

ANNOUNCEMENT

An Internet Course On **AMERICAN CONSTITUTIONAL LAW**

Presented By

Professor Emeritus
HENRY MARK HOLZER
Brooklyn Law School
[<http://www.henrymarkholzer.com>]

Like many other Americans, I am deeply concerned about our nation's future.

The Weekly Standard of December 21, 2009, reports that “a survey commissioned by the American Revolution Center” found that “when it came to a simple test of knowledge about the founding [of the United States of America], nearly 83 percent of . . . Americans failed.”

In the face of this woeful ignorance, the Constitution of the United States of America is under an unprecedented attack by Barack Obama and his runaway Democrat Party, aided and abetted by the complicit mainstream media.

Yet with a few notable exceptions there is hardly any *knowledgeable* defense of our founding document to be found anywhere.

Not on radio or television. Not in the press. Not at the grassroots. Certainly not in academia. Nor, sadly, among most Republicans, Conservatives and even Libertarians. Most of the Media's “instant,” pontificating constitutional experts, especially those on national television, do more harm than good because they spread disinformation that is neither knowledgeable nor principled.

While many “tea party” activists and other patriots are valiantly trying to fight for core constitutional values, they're disarmed because they have

been taught little about American constitutional law. The fact is that everyone fighting for America today, in order to defend the Constitution, *must* know the answers to countless crucial questions.

Just a few examples:

- Can Congress constitutionally require Americans to buy medical insurance?
- Did Congress lack the constitutional power to give a lame-duck, unelected treasury secretary unchecked and unsupervised power to dispense a trillion dollars of taxpayer money?
- Does Obama have the constitutional power to appoint unaccountable “czars” to rule over virtually every aspect of our lives?
- How was a bare majority of the Supreme Court able to usurp constitutional control over America’s national security and the “War on Terrorism” from President George W. Bush?
- Why do even supporters of *Roe v. Wade*’s result admit that, as constitutional law, the decision is indefensible?
- What turned the Constitution into a “living” document that can mean anything Earl Warren, Ruth Bader Ginsburg and Sonia Sotomayor *feel* it should mean?
- Is the “fairness doctrine”—which could kill conservative talk radio programs, like Rush Limbaugh—a violation of the Constitution’s First Amendment?
- Are American citizens about to be stripped of their constitutional “right to bear arms”?
- What are “unenumerated” constitutional rights, and why have they never been recognized?
- Can racial quotas ever be eliminated entirely?

- Where does the Constitution say that convicts are entitled to law libraries?

The answers to these and scores of other questions about America's Constitution will, for good or ill, determine much about the future of the United States of our nation.

Those who are committed to fighting for that future *must* acquire a basic understanding of the Constitution's origins and birth, its written text, the manner in which it has been deliberately violated, and the consequences of how it has been misinterpreted by collectivists and statist.

Because of the importance of this struggle, I have put aside most of my writing and legal work and early in 2010 will offer—*strictly as a pro bono personal undertaking*—an Internet course consisting of *ten lectures on American constitutional law*. You can learn about who I am, and understand why I'm doing this, simply by taking a look at my blog (www.henrymarkholzer.blogspot.com) and/or my website (www.henrymarkholzer.com).

Please help me get out the word about this course.

If you agree that it is essential today for laypersons--especially Conservatives, Libertarians and Independents--to understand basic American constitutional law ("Con Law 101," if you will), please forward the following Announcement to everyone you can, asking them to do the same. I am particularly interested in getting it to prominent Conservatives, Libertarians and Independents such as Palin, Paul and Independent teachers, clergy, columnists and others who have the public's attention. "Plugs" from leading talk show hosts and hostesses are most welcome.

Many years ago, one of my clients and friends—the author Ayn Rand—asked me a rhetorical question: “If *we* don't fight for this country, who will?”

I gave the same answer to Rand as I do now: *I will!*

SYLLABUS

1. Formation of the American Republic

Events leading to the Declaration of Independence.

The text and meaning of the Declaration.

The Continental Congress.

The Constitutional Convention.

The Constitution's structure and content.

The ratification battle in the *Federalist Papers* and elsewhere.

The achievement of the first Congress.

The Bill of Rights and debates over its ratification.

2. The American Constitutional System

A working definition of “constitutional law.”

How the Supreme Court came to be the Constitution's final arbiter.

“Originalism” and other tools of constitutional interpretation.

Federalism: the relationship and tensions between the federal and state governments, with examples showing federal legislation affecting matters which should be within the powers of the states.

Separation of powers: the relationship and tensions between the three supposedly equal branches of government — legislative, executive and judicial — with examples of where the “more equal” branch, the Supreme Court, refereed battles between the other two branches and, in the bargain, expanded its own powers.

Judicial supremacy: primarily Chief Justice John Marshall's opinion in *Marbury vs. Madison*, which established the principle of Judicial Review.

Griswold v. Connecticut, illustrating federalism, separation of powers and judicial review.

3. Congress and Its Powers

The source, nature, and scope of Congress's power.

Congress's power to regulate interstate commerce.

Congress's war, foreign affairs, and related powers.

Congress's other, miscellaneous powers.

4. The Presidency And Its Powers

The President's "chief executive" and "faithfully execute" power.

The President's power as Commander-in-Chief.

5. The Judiciary And Its Powers

The source, nature, and scope of judicial power.

Limitations, if any, on judicial power.

6. Intergovernmental Relations

The "horizontal" relationship between the states, and the requirement of "full faith and credit."

Constitutional Limitations on Congress's Power

Textual limitations on the power of Congress, including suspension of the writ of *habeas corpus*.

Constitutional Limitations On The Power Of The States

The few textual limitations of the power of the states, including the prohibition against impairment of contracts.

7. Prohibitions On Both Congress And The States: The Bill Of Rights

Introduction to the Bill of Rights.

Does the Bill of Rights apply against the federal government?

“Substantive” Due Process: contraception and abortion.

8. The First Amendment

Speech.

Religion.

9. The Eighth Amendment

Cruel and Unusual Punishment.

The Fourteenth Amendment

Genesis of the Fourteenth Amendment.

Procedural Due Process: Notice and opportunity to be heard.

Substantive Due Process, revisited.

10. The Fourteenth Amendment

Substantive due process, revisited.

Equal protection of the law:

Race.

Gender.

Sexuality.

Conclusion to lectures

GENERAL INFORMATION

Lectures/Schedule

The recorded course—ten two-hour lectures each week for ten consecutive weeks—will be available via (1) my website (www.henrymarkholzer.com) and (2) my blog page (www.henrymarkholzer.blogspot.com), from each of which the entire course can be downloaded free of charge.

It will be available on those sites in the middle of the weeks beginning January 17, 24, 31; February 7, 14, 21, 28; and March 7, 14, 21 and will remain there indefinitely.

No Cost To Download Recorded Course

There is no cost to access this course in its recorded/downloaded form. (However, because listeners will be hearing a recording, they will not be able to ask questions.)

Cost To Participate In Live Course

The prerequisite to posting and maintaining the course on my website and blog at no cost is that the ten lectures first be recorded.

To do that, I will utilize the worldwide facilities of www.skype.com, an *interactive* computer-based communication system.

Using Skype, it will be possible for no more than **23** individuals to hear the course **live**, and ask questions, by downloading free software from Skype and using an inexpensive, off-the-shelf headset/microphone.

I will record by delivering the lectures **live** on Sunday evenings, from 6:00 PM to 8:00 PM **Eastern Time** on January 17, 24, 31; February 7, 14, 21, 28, March 7, 14, 21, 2010.

(To defray Skype, recording, posting, etc. expenses, I am charging \$250 for this *interactive* participation. Persons interested in being among the **23** who listen to my lectures **live** should contact me at http://www.henrymarkholzer.citymax.com/con_law_course_registration.html for full details).

Essential reading

There is no “homework” for this course. However, to benefit fully from it I recommend that prior to hearing the first lecture you obtain a hard copy of, and read, the Constitution of the United States of America. Also, the Supreme Court opinion in *Griswold v. Connecticut*, which can be found without cost at <http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=us&vol=381&invol=479>. You will find it helpful to have both available during the course.

Contact/Updates

Persons having questions about anything concerning the content of the course may submit them [here](#). (Please, no questions about Skype!)

Persons wishing to receive additional information about this course, and future courses I may offer, *must* register to receive my blog (www.henrymarkholzer.blogspot.com). This will be my only way of communicating with you and the only place such information will be available.

This announcement appears in its entirety on my website at http://www.henrymarkholzer.citymax.com/f/con_law_course.pdf

My Goal

Preparation of this course, and providing everything else that will allow it to remain posted and downloaded indefinitely, is my personal *pro bono publico* undertaking.

I am offering it in the hope that public education in American constitutional law will aid in our fight to rescue our nation from those who are destroying it.