

University of Alabama School of Law 2004
LAW 764-001
Constitutional Law Problems:
The Alabama Constitution
Robert Maddox
Office Hours: By appointment or after class

Class Meetings: Mondays, 6:00-8:50 p.m. Rm 282

Final Examination Period: November 29 - December 17, 2004. The Final Examination is a floating examination.

Required Texts:

Malcolm Cook McMillan, Constitutional Development in Alabama, 1798-1901: A Study in Politics, the Negro, and Sectionalism (Reprinted with Permission) (1955).

Official Proceedings of the Constitutional Convention of the State of Alabama, May 21st, 1901, to September 3rd, 1901 (1940) [hereinafter Proceedings]. The Proceedings are published in four volumes, containing a total of 5,070 pages plus indexes.

The website we utilize during the class lectures:

<http://www.legislature.state.al.us/misc/history/constitutions/constitutions.html>

Course Objectives:

The focus of this course is to analyze and discuss Alabama Constitutional and Legal History from various historical viewpoints.

Important Dates:

August 16	Classes Begin
August 20	Last day to drop at 100% credit
Sept 6	Labor day Holiday
Oct 4	Last day to drop at 50% credit
Oct 25 - Oct 29	Registration for Spring
Nov 23	Last day of fall classes
Nov 24	Reading Day
Nov 25 - 26	Thanksgiving Holidays
Nov 29 - Dec 17	Fall Exams
Dec 20	Commencement

Final Examination: The final examination will cover the entire academic term and will consist of questions from the class lectures, assigned reading and discussions. In order for the student to earn the highest marks, the student will need to attend the class lectures and complete the assigned readings.

Class Schedule:

- Aug. 16 - Intro to course, hand out syllabus, lecture on objectivity in law and history.
Robert Penn Warren, The Legacy of the Civil War -
"The Great Alibi" analogy to the 1901 Constitution
- Aug. 23 - Birth of Alabama, The Territorial Stage
McMillan, Ch. 1 Mississippi Territorial Stage, p. 3-15
McMillan, Ch. 2, The Alabama Territory, p. 16-29
McMillan, Ch. 3 The Alabama Constitution of 1819, p. 30-46
- Aug. 30 - Alabama: A Constitutional State
McMillan, Ch. 3 The Alabama Constitution of 1819, p. 30-46 (continued)
McMillan, Ch. 4 and Ch. 5 1819-1861, p. 47-75
- Sept. 6 - Labor Day Holiday
- Sept. 13 - Secession, War and Reorganization
McMillan, Ch. 6 Secession Convention of 1861, p. 76-89
McMillan, Ch. 7 Reorganization Following the War, p. 90-109
- Sept. 20 - The Oath and Reconstruction
McMillan, Ch. 8 The Reconstruction Convention and Suffrage, p. 110-133
McMillan, Ch. 9 General Provision of the Reconstruction Constitution, p.134-150
- Sept. 27 - Constitution and Discontent
McMillan, Ch. 10 Ratification of the 1868 Constitution, p. 151-174
McMillan, Ch. 11 Movement for a Convention in 1875, p. 175-188
- Oct. 4 - TBA - "Birth of A Nation"
- Oct. 11 - The Bourbons, Redemption and Ratification
McMillan, Ch. 12 The Bourbon Convention and an 1875 Constitution, p. 189-210
McMillan, Ch. 13 Ratification of the 1875 Constitution, p. 211-216
- Oct. 18 - Suffrage and Sectionalism: A New Constitution?
McMillan, Ch. 14 Suffrage Revision, 1875-1901, p. 217-232
McMillan, Ch. 15 Demand for General Revision, p. 233-248
- Oct. 25 - The Disenfranchisement Convention, Alabama 1901
McMillan, Ch. 16 Movement for the Convention of 1901, p. 249-262
McMillan, Ch. 17 1901 Convention Suffrage Plans, p. 263-282
- Nov. 1 - Suffrage: Alabama's Shame
McMillan, Ch. 18 The Great Debate: Suffrage and Representation, p. 283-309
- Nov. 8 - 1901 changes
McMillan, Ch. 19 General Constitutional Revision, p. 310-339
McMillan, Ch. 20 Ratification and Limited Suffrage, p. 340-359
- Nov. 15 - No Class
- Nov. 22 - The Ghosts of Our Past Dictate our Constitutional Existence
McMillan, Ch. 20 Ratification and Limited Suffrage, p. 340-359 (continued)
McMillan, Ch. 21 Constitutional Trends in 19th Alabama Century, p. 360-370
- Nov. 24 - Reading Day
- Final Exam - Floating

*****NOTICE*****

The Professor reserves the right to make changes to the syllabus as deemed necessary, throughout the course of the academic term.