READING LIST
Constitutional Theory, 2008-9


Sept. 22: Traditional justifications (intent): United States v. Lopez, 514 U.S. 549, 584 (Thomas, J., concurring) (1995); Bork, p. 92; Brest, p. 100; Kay, p. 113


Oct. 6: Nontraditional justifications (overview): Grey, p. 157; Ackerman, p. 51; Posner, p. 181; Black, p. 214; Bickel, p. 219


Dec. 1: Methodology: Bobbitt, p. 4; Strauss, p. 170; Posner, p. 181; Ginsburg, p. 707