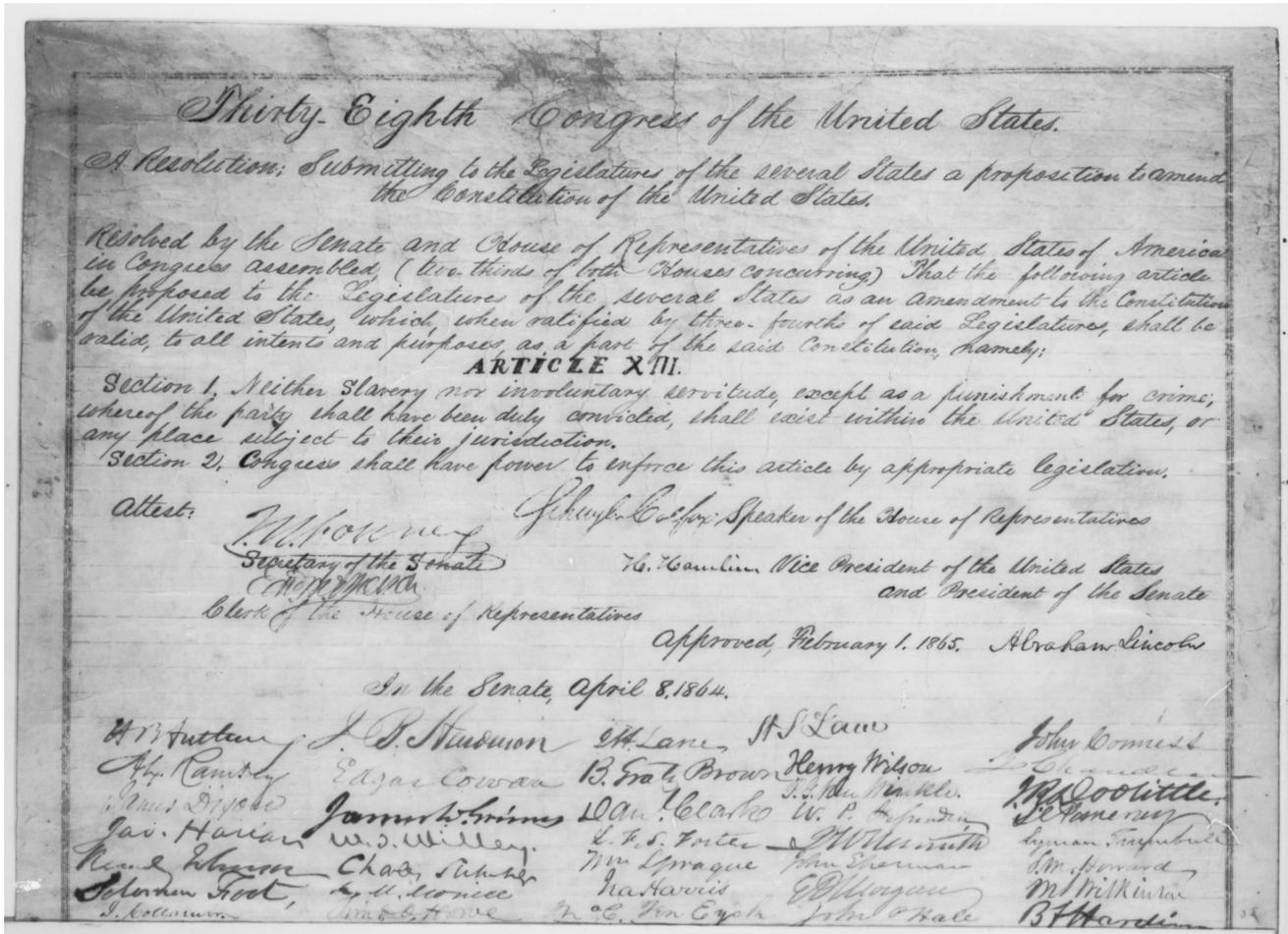


The Institute for Constitutional History is pleased to announce another seminar for advanced graduate students and junior faculty:

THE PRE AND POST-1865 CONSTITUTION



INSTRUCTOR:

Mark A. Graber is a Professor of Law at the University of Maryland Francis King Carey School of Law. He is the author of *Transforming Free Speech; Rethinking Abortion; Dred Scott and the Problem of Constitutional Evil; A New Introduction to American Constitutionalism*; nearly a hundred articles on constitutional law, history, development and theory; and an editor of the American Constitutionalism series.

PROGRAM CONTENT:

This course explores the extent to which the post-Civil War Amendments made fundamental changes in the American constitutional order. Abraham Lincoln in 1863 promised “a new birth of freedom.” Many contemporary scholars believed the post-Civil War Constitution was designed to achieve that new birth of freedom by radically changing the basic design and commitments of the American constitutional order. Conservatives in 1865, however, spoke of that “Constitution as it was,” minus slavery. The Supreme Court championed this view in *The Slaughter-House Cases* (1873). The debate is hardly academic. As the opinions in *Shelby County v. Holder* (2013) demonstrate, basic contemporary regime commitments depend to a fair degree on the extent of constitutional change during the Civil War and Reconstruction.

We will explore this issue by examining primary and secondary sources. The first third of the course will explore the basic commitments of the constitutional regime established in 1787 through a close reading of crucial *Federalist Papers* and major selections from other Federalist and anti-Federalist writings. The second third of the course will examine the basic commitments of the constitutional regime Republicans hoped to establish in 1865 through a close reading of the debates over the Thirteenth and Fourteenth Amendments, as well as such measures as the Civil Rights Act of 1866 and the Second Freedman’s Bureau Act. The last third of the course will look at some prominent claims that the constitutional regime was fundamentally altered during the Civil War and Reconstruction.

LOGISTICS:

Monday evenings, 6:00–8:00 p.m., September 21, 28, October 5, 12, 19, and 26, 2015. The seminar will meet at The George Washington University Law School, 2000 H Street NW, Washington, DC 20052.

APPLICATION PROCESS:

The seminar is designed for graduate students and junior faculty in history, political science, law, and related disciplines. All participants will be expected to complete the assigned readings and participate in seminar discussions. Although the Institute cannot offer academic credit directly for the seminar, students may be able to earn graduate credit through their home departments by completing an independent research project in conjunction with the seminar. Please consult with your advisor and/or director of graduate studies about these possibilities. Space is limited, so applicants should send a copy of their c.v. and a short statement on how this seminar will be useful to them in their research, teaching, or professional development. Materials will be accepted only by email at MMarcus@nyhistory.org until **May 22, 2015**. Successful applicants will be notified soon thereafter. For further information, please contact Maeva Marcus at (202) 994-6562 or send an email to MMarcus@nyhistory.org.

ADDITIONAL INFORMATION:

There is no tuition or other charge for this seminar, though participants will be expected to acquire the assigned books on their own.

ABOUT ICH:

The Institute for Constitutional History (ICH) is the nation’s premier institute dedicated to ensuring that future generations of Americans understand the substance and historical development of the U.S.

Constitution. Located at the New York Historical Society and the George Washington University Law School, the Institute is co-sponsored by the American Historical Association, the Organization of American Historians, and the American Political Science Association. The Association of American Law Schools is a cooperating entity. ICH prepares junior scholars and college instructors to convey to their readers and students the important role the Constitution has played in shaping American society. ICH also provides a national forum for the preparation and dissemination of humanistic, interdisciplinary scholarship on American constitutional history.



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