SYLLABUS
THE RECONSTRUCTION AMENDMENTS
Professor Gilbert Paul Carrasco
WILLAMETTE UNIVERSITY COLLEGE OF LAW
Intersession 2021 (1 Letter-Graded Credit)

Monday – Friday, 9:30 a.m. – 12:30 p.m.            Skype: gilbertpaulcarrasco
Office Hours: By Appointment                            E-mail: carrasco@willamette.edu


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<th>CLASS</th>
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<td>1 – May 10</td>
<td>Pre- Reconstruction (1789 – 1865); Reconstruction and the Gilded Age (1865 – 1896)</td>
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<td>2 – May 11</td>
<td>The Rise of Congressional Power to “Enforce” the Reconstruction Amendments; the Fifteenth Amendment; the Privileges or Immunities Clause Revisited</td>
<td>215 – 236; 665 – 695; 150 – 160; 549 – 664</td>
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<td>3 – May 12</td>
<td>Expanding the Concept of State Action; the Rise of the Discriminatory Purpose Requirement</td>
<td>161 – 179; 183 – 191; 389 – 440</td>
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<td>4 – May 13</td>
<td>Other Classifications and the Equal Protection Clause; The “Reverse Discrimination” Cases</td>
<td>357 – 371; 503 – 559</td>
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<td>5 – May 14</td>
<td>Refining “Fundamental Rights” Under the Equal Protection and Due Process Clauses; Same-Sex Marriage; the Abortion Rights Cases Revisited</td>
<td>441 - 467; 602 - 649</td>
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N.B. Class participation is a component of evaluation.
This seminar will explore the history, meaning, and interpretation of selected aspects of the Thirteenth, Fourteenth, and Fifteenth Amendments to the U.S. Constitution, which are known as the Reconstruction Amendments. The seminar will explore the historical periods of Pre-Reconstruction (1789 – 1865) and Reconstruction and the Gilded Age (1865 – 1896), the rise and refining of Congressional Power to “Enforce” the Reconstruction Amendments, the concept of State Action, the Discriminatory Purpose Requirement, Citizenship and Wealth Classifications, the Privileges or Immunities Clause, refining “Fundamental Rights” under the Equal Protection and Due Process Clauses, Same-Sex Marriage, the Abortion Cases, and the “Reverse Discrimination” Cases. A ten-page research paper will be due on May 21, 2021, one week following the end of the course.

REQUIRED BY THE AMERICAN BAR ASSOCIATION

Learning Outcomes: This course will provide the foundations and interpretation of the Reconstruction Amendments. It will cover the sources of federal civil rights statutes and developments in civil rights and constitutional law. Students will undertake legal research and writing that will culminate in a written product of at least ten pages. This final written product should reflect legal analysis, reasoning, synthesis, and problem-solving. Your work should be thoroughly proofread before submission and should comport with either The Bluebook: A Uniform System of Citation or The ALWD Citation Manual: A Professional System of Citation. The course also involves the development of other professional skills, such as counseling, interviewing, trial strategy, and cultural competency. Lawyers’ professional responsibilities as an officer of the court and public citizen responsible for the quality of, and access to, justice will also be addressed.

Coursework Credit: Pursuant to Standard 310 of the American Bar Association and in compliance with the implementing standards of Willamette University College of Law, this course requires at least forty-five combined hours of work in and outside the classroom. In-classroom time totals fifteen hours. Class preparation, including preparation for the oral advocacy presentation, equals approximately nineteen hours. Preparation of a research paper equals approximately twelve hours.

Class Attendance: This class meets for only one week. Because we will be covering a substantial amount of material each class, your attendance is important. Attendance will be taken and reported to OSA for each class.
**Class Presence and Participation:**

1) **Students should be prepared randomly and routinely to be called upon in class, via Zoom.** Repeated failure to participate or to have done the reading will result in a bump down in your grade. On the other hand, substantial contribution to class discussion during the course will result in a bump up in your grade.

2) **Class attendance will require both video and audio participation.** Failure to turn on the video aspect of Zoom will mean that the student is marked absent for the class. You should feel free to use a virtual background. Please come to class in attire that is appropriate for being in a classroom setting. Classes will not be recorded unless a student advises me in advance that s/he cannot attend for a good reason and requests that I record the class. In that event, I shall inform the other students in the class that that session will be recorded. Students are also not permitted to record without the advance permission of the professor.

*Willamette Law is committed to making sure that everyone is able to participate fully in our courses. If you have particular needs for access to this course, please contact Assistant Dean Mac Alpine or Sue Minder, Director of Accessible Education Services, at sminder@willamette.edu or 503-370-6737.*