CONSTITUTIONAL LAW I
(Assoc. Dean Williams)

READING ASSIGNMENT FOR FIRST DAY OF CLASS
TUESDAY, JANUARY 12th

For the first day of class, read and be ready to discuss the cases and note materials on pages 1-20 in the casebook (Choper, Fallon, Kamisar, Shiffrin, Dorf & Schauer, Constitutional Law: Cases, Comments, Questions (12th ed. 2015)). Read Marbury v. Madison with particular care, and also please read Federalist No. 78 (from any edition of the Federalist Papers).

Questions to Consider: What questions does Marshall answer before turning to the question of judicial review? How does he justify his interpretation of the Supreme Court’s original jurisdiction? When he does turn to the issue of judicial review, how does Marshall justify the power? How does Marshall’s argument for judicial review compare to Hamilton’s? For either Marshall or Hamilton, do the other branches retain any interpretive authority regarding the Constitution? To what extent?