Reading Assignments

All of the assignments are posted on TWEN. Note: We will be referring to specific passages in these materials during class. You are required to print these materials in an easily readable format, read them carefully, and bring your printed copy of the materials to class.

Week One

Monday, 5/16  Introduction
Erwin Chemerinsky, *Constitutional Law*
*Loving v. Virginia*

Tuesday, 5/17  The Role of the Courts
*United States v. Carolene Products*
Alexander M. Bickel, *The Least Dangerous Branch*
John Hart Ely, *Democracy and Distrust*

Wednesday, 5/18  Race
*Brown v. Board of Education*
*Heart of Atlanta Motel v. United States*
Michael McConnell, *The Forgotten Constitutional Moment*
Herbert Wechsler, *Toward Neutral Principles of Constitutional Law*
Gerald Rosenberg, *Hollow Hope*

Thursday, 5/19  Gender I
*Roe v. Wade*
*Planned Parenthood v. Casey*
John Hart Ely, *The Wages of Crying Wolf*
Catherine MacKinnon, *Reflections on Sex Equality Under Law*

Friday, 5/20  Gender II
*Frontiero v. Richardson*
*United States v. Morrison*
Barbara Brown et al., *The Equal Rights Amendment*
Robert Post & Reva Siegel, *Equal Protection by Law*
John Hart Ely, *Democracy and Distrust* (on women’s rights)
### Week Two

**Monday, 5/23**  
**Sexual Orientation I**  
*Bowers v. Hardwick*  
*Washington v. Glucksberg*  
*Lawrence v. Texas*  
*In re Marriage Cases*  
Lawrence Tribe, *The “Fundamental Right” that Dare Not Speak Its Name*  
John Hart Ely, *Democracy and Distrust* (on substantive due process)

**Tuesday, 5/24**  
**Sexual Orientation II**  
*Varnum v. Brien*  
*Kerrigan v. Commissioner*  
Bruce Ackerman, *Beyond Carolene Products*  
Evan Gerstmann, *Constitutional Underclass* (on suspect classifications)

**Wednesday, 5/25**  
**Disability**  
*City of Cleburne v. Cleburne Living Center*  
Suzanne Goldberg, *Equality Without Tiers*  
Evan Gerstmann, *Constitutional Underclass* (on his proposal)

**Thursday, 5/26**  
**Disability**  
*Alabama v. Garrett*  
*Tennessee v. Lane*  
Samuel Bagenstos, *The Contradictions of the Disability Rights Movement*  
Ruth Colker, *When is Separate Unequal?*  
Robert Post & Reva Siegel, *Equal Protection by Law* (II)

**Thursday, 5/27**  
**Equality vs. Liberty: The Future of Civil Rights**  
Kenji Yoshino, *The New Equal Protection*  
Kenji Yoshino, *Tribe*

### Assignment Deadlines

- **Friday, June 3**  
  Topic Proposals Due

- **Friday, July 1**  
  First Drafts Due

- **Monday, August 16**  
  Final Papers Due