

**DePAUL UNIVERSITY  
SCHOOL FOR NEW LEARNING**

**HC 254 THE CONSTITUTION: THAT DELICATE BALANCE**

**Fall Quarter, 2008**

**Faculty:** Jack Moran  
(Work) 847-470-7220  
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**Hours:** Tuesday,  
6:00 P.M. – 9:00 P.M.

**Location:** Loop Campus  
9/16 to 11/25

**Credit Hours:** 4

**Competences Offered:**

To successfully complete this course, a student will negotiate to achieve two of the following three competences.

- H-1-D: Can explain a system of law that governs a society.
- H-1-F: Can describe and explain the roles of individuals, groups, societies or states in history.
- H-2-F: Can explain the development, roles, and maintenance of social institutions.

Also available: FX, H-1-X, and H-2-X as negotiated and written by student/faculty

**Course Description:**

This course examines the U.S. Constitution as the institutional frame work of our government. The primary focus is on the separation of powers and checks and balances provided to prevent one branch of government from dominating our government. The constitutional tensions created by this system of government are illustrated by the Watergate and Iran-Contra scandals, the Clinton Impeachment, and by a study of the war-making powers of the Executive and Legislative branches.

**Faculty Biographical Sketch:**

Jack Moran is a Judge of the Circuit Court of Cook County assigned as a Supervising Judge of the criminal felony trial division. This is one of four courses he has taught at SNL. He has been a member of the SNL faculty for over 20 years. Judge Moran was the 1987 Recipient of the SNL Excellence in Teaching Award.

**Expected Outcomes:**

The goals of the course are:

- to study the Constitution as an institutional framework for a democratic government
- to demonstrate the Constitution's central position in the daily concerns of all citizens, not only public officials, and lawyers
- to introduce students to landmark cases and doctrines in American constitutional law
- to show that the legal process is a complicated one which continues outside legislative chambers and courtrooms
- to encourage students to take informed positions on some of the fundamental, contemporary, political, legal, and ethical problems of our time and to develop arguments in support of their positions
- to prepare students for more advanced courses in political science, law, public policy, American history, philosophy, and communications

Learning Strategies:

1. Required reading
2. Lectures
3. Viewing video tapes
4. Group discussions
5. Independent research

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Judge John J. Moran  
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**Learning Tools:**

Required Reading: The Supreme's Greatest Hits, M.G. Trachtman,  
Sterling Publishing, 2006

An Affair of State, Richard A. Posner,  
Harvard University Press, 1999

In Retrospect, Robert S. McNamara,  
Random House, 1995

Presidential War Power, Louis Fisher,  
University Press of Kansas, 1995

Recommended: The Reagan Wars, David L. Hall,  
Westview Publishes, 1991

Making War, John Lehman,  
C. Scribners & Sons, 1992

Overthrow, Stephen Kinzer,  
Holt & Co., 2006

The Case for Impeachment, Dave Lindorff,  
St. Martin's Press, 2006

Selected articles and cases

Grades are assigned based on the following percentages:

A	90-100%
B	80-90%
C	70-80%
D	60-70%
F	less than 60%

Assessments and feedback will embody the qualities of clarity, integrity, flexibility, and empathy.

### **Evaluation Technique**

Learners will be evaluated on the following:

- Examinations, midterm and final essay exams
- Oral presentation

Exam questions and oral presentation topics will be linked to the competences the student is registered for.

**Attendance:** Attendance is mandatory. Absenteeism may result in a lowering of the final grade. Also, all students are expected to be punctual.

**Class participation:** Meaningful class participation is encouraged but will not be considered as part of the grading process.

### **Assessment**

The final grade will be based on the following:

Midterm Exam	50%
Final Exam	50%

**THE CONSTITUTION**  
**TOPICS and ASSIGNMENTS**  
**2008**

<b><u>DATE</u></b>	<b><u>TOPIC</u></b>	<b><u>ASSIGNMENT</u></b>
9/16	Introduction	
9/23	Historical Overview Electoral College	Read the Constitution Fisher, Appendices A&B
9/30	Watergate Senate Hearings	Independent Research
10/7	Watergate House Hearings	Independent Research
10/14	U.S. v. Nixon	Read <u>U.S. v. Nixon</u>
10/21	Clinton Impeachment	Read <u>Affair of State</u> (omit Ch. 2, 6, 7 & 8)
10/28	War Powers	Read <u>Presidential War Powers</u> (except Ch. 2 & 3)
11/4	War Powers	Read <u>In Retrospect</u> (except Ch. 1)
11/11	War Powers	Independent Research
11/18	Our “Secret” government	Independent Research
11/25	<b>FINAL EXAM</b>	

