

Today's Supreme Court
Tuesday, September 21 – November 16, 2021
1:45 to 3:15

Syllabus

Class texts: Jeffery Toobin, *The Oath: the Obama White House and the Supreme Court*
Linda Greenhouse, *The US Supreme Court: A Very Short Introduction (2nd edition)*

Reading Assignments

Class Topics

Class # 1
September 21 **Class Overview and Court History**
Toobin: Introduction and Chapters 1 & 2
Greenhouse: Chapter 1 - Origins

Class Purpose & Process
History of the Supreme Court
Roberts & Obama

Class # 2
September 28 **Supreme Court in Operation**
Toobin: Chapter 3, 4, & 5
Greenhouse: Chapter 2 – The Court at Work (1)

Supreme Court Procedures
Competing Legal Philosophies
Ledbetter, McDonnell (2016)
Ginsburg

Class # 3
October 5 **Facing the Executive & Legislature**
Greenhouse: Chapter 3 – The Justices
Greenhouse: Chapter 5 - The Court at Work (2)
Greenhouse: Chapter 6 - The Court & Other Branches

Separation of Powers
Guantanamo Cases (*Hamdan*),
Noel Canning (2014), *US v Texas* (2016),
Trump cases (2018 & 21)
Kennedy

Class # 4
October 12 **Race**
Toobin: Chapter 6
Greenhouse: Chapter 4 - The Chief Justices

Affirmative Action & Voting Rights
Parents Involved, Schuette (2014),
Fisher (2016); *Shelby County* (2013)
Breyer

Class # 5
October 19 **Climate Change & Guns**
Toobin: Chapters 7, 8, & 9

Massachusetts v EPA, UARG (2014),
Heller, McDonald & ongoing gun cases
Scalia

Class # 6
October 26 **Money and Elections**
Toobin: Chapters 11, 12, 13, & 14

Election Law, Judicial Impact
Citizens United, McCutchen (2013)
Rucho (2019)

Class # 7
November 2 **The Supreme Court Changes**
Toobin: Chapter 10, 15, 16, 17 & 20

O'Connor, Souter, Stevens,
Alito, Sotomayor, Kagan,
Gorsuch, Kavanaugh & Barrett

Class # 8
November 9 **Health Care & the Commerce Clause**
Toobin: Chapters 18, 19, 21, 22, & 23

Commerce Clause
Affordable Care Act, Hobby Lobby &
Wheaton College (2014), *King v Burwell*
(2015), *Texas v US* (2019), *CA v TX* (2020)

Class # 9
November 16 **Judicial Activism and the Public Good**
Toobin: Epilogue
Greenhouse: Chapter 7 - The Court and the Public
Greenhouse: Chapter 8 - The Court and the World

Public Opinion & Public Concerns
A Polarized Court?
Present & Future Battlegrounds
Thomas

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