



COURSE SYLLABUS

1. Information about the programme

1.1 Higher Education Institution	Babeş-Bolyai University
1.2 Faculty	European Studies Faculty
1.3 Department	International Relations and German Studies
1.4 Field of study	American Studies
1.5 Study level	BA
1.6 Programme of study/ Qualification	American Studies

2. Information about the discipline

2.1 Module	American Constitution						
2.2 Course holder	Lecturer Gabriel Gherasim PhD						
2.3 Seminar holder	Lecturer Gabriel Gherasim PhD						
2.4 Year of study	3	2.5 Semester	2	2.6. Type of assessment ¹	E.	2.7 Type of module ²	OB

3. Total estimated time (teaching hours per semester)

3.1 No. of hours per week	4	3.1 of which for course	2	3.3 of which for seminar	2
3.4 Total no. of hours in the curriculum	48	3.5 of which for course	24	3.6 of which for seminar	24
Time distribution: 11 conventional hours					11
Study by using handbook, reader, bibliography and course notes					3
Additional library/specialised online research, field research					3
Preparation of seminars/laboratories, homework, projects, portfolios and essays					2
Tutoring					1
Examinations					1.50
Other activities:					0.50
3.7 Total no. of hours for individual study	3				
3.8 Total no. of hours per semester	154				
3.9 No. of ETCS credit points	6				

4. Prerequisites (where applicable)

4.1 of curriculum	• none
4.2 of competencies	• none

¹ E - exam, ME - multi-term examinations, C - collocutional examination/assessment test

² OB - core module, OP - elective module, F - extracurricular module

5. Conditions (where applicable)

5.1 For the development of the course	<ul style="list-style-type: none"> • none
5.2 For the development of the seminar/laboratory	<ul style="list-style-type: none"> • none

6. Specific skills acquired

Professional skills	<ul style="list-style-type: none"> • Oral, written and electronic communication of specialized information, in the language in which the major is taught (English)
Interdisciplinary skills	<ul style="list-style-type: none"> • Applying team building techniques; developing interpersonal communication skills and taking on specific roles during team work • Searching for, identifying and using efficient learning methods and techniques; awareness of the extrinsic and intrinsic motivations for continuous learning

7. Course objectives (based on list of acquired skills)

7.1 General objective	<ul style="list-style-type: none"> • Oral, written and electronic communication in English of specialized information regarding the role and impact of the American constitutional arrangements upon politics and society in the United States of America.
7.2 Specific objectives	<ul style="list-style-type: none"> • Applying team building methods so that set groups of students can communicate and argue on some crucial decisions adopted by the United States Supreme Court along the historical evolution of the federal republic. • Identifying and using efficient learning methods and techniques to discover the guiding mechanisms and procedures characterising the system of federal courts in the United States; awareness of the fact that understanding these mechanisms could lead to knowledge about the law and legal procedures and decisions in America.

8. Contents

8.1 Lecture	Teaching methods	Observations
1. The Background of the Constitution	Interactive lecture	
2. The Preamble and Article I: The Legislative Branch	Interactive lecture	
3. Article II: The Executive Branch	Interactive lecture	
4. Article III: The Judicial Branch	Interactive lecture	
5. Article IV: The Federal System	Interactive lecture	
6. Articles V-VII: The Amending Provision and Miscellaneous Matters	Interactive lecture	
7. The Bill of Rights - The First Three Amendments	Interactive lecture	

8. The Bill of Rights and the Rights of the Accused - Amendments 4-7	Interactive lecture	
9. The Bill of Rights and Contemporaneous Amendments - Amendments 8-12	Interactive lecture	
10. The Post-Civil War Amendments - Amendments 13-15	Interactive lecture	
11. The Progressive Era Amendments - Amendments 16-19	Interactive lecture	
12. The Recent Amendments - Amendments 20-27	Interactive lecture	

Bibliography:

- **Breyer, Stephen**, *Active Liberty: Interpreting Our Democratic Constitution*, The Tanner Lectures on Human Values, Harvard University, 2004.
- **Feldman, Stephen M.**, *American Legal Thought from Premodernism to Postmodernism*, New York: Oxford University Press, 2000.
- **Freeman, Samuel**, *Original Meaning, Democratic Interpretation, and the Constitution*, in *Philosophy and Public Affairs*, Vol. 21, No. 1 (Winter, 1992), 3-42.
- **McGoldrick, James M.**, *Limits on States: A Reference Guide to the United States Constitution*, Westport, Connecticut: Praeger, 2005.
- **North, Gary**, *Conspiracy in Philadelphia: Origins of the United States Constitution*, Harrisonburg, Virginia: Dominion Educational Ministries, Inc., 2004.
- **Pangle, Thomas**, *The Great Debate: Advocates and Opponents of the American Constitution*, The Teaching Company, 2007.
- **Paul, Ron**, *Freedom under Siege: The U.S. Constitution after 200 Years*, Lake Jackson, Texas: Foundation for Rational Economics and Education, Inc., 1987.
- **CONGRESSIONAL RESEARCH SERVICE, LIBRARY OF CONGRESS**, *The Constitution of the United States of America: Analysis and Interpretation*, Washington: U.S. Government Printing Office, 2004.

8.2 Seminar / Laboratory	Teaching methods	Observations
1. Introduction to Constitution and the legal system in America	Preliminary discussion	Open questions
2. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Marbury v. Madison (1803) - Gibbons v. Ogden (1824)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
3. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Barron v. Baltimore (1833) - Charles River Bridge Co. v. Warren River Bridge Co. (1837)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
4. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Santa Clara County v. Southern Pacific Railroad Co. (1886) - Pollock v. Farmers' Loan & Trust Co. (1895)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
5. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Plessy v. Ferguson (1896) - Hammer v. Dagenhart (1918)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
6. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Schenck v. United States (1919) - Gitlow v. New York (1925)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
7. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Brown v. Board of Education (1954) - Engel v. Vitale (1962)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate

8. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Baker v. Carr (1962) - Griswold v. Connecticut (1965)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
9. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Furman v. Georgia (1972) - Roe v. Wade (1973)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
10. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Regents of the University of California v. Bakke (1978) - Immigration and Naturalization Service v. Chadha (1983)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
11. Interpreting the Constitution: salient cases in the Supreme Court Tradition - U.S. v. Johnson (1989) - Elk Grove Unified School District v. Newdow (2004)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
12. Interpreting the Constitution: salient cases in the Supreme Court Tradition - Gonzales v. Raich (2005) - Obergefell et al. v. Hodges, Director, Ohio Department of Health, et al. (2015)	Interpreting the crucial case decisions of the United States Supreme Court	Case study and debate
Bibliography: CONGRESSIONAL RESEARCH SERVICE, LIBRARY OF CONGRESS, <i>The Constitution of the United States of America: Analysis and Interpretation</i>, Washington: U.S. Government Printing Office, 2004.		

9. The correspondence between the content of the course and the expectations of the academic community, professional associations and representative employers in the field:

The organization of legal systems in general, the legal procedures and the decision-making processes of the court system are integrative parts of minimal knowledge in the legal field; accordingly, the information about basic notions and activities in the field might contribute to understanding legal culture not only in the United States, but also in the modern world.

10. Assessment

Type of activity	10.1 Assessment criteria	10.2 Assessment methods	10.3 Percentage of the final grade
10.4 Course	Based on knowledge acquired about the American Constitution and its interpretation in various cases, students will have to provide a solid interpretive account of one of the major cases decided by the US Supreme Court.	Research paper	67%
10.5 Seminar	Based on the bibliography and the official website of the US Supreme Court, students will have to present, interpret, and argue about one of the salient cases in the US Supreme Court tradition.	Assessment scale of the students' answers to open questions	33%

10.6 Minimum standard:

The minimum grade of 5 results from adding the grade for the research paper to the seminar grade, according to the percentages specified above.

Date

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Course holder signature

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Seminar holder signature

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Date of departmental approval

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Head of department signature

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