

## **R312: The U.S. Constitution**

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### **Course Syllabus**

#### **Introduction.**

Philosophers have often debated the conditions necessary for a society to unite together to meet challenges and solve problems in a non-violent way. What is often referred to as “social cohesion” is more commonly found in societies where there is homogeneity in the ethnic, religious, racial, and linguistic dimensions of the population. How then, can we hope to endure in perhaps the most diverse nation on earth? Many attribute our solidarity to the Constitution of the United States, which has provided a set of values and processes for working together to ensure “equality”, “justice”, “opportunity”, etc. it is important, therefore, that we citizens have a basic understanding of that document. After all, we make a commitment to obey it when we take an oath of office, become a citizen, or implicitly, when we pledge allegiance to the flag.

The Constitution is subject to a wide variety of interpretations; rarely do the nine members of the Supreme Court agree on its meaning, so why should we expect ordinary citizens to agree? Moreover, disagreements are often emotionally based, making it difficult to engage in dispassionate dialogue. The principal purpose of this seminar is to gain a better understanding of this important document and better appreciate how it is the glue that holds the society together as a nation.

My role in the seminar is not as a “professor” who has the only expertise in the group; rather, it is as a facilitator who keeps focus on the goals of the seminar. While I studied the Constitution in law school and as a political science major—and have taught classes on it over the years—it would be presumptuous to claim any unique insights as to the specific meanings. As stated above, even the Supreme Court Justices rarely agree on its meaning. I will attempt to keep focus and create a climate for dispassionate dialogue which emphasizes the need for respect for opposing views. I will occasionally take a “devils-advocate” stance in the Socratic mode to stimulate critical thought.

#### **Session I: Nature of belief systems.**

It is essential that seminar participants have a semblance of agreement on rules of interaction during this course so that we can maintain a rational dialogue. A critical component is to respect the fact that men and women of good will can, and do disagree over its meaning. During my years of giving this seminar, I have found this goal difficult to achieve in some groups. Therefore, the first session will focus on the nature of our belief systems and how we each bring to a given issue, or document such as the Constitution, mindsets that filter reality and predispose our interpretations. We will discuss a short essay, “Political Ideologies and Interpretation of the Constitution” and see if we can gain some consensus on the nature of our beliefs and how we can manage them during the seminar.

#### **Session II: Historical Setting Leading to the 1887 Convention.**

We will review a short history of our English political heritage and how we arrived at the Revolution. After discussing the Declaration of Independence, we’ll see why the Articles of Confederation were considered inadequate for the needs of the new country. We will then look at events leading to the Constitutional Convention in Philadelphia 1787 and see how the

congressional charter to “revise the Articles of Confederation” turned into something quite different—the development of an entirely new document.

### **Sessions III and IV:**

Both these sessions will examine the Constitution in detail to see what consensus we can gain on its specific meanings in certain critical areas. The discussion will not be legalistic; rather, we will focus on the political and social philosophy underlying the intent of the framers. This is not to deny that the document is the basis of our legal system, but we need to understand what the framers wanted our society to be in general. In approaching this facet of the discussion, keep in mind that the framers were not in agreement on many specific aspects of the document. Neither are the current members of the Supreme Court!

### **Sessions V and VI: Court Interpretations that transformed the Constitution.**

This session will examine Supreme Court decisions starting with Marbury v. Madison and proceed through the mid-20<sup>th</sup> Century era. We will see that the Constitution has been changed fundamentally in two ways—formal amendment under the provisions of Article V, and judicial interpretation. This examination will lead us into the very controversial area of “judicial activism” and the balance of power among the three branches of government. This will be the first real test of how we as a seminar group can handle the emotional component of our belief systems and maintain a dispassionate discourse. I’ll do my best to steer through this part of “white water rapids.”

### **Sessions VII and VIII. Current Hot Issues.**

The last sessions will focus on some of the most controversial issues that dominate the current political debate. We will start with Brown v. Board of Education and continue with other critical decisions such as Roe v. Wade, and cases involving prayer in the schools, and other issues chosen by the class. We will have readings in several controversial areas and the discussion will follow the interests of seminar participants.

\*I taught this seminar for many years at the Federal Executive Institute. Prior to that, I was a Professor of Political Science at the National Defense University for 14 years where I taught courses in ethics, national security strategy, government/business relations, and other subjects. My undergraduate degree is in Political Science and Economics and three semesters of law at the University of Alabama. I have graduate degrees from Vanderbilt (MA, Psychology), George Washington (MS, International Affairs), and American (PH.D., Sociology) and am a graduate of the National War College and the Industrial College of the Armed Forces (Where I qualified for a masters in National Resources Management, but never applied for it) the National Defense University.

