I. Introduction

A. Course Goals
B. Five Building Blocks of the Constitution

II. Separation of Powers

A. Protection against Tyranny
B. Textual Separation
   1. Article I – Legislative Branch
   2. Article II – Executive Branch
   3. Article III – Judicial Branch
C. “Herein Granted” = enumerated powers
D. Examples
   1. Bills of Attainder
   2. Ineligibility Clause
   3. Incompatibility Clause
E. Costs and Benefits

III. Federalism

A. Compromise at the Constitutional Convention
B. National Government’s Enumerated Powers
   1. National Security Bundle (Letters of marque and reprisal)
   2. Trade and Commerce Bundle
   3. Miscellaneous Bundle
   4. Amplifying Bundle
   5. Necessary and Proper Clause
C. Other Sources of Congressional Power
   1. Article IV
   2. Amendments
D. State Powers
   1. What States Cannot do: (Article I, Section 10)
   2. Tenth Amendment
E. Power We Retain: Power to Change our Government
F. Ongoing Friction
G. Example: 18th and 21st Amendments
IV. Checks and Balances

A. More Protection from Tyranny
B. Foreign Emoluments Clause
   1. Obama Peace Prize Example
   2. Trump Hotels cases
C. Domestic Emoluments Clause (Reagan Pension)
D. Impeachment: Grounds
   1. “other high crimes and misdemeanors”
   2. serious misconduct, but not necessarily a crime
E. Impeachment: Process
   1. A political process
   2. But, with legal boundaries
F. Who Presides at the VP’s impeachment?

V. The Bill of Rights

A. The curious “double jeopardy” clause
B. Rights (not) granted by the Bill of Rights
C. Evolution of the BOR
   1. Not adopted at the Constitutional Convention
   2. Pressure during ratification debates
   3. James Madison comes through
D. Put them at the End?
E. First two amendments fail
   1. The curious 27th amendment
   2. All other amendments get promoted
F. More Protection against Tyranny
G. 14th Amendment applies BOR to the States
H. Rights protected by the Constitution Itself
   1. Habeas Corpus
   2. Who can suspend this right?
I. The Treason Clause – a mini Bill of Rights
   1. “Corruption of Blood”
J. The 9th Amendment: Connection to the Declaration of Independence

VI. Popular Sovereignty

A. “We the People”
B. Difference Between a Republic and a Democracy
C. No Monarchies Here!
   1. Title of Nobility Clauses
2. Amending the Constitution
3. The President: Limited in Title and Term

D. No Democracy Here Either
   1. The Senate
   2. The Electoral College

E. Democratic Aspects
   1. Broad Voting Rights
   2. Minimal Qualification Requirements for Office

F. The Arc of Democracy

G. Article IV, Section 4
   1. Guarantee of a Republican Form of Government
   2. Connection to Voting Rights

VII. READ YOUR CONSTITUTION!!

RECOMMENDED READING

Amar, Akhil Reed, *American's Constitution, A Biography*

Amar, Akhil Reed, *America’s Unwritten Constitution*

Epps, Garrett, *American Epic, Reading the U. S. Constitution*

Hennessey, Jonathan, *The United States Constitution, A Graphic Representation*

Levinson, Sanford, *Our Undemocratic Constitution*


Sabato, Larry J., *A More Perfect Constitution*

Wexler, Jay, *The Odd Clauses*