

Reform, Reaction, and Constitutionalism in 20th-Century America: An ICH Seminar

Syllabus
Fall 2015

Week One:

William E. Nelson, The Legalist Reformation: Law, Politics, and Ideology in New York, 1920-1980 (Chapel Hill, UNC Press, 2001), 1-92

David Bernstein, Rehabilitating Lochner: Defending Individual Rights against Progressive Reform (Chicago, University of Chicago Press, 2012), 73-107

Week Two:

Nelson, 93-116

Lizabeth Cohen, Making a New Deal: Industrial Workers in Chicago, 1919-1939 (NY, Cambridge University Press, 2d edition, 2008), 251-322

, A Consumers' Republic: The Politics of Mass Consumption in Postwar America (NY, Vintage, 2003), 5-61

Week Three:

Nelson, 119-147, 168-239

Risa Goluboff, The Lost Promise of Civil Rights (Cambridge, MA, HUP, 2007), 16-80, 141-173, 217-270

Week Four:

Nelson, 148-167, 240-268

Laura Weinrib, "Civil Liberties Outside the Courts," *Supreme Court Review*, Vol. 2014, No. 1 (January 2015), pp. 297-362.

Week Five:

Nelson, 271-290, 310-326

Kimberle Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics," 1989 *U. Chi. Legal F.* 139 (1989)

Dorothy Roberts, "Punishing Drug Addicts Who Have Babies: Women of Color, Equality, and the Right of Privacy," *Harvard Law Review*, 104 *Harv. L. Rev.* 1419 (1990-1991)

Week Six:

Nelson, 291-309, 327-373

Ta-Nihisi Coates, "The Case for Reparations," *The Atlantic* (June 2014)

(recommended: Coates, Between the World and Me (2015), 5-71)