

Constitutional Law II
Professor Radhika Rao
Course Description for Spring 2012

I. Assignments

All page numbers listed on the syllabus refer to the textbook for the course: Stone, Seidman, Sunstein, Tushnet, and Karlan, Constitutional Law (6th ed. Aspen 2009). You should expect to read 30-40 pages per two-hour class. Occasionally, additional materials will be posted on the class website to supplement the reading assignment.

II. Office Hours

Office hours are Tuesdays from 3:30 to 4:30 p.m. and by appointment. In addition, I am generally available on Thursday afternoons. My office is Room 340, 200 McAllister, and you can also reach me by e-mail at raor@uchastings.edu.

III. Participation

The course will consist primarily of a “Socratic” dialogue among students and the professor. Each student should anticipate being called upon at some point during the semester, and thus should be prepared to discuss and analyze in detail the material assigned each day. I reserve the right to count class participation as part of your final grade, and punctual class attendance is required. If you are unable to attend class or participate on a particular day, please inform me prior to class on that day.

IV. Evaluation

Your final grade will be based primarily on the final examination, which will be an in-class, open-book examination. More detailed information concerning the final examination will be given to you towards the end of the semester.

V. Expected Learning Outcomes

1. Students should have a good substantive knowledge of the basic structure of constitutional doctrine in the areas of substantive due process, equal protection, and speech. Specifically, they should be able to articulate the three tiers of constitutional review, the various methodologies for determining which rights are fundamental under the Due Process Clause, the tests for determining which classifications merit heightened scrutiny under the Equal Protection Clause, the distinction between content-based and content-neutral regulations of speech and the different tests applicable to various categories of speech.
2. Students should also perceive the ambiguities and tensions in the interpretation of these constitutional doctrines as they are exemplified in the major cases.
3. In addition, students should have a basic understanding of the various theories underlying the doctrine and they should be able to critique these theories.
4. Students should also be able to apply their knowledge of the doctrine, to exploit the ambiguities in the cases, and to use the underlying theories to construct powerful constitutional arguments.
5. In addition, students must be able to apply all of this knowledge to cutting-edge, real-world problems.