FOR FREEDOM GAVE,
HAPPIER THE MEN WHOM THEIR OWN VIRTUES SAVE;
THRICE HAPPY WE WHO LONG ATTACKS HAVE STOOD,
AND SWAM TO LIBERTY THRO’ SEAS OF BLOOD;
THE TIME SHALL COME WHEN STRANGERS RULE NO MORE,

NOR CRUEL MADNESS VEX FROM BRITAIN'S SHORE (1775)

THE VIRGINIA DECLARATION OF RIGHTS:

[HTTP://WWW.VINDICATINGTHEFOUNDERS.COM/LIBRARY/VIRGINIA-DECLARATION-OF-RIGHTS.HTML](http://www.vindicatingthefounders.com/library/virginia-declaration-of-rights.html)

MASSACHUSETTS CONSTITUTION, PREAMBLE:

[HTTP://WWW.VINDICATINGTHEFOUNDERS.COM/LIBRARY/MASSACHUSETTS-CONSTITUTION.HTML](http://www.vindicatingthefounders.com/library/massachusetts-constitution.html)

NORTHWEST ORDINANCE:

[HTTP://WWW.VINDICATINGTHEFOUNDERS.COM/LIBRARY/NORTHWEST-ORDINANCE.HTML](http://www.vindicatingthefounders.com/library/northwest-ordinance.html)

February 4:

Extract from Thomas Jefferson's *Notes on the State of Virginia*:

"The error seems not sufficiently eradicated, that the operations of the mind, as well as the acts of the body, are subjects to the coercion of the laws. But our rulers can have authority over such natural rights only as we have submitted to them. The rights of conscience we never submitted, we could not submit. We are answerable for them to our God. The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbour to say there are twenty gods, or no god. It neither picks my pocket nor breaks my leg."

[Query XVII, "Religion"]"

VIRGINIA STATUTE FOR RELIGIOUS FREEDOM:

[HTTPS://WWW.MONTICELLO.ORG/SITE/RESEARCH-AND-COLLECTIONS/VIRGINIA-STATUTE-RELIGIOUS-FREEDOM](https://www.monticello.org/site/research-and-collections/virginia-statute-religious-freedom)

THE PERSECUTION OF BAPTISTS IN VIRGINIA (BB)

First Amendment to the United States Constitution: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Letters on Women's Rights:

<http://www.vindicatingthefounders.com/library/women-suffrage.html>

Read: John Adams and Abigail Adams
John Adams to James Sullivan

<http://www.vindicatingthefounders.com/library/women-family.html>

Read: Thomas Jefferson
James O. Wilson

February 6 (Article I):

“Section 1

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2

1: The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

2: No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

3: Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4: When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

5: The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.”

PAUL FINKELMAN: “THE THREE-FIFTHS CLAUSE: WHY ITS TAINT PERSISTS”
[HTTPS://WWW.THEROOT.COM/THREE-FIFTHS-CLAUSE-WHY-ITS-TAINT-PERSISTS-1790895387](https://www.theroot.com/three-fifths-clause-why-its-taint-persists-1790895387)

SONGS: AIN'T NO GRAVE CAN HOLD MY BODY DOWN (TWO VERSIONS):
BOZIE STURDIVANT: [HTTPS://WWW.YOUTUBE.COM/WATCH?V=UPPSR2SC5WS](https://www.youtube.com/watch?v=UPPSR2SC5WS)
JOHNNY CASH: [HTTPS://WWW.YOUTUBE.COM/WATCH?V=66QCILBLIU](https://www.youtube.com/watch?v=66QCILBLIU)

MAVIS STAPLES: “EYES ON THE PRIZE”
[HTTPS://WWW.YOUTUBE.COM/WATCH?V=0ZWDDI_FKNS](https://www.youtube.com/watch?v=0ZWDDI_FKNS) (GRAPHIC)

INTERVIEWS WITH FORMER SLAVES:
UNCLE BILLIE MCCREA, JASPER, TEXAS, 1940
[HTTPS://WWW.LOC.GOV/ITEM/ AFC1940003_AFS03975A/](https://www.loc.gov/item/afc1940003_afs03975a/)
ALICE GASTON, GEE'S BEND, ALABAMA, 1941
[HTTPS://WWW.LOC.GOV/ITEM/ AFC1941018_AFS05091B/](https://www.loc.gov/item/afc1941018_afs05091b/)
FOUNTAIN HUGHES, BALTIMORE , MARYLAND, 1949
[HTTPS://WWW.LOC.GOV/ITEM/ AFC1950037_AFS09990A/](https://www.loc.gov/item/afc1950037_afs09990a/)

February 11:

“Section 3

1: The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

2: Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

3: No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

4: The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

5: The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

Aaron Burr (1805 Speech): “[The Senate] is a sanctuary; a citadel of law, of order, and of liberty; and it is here — it is here, in this exalted refuge; here, if anywhere, will resistance be made to the storms of political phrenzy and the silent arts of corruption; and if the Constitution be destined ever to perish by the sacrilegious hands of the demagogue or the usurper, which God avert, its expiring agonies will be witnessed on this floor.”

6: The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

READ: IMPEACHMENT

<https://www.senate.gov/reference/resources/pdf/98-806.pdf>

READ: RICHARD NIXON ARTICLES OF IMPEACHMENT:

<http://watergate.info/impeachment/articles-of-impeachment>

7: Judgment in Cases of impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.”

FEDERALIST 39: REPUBLICAN PRINCIPLES

[HTTPS://WWW.CONGRESS.GOV/RESOURCES/DISPLAY/CONTENT/THE+FEDERALIST+PAPERS#THEFEDERALISTPAPERS-39](https://www.congress.gov/resources/display/content/the+federalist+papers#thefederalistpapers-39)

FEDERALIST 10: SAFEGUARD AGAINST FACTION AND INSURRECTION

[HTTPS://WWW.CONGRESS.GOV/RESOURCES/DISPLAY/CONTENT/THE+FEDERALIST+PAPERS#THEFEDERALISTPAPERS-10](https://www.congress.gov/resources/display/content/the+federalist+papers#thefederalistpapers-10)

SONGS: PAUL ROBESON “GO DOWN MOSES”:

[HTTPS://WWW.GOOGLE.COM/SEARCH?Q=SONGS+OF+THE+CIVIL+WAR&RLZ=1C1S0JL_ENUS761US761&OQ=SONGS+OF+THE+CIVIL+WAR&AQS=CHROME..69I57J0L5.7222J1J4&SOURCEID=CHROME&IE=UTF-8](https://www.google.com/search?q=songs+of+the+civil+war&rlz=1C1S0JL_ENUS761US761&oq=songs+of+the+civil+war&aqs=chrome..69l57j0l5.7222j1j4&sourceid=chrome&ie=utf-8)

PAUL ROBESON “OL’ MAN RIVER”:

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=4XLEZY4TMYG](https://www.youtube.com/watch?v=4XLEZY4TMYG)

WOODY GUTHRIE: “THIS LAND IS YOUR LAND” “THIS MACHINE KILLS FASCISTS”

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=WXIMRVDBQ3S](https://www.youtube.com/watch?v=WXIMRVDBQ3S)

PHOTO GALLERY: THE GREAT DEPRESSION:

[HTTP://WWW.ENGLISH.ILLINOIS.EDU/MAPS/DEPRESSION/PHOTOESSAY.HTM](http://www.english.illinois.edu/maps/depression/photoessay.htm)

DEPRESSION ERA ART:

[HTTP://WWW.ENGLISH.ILLINOIS.EDU/MAPS/DEPRESSION/ARTGALLERY.HTM](http://www.english.illinois.edu/maps/depression/artgallery.htm)

February 13:

“Section 4

1: The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

Polls Tax Commentary (BB)

2: The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section 5

1: Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

2: Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Punishment in the House: <https://history.house.gov/Institution/Origins-Development/Discipline/>

Peruse: Senate Expulsions:

https://www.senate.gov/artandhistory/history/common/briefing/Expulsion_Censure.htm

3: Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Secret Sessions: <https://fas.org/sgp/crs/secrery/R42106.pdf>

4: Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6

1: The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.⁶ They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

2: No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.”

FEDERALIST 14:

[HTTPS://WWW.CONGRESS.GOV/RESOURCES/DISPLAY/CONTENT/THE+FEDERALIST+PAPERS#THEFEDERALISTPAPERS-14](https://www.congress.gov/resources/display/content/the+federalist+papers#thefederalistpapers-14)

FEDERALIST 51: CHECKS AND BALANCES

[HTTPS://WWW.CONGRESS.GOV/RESOURCES/DISPLAY/CONTENT/THE+FEDERALIST+PAPERS#THEFEDERALISTPAPERS-51](https://www.congress.gov/resources/display/content/the+federalist+papers#thefederalistpapers-51)

POEM: Langston Hughes: Let America Be America Again

[HTTPS://WWW.POETS.ORG/POETSORG/POEM/LET-AMERICA-BE-AMERICA-AGAIN](https://www.poets.org/poetsorg/poem/let-america-be-america-again)

SONGS: NINA SIMONE “MISSISSIPPI GODDAM”

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=LJ25-U3JNWM](https://www.youtube.com/watch?v=LJ25-U3JNWM)

SISTER ROSETTA THARPE: “THIS TRAIN”

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=JORHJGT-_QC](https://www.youtube.com/watch?v=JORHJGT-_QC)

RAY CHARLES: “AMERICA THE BEAUTIFUL”

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=TRUJR8EVGBG](https://www.youtube.com/watch?v=TRUJR8EVGBG)

February 18

“Section 7

1: All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

2: Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

3: Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.”

February 20

“Section 8

1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

2: To borrow Money on the credit of the United States;

3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

WOUNDED KNEE IN PHOTOGRAPHS – 1890-1973

[HTTP://KALAMU.COM/NEOGRIOT/2014/01/05/HISTORY-WOUNDED-KNEE-1890-1973-IN-PHOTOS/](http://kalamu.com/neogriot/2014/01/05/history-wounded-knee-1890-1973-in-photos/)

TREATY WITH THE SIOUX (1868):

[HTTPS://WWW.OURDOCUMENTS.GOV/DOC.PHP?FLASH=FALSE&DOC=42&PAGE=TRANSCRIPT](https://www.ourdocuments.gov/doc.php?flash=false&doc=42&page=transcript)

4: To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

February 25

5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

<https://constitution.findlaw.com/article1/annotation37.html>

6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

<http://time.com/3774327/lincoln-history-secret-service/>

7: To establish Post Offices and post Roads;

<https://theweek.com/articles/787585/miracle-united-states-postal-service>

8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

[HTTPS://WWW.USPTO.GOV/SITES/DEFAULT/FILES/ABOUT/OFFICES/OUS/COOPER UNION 20130604.PDF](https://www.uspto.gov/sites/default/files/about/offices/ous/cooper_union_20130604.pdf)

READ: WHAT HAPPENS WHEN THE FEDS DECIDE AN INVENTION IS 'SECRET?'

[HTTP://WWW.NATIONALDEFENSEMAGAZINE.ORG/ARTICLES/2015/12/31/2016JANUARY-WHAT-HAPPENS-WHEN-THE-FEDS-DECIDE-AN-INVENTION-IS-SECRET](http://www.nationaldefensemagazine.org/articles/2015/12/31/2016-January-what-happens-when-the-feds-decide-an-invention-is-secret)

February 27

9: To constitute Tribunals inferior to the Supreme Court;

[HTTPS://WWW.FJC.GOV/HISTORY/LEGISLATION/LANDMARK-LEGISLATION-JUDICIARY-ACT-1789](https://www.fjc.gov/history/legislation/landmark-legislation-judiciary-act-1789)

10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

THE "DEFINE AND PUNISH" CLAUSE AND THE LIMIT OF UNIVERSAL JURISDICTION" (READ ARTICLE PARTS II AND III ONLY)

[HTTPS://SCHOLARLYCOMMONS.LAW.NORTHWESTERN.EDU/CGI/VIEWCONTENT.CGI?ARTICLE=1180&CONTEXT=FACULTYWORKINGPAPERS](https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1180&context=facultyworkingpapers)

March 4

11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

WAR DECLARATIONS:

[HTTPS://WWW.SENATE.GOV/PAGELAYOUT/HISTORY/H_MULTI SECTIONS AND TEASERS/WARDECLARATIONSBYCONGRESS.HTM](https://www.senate.gov/pagelayout/history/h_multi_sections_and_teasers/wardeclarationsbycongress.htm)

"WORLD WARS"

Newsreel WWI (Trench Warfare): <https://www.youtube.com/watch?v=P92guhd7d-8>

Newsreel WWI: <https://www.youtube.com/watch?v=R3bN7QG9fEg>

Trailer: They Shall Not Grow Old:

<https://www.youtube.com/watch?v=PcgceA64aAI>

Newsreel WWII: <https://www.youtube.com/watch?v=gkaGKSTYV4I>

Newsreel WWII Liberation of France: <https://www.youtube.com/watch?v=dJpdxOK97Aw>

SONG: EDITH PIAF: “LE VIE EN ROSE”

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=KFZVIYKZAZA](https://www.youtube.com/watch?v=KFZVIYKZAZA)

12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

FEAR OF STANDING ARMIES: FEDERALIST NO. 41

[HTTPS://WWW.CONGRESS.GOV/RESOURCES/DISPLAY/CONTENT/THE+FEDERALIST+PAPERS#THEFEDERALISTPAPERS-41](https://www.congress.gov/resources/display/content/the+federalist+papers#thefederalistpapers-41)

13: To provide and maintain a Navy;

14: To make Rules for the Government and Regulation of the land and naval Forces;

[HTTPS://WWW.C-SPAN.ORG/CLASSROOM/DOCUMENT/?6846](https://www.c-span.org/classroom/document/?6846)

15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

[HTTPS://WWW.LOC.GOV/LAW/HELP/STATUTES-AT-LARGE/37TH-CONGRESS/SESSION-2/C37S2CH201.PDF](https://www.loc.gov/law/help/statutes-at-large/37th-congress/session-2/c37s2ch201.pdf)

A POEM OF THE CIVIL WAR: “A MESSAGE”

[HTTPS://WWW.CIVILWARHOME.COM/MESSAGE.HTML](https://www.civilwarhome.com/message.html)

16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

[HTTPS://WWW.CONGRESS.GOV/RESOURCES/DISPLAY/CONTENT/THE+FEDE
RALIST+PAPERS#THEFEDERALISTPAPERS-43](https://www.congress.gov/resources/display/content/the+federalist+papers#thefederalistpapers-43)

18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

[HTTPS://WWW.CONGRESS.GOV/RESOURCES/DISPLAY/CONTENT/THE+FEDE
RALIST+PAPERS#THEFEDERALISTPAPERS-44](https://www.congress.gov/resources/display/content/the+federalist+papers#thefederalistpapers-44)

March 6

“Section 9

The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

READ: EX PARTE MERRYMAN (BB)

No Bill of Attainder or ex post facto Law shall be passed.

U.S. v. BROWN: [HTTPS://CASELAW.FINDLAW.COM/US-SUPREME-COURT/381/437.HTML](https://caselaw.findlaw.com/us-supreme-court/381/437.html)

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince or foreign State.

Discussion

March 11 and 13 (Article II):

1: The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows.

YOUNGSTOWN SHEET AND TUBE V. SAWYER:

[HTTPS://SUPREME.JUSTIA.COM/CASES/FEDERAL/US/343/579/](https://supreme.justia.com/cases/federal/us/343/579/)

2: Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector...

4: The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

5: No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

IN CLASS: DRAFTED: ED MONTOMERY'S DRAFT STORY:

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=T5IAC21TWMI](https://www.youtube.com/watch?v=T5IAC21TWMI)

VIETNAM WAR IN PHOTOS:

[HTTPS://WWW.WORLDPRESSPHOTO.ORG/COLLECTION/FEATURES/VIETNAM-WAR-PHOTOS](https://www.worldpressphoto.org/collection/features/vietnam-war-photos)

[HTTP://TIME.COM/3841060/ICONIC-VIETNAM-WAR-PHOTOS/](http://time.com/3841060/iconic-vietnam-war-photos/)

VIDEO: THE DRAFT: THE DRAW: [HTTPS://WWW.YOUTUBE.COM/WATCH?V=-P5X1FJYD_G](https://www.youtube.com/watch?v=-P5X1FJYD_G)

SONGS: ARLO GUTHRIE: "ALICE'S RESTAURANT"

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=LVVMMW_WXWSA](https://www.youtube.com/watch?v=LVVMMW_WXWSA)

CROSBY, STILLS AND NASH: "OHIO"

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=MN_9VOFVQ9C&START_RADIO=1&LIST=RDMN_9VOFVQ9C&T=91](https://www.youtube.com/watch?v=MN_9VOFVQ9C&START_RADIO=1&LIST=RDMN_9VOFVQ9C&T=91)

EDWIN STARR: "WAR"

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=DOHUAJTZOF0](https://www.youtube.com/watch?v=DOHUAJTZOF0)

BUFFALO SPRINGFIELD: "FOR WHAT IT'S WORTH"

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=T9GZ4KLS24M](https://www.youtube.com/watch?v=T9GZ4KLS24M)

COUNTRY JOE AND THE FISH: "I-FEEL-LIKE-I'M-FIXIN'-TO-DIE RAG" (SOME PROFANITY) [HTTPS://WWW.YOUTUBE.COM/WATCH?V=8OPUJHY0DZ4](https://www.youtube.com/watch?v=8OPUJHY0DZ4)

SENATOR EVERETT M. DIRKSEN: "GALLANT MEN"

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=FATIVJFEQ2K](https://www.youtube.com/watch?v=FATIVJFEQ2K)

SPRING BREAK: MARCH 18-22

March 25 (Article II Continued)

The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

GULF OF TONKIN RESOLUTION (BB)

JEREMIAH PURDIE (BB)

THE TRUTH ABOUT TONKIN

[HTTPS://WWW.USNI.ORG/MAGAZINES/NAVALHISTORY/2008-02/TRUTH-ABOUT-TONKIN](https://www.usni.org/magazines/NAVALHISTORY/2008-02/TRUTH-ABOUT-TONKIN)

POEM: GIL SCOTT-HERON: THE REVOLUTION WILL NOT BE TELEVISED

[HTTPS://WWW.YOUTUBE.COM/WATCH?V=OGAOXAWL9KW](https://www.youtube.com/watch?v=OGAOXAWL9KW)

YOU WILL NOT BE ABLE TO STAY HOME, BROTHER
YOU WILL NOT BE ABLE TO PLUG IN, TURN ON AND DROP OUT
YOU WILL NOT BE ABLE TO LOSE YOURSELF ON SKAG AND SKIP
SKIP OUT FOR BEER DURING COMMERCIALS
BECAUSE THE REVOLUTION WILL NOT BE TELEVISED

THE REVOLUTION WILL NOT BE TELEVISED

THE REVOLUTION WILL NOT BE BROUGHT TO YOU BY XEROX
IN 4 PARTS WITHOUT COMMERCIAL INTERRUPTION
THE REVOLUTION WILL NOT SHOW YOU PICTURES OF NIXON
BLOWING A BUGLE AND LEADING A CHARGE BY JOHN MITCHELL
GENERAL ABRAMS AND SPIRO AGNEW TO EAT
HOG MAWS CONFISCATED FROM A HARLEM SANCTUARY

THE REVOLUTION WILL NOT BE TELEVISED

THE REVOLUTION WILL NOT BE BROUGHT TO YOU BY THE SCHAEFER AWARD THEATRE AND
WILL NOT STAR NATALIE WOOD AND STEVE MCQUEEN OR BULLWINKLE AND JULIA
THE REVOLUTION WILL NOT GIVE YOUR MOUTH SEX APPEAL
THE REVOLUTION WILL NOT GET RID OF THE NUBS
THE REVOLUTION WILL NOT MAKE YOU LOOK FIVE POUNDS
THINNER, BECAUSE THE REVOLUTION WILL NOT BE TELEVISED, BROTHER

THERE WILL BE NO PICTURES OF YOU AND WILLIE MAE
PUSHING THAT CART DOWN THE BLOCK ON THE DEAD RUN
OR TRYING TO SLIDE THAT COLOR TELEVISION INTO A STOLEN AMBULANCE
NBC WILL NOT PREDICT THE WINNER AT 8:32 OR THE COUNT FROM 29 DISTRICTS

THE REVOLUTION WILL NOT BE TELEVISED

THERE WILL BE NO PICTURES OF PIGS SHOOTING DOWN
BROTHERS IN THE INSTANT REPLAY
THERE WILL BE NO PICTURES OF PIGS SHOOTING DOWN
BROTHERS IN THE INSTANT REPLAY
THERE WILL BE NO PICTURES OF WHITNEY YOUNG BEING
RUN OUT OF HARLEM ON A RAIL WITH A BRAND NEW PROCESS
THERE WILL BE NO SLOW MOTION OR STILL LIFE OF
ROY WILKENS STROLLING THROUGH WATTS IN A RED, BLACK AND
GREEN LIBERATION JUMPSUIT THAT HE HAD BEEN SAVING
FOR JUST THE RIGHT OCCASION
GREEN ACRES, THE BEVERLY HILLBILLIES, AND
HOOTERVILLE JUNCTION WILL NO LONGER BE SO DAMNED RELEVANT
AND WOMEN WILL NOT CARE IF DICK FINALLY GETS DOWN WITH
JANE ON SEARCH FOR TOMORROW BECAUSE BLACK PEOPLE
WILL BE IN THE STREET LOOKING FOR A BRIGHTER DAY

THE REVOLUTION WILL NOT BE TELEVISED

THERE WILL BE NO HIGHLIGHTS ON THE ELEVEN O'CLOCK NEWS
AND NO PICTURES OF HAIRY ARMED WOMEN LIBERATIONISTS AND
JACKIE ONASSIS BLOWING HER NOSE
THE THEME SONG WILL NOT BE WRITTEN BY JIM WEBB, FRANCIS SCOTT KEY
NOR SUNG BY GLEN CAMPBELL, TOM JONES, JOHNNY CASH
ENGLEBERT HUMPERDINK, OR THE RARE EARTH

THE REVOLUTION WILL NOT BE TELEVISED

THE REVOLUTION WILL NOT BE RIGHT BACK AFTER A MESSAGE
ABOUT A WHITE TORNADO, WHITE LIGHTNING, OR WHITE PEOPLE
YOU WILL NOT HAVE TO WORRY ABOUT A GERM ON YOUR BEDROOM
A TIGER IN YOUR TANK, OR THE GIANT IN YOUR TOILET BOWL
THE REVOLUTION WILL NOT GO BETTER WITH COKE
THE REVOLUTION WILL NOT FIGHT THE GERMS THAT CAUSE BAD BREATH

THE REVOLUTION WILL PUT YOU IN THE DRIVER'S SEAT
THE REVOLUTION WILL NOT BE TELEVISED

WILL NOT BE TELEVISED, WILL NOT BE TELEVISED

THE REVOLUTION WILL BE NO RE-RUN BROTHERS
THE REVOLUTION WILL BE LIVE

March 27 (Article II Continued)

PRESIDENT GEORGE W. BUSH ADDRESSES THE NATION (SEPTEMBER 11, 2001)

<https://www.911memorial.org/sites/default/files/Statement%20by%20President%20Bush%20in%20His%20Address%20to%20the%20Nation.pdf>

MILITARY ORDER OF NOVEMBER 13, 2001

<https://www.911memorial.org/sites/default/files/Detention,%20Treatment,%20and%20Trial%20of%20Certain%20Non-Citizens%20in%20the%20War%20Against%20Terrorism.pdf>

SPEECH OF FRANKLIN D. ROOSEVELT, DECEMBER 8, 1941

HTTPS://WWW.LOC.GOV/RESOURCE/AFC1986022.AFC1986022_MS2201/?ST=TEXT&R=0.029,-0.019,0.926,0.68,0

April 1 REVIEW

April 4 Midterm Examination

April 8 (Article III)

Section 1 The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section 2

1: The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States, —between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

2: In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases

before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

3: The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

FEDERALIST 78, 79, 80

April 10

Law and Equity

FEDERALIST 81, 82, 83

May 8: LAST DAY OF CLASS

April 15

Section 3

Section 3

1: Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

2: The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Punishment Without Crime: <https://www.npr.org/2019/01/02/681606995/punishment-without-crime-argues-that-americas-misdemeanor-system-targets-the-poo>

Letters on Women's Rights:

<http://www.vindicatingthefounders.com/library/women-suffrage.html>

Read: John Adams and Abigail Adams
John Adams to James Sullivan

<http://www.vindicatingthefounders.com/library/women-family.html>

Read: Thomas Jefferson
James O. Wilson

Federalist 84: No need for a Bill of Rights