



**AQUA-Angebot im WS 12/13 \_\_\_\_\_**

<b>Institut/ Bereich</b>	Politikwissenschaft
<b>Veranstaltungstitel</b>	Constitutionalism and Crisis through the Lenses of the American Experience
<b>Veranstalter/in</b>	Dr. Marcus Soler
<b>Ansprechpartner/in für Rückfragen oder Anmeldung (Tel. /Mail)</b>	Frau Maritta Brückner 463-35811 maritta.brueckner@tu-dresden.de
<b>Art der Veranstaltung</b>	Seminar
<b>Termin(e) und Veranstaltungsort</b>	Mo, 10.12.      6./7. DS (BZW/A149) Di, 11.12.      7. DS (GER 246) Mi, 12.12.,      2. DS (GER 246) und 7. DS (BZW/A149) Do, 13.12.      7. DS (GER 246) Mo, 17.12.      6./7. DS (BZW/A149) Di, 18.12.      7. DS (GER 246) Mi, 19.12.,      2. DS (GER 246) und 7. DS (BZW/A149) Do, 20.12.      7. DS (GER 246) Fr, 21.12.      3./4. DS (GER 246).
<b>Umfang der Lehrveranstaltung</b>	2 SWS
<b>Beschreibung/ Ziele der Veranstaltung</b>	<p>Constitutionalism is often identified with the existence of a written constitution, yet the mere presence of a constitutional text does not satisfy alone the demands of constitutionalism. Although these demands have changed over time, a common set of values, institutions, and mechanisms are recognizable. History has favored the rise of constitutionalism.</p> <p>Constitutionalism provides stability. However, questions remained about how constitutional structures deal with profound crisis. In the past decade, in the United States and elsewhere we have experienced severe crises, such as the current war against terrorism, the financial crisis or the 2000 post-election dispute between the two major political parties. These crises have challenged in one way or another the commitment to the principles of constitutionalism</p> <p>The seminar will focus on three topics: a. the Constitution and the use of government power during war and national emergencies, with a specific focus on the War on Terrorism and the Guantanamo issue; b. the Constitution and the use of government power during domestic emergencies and</p>

economic crises, with a specific focus on the role of government in the financial markets; and, c. electoral democracy and constitutional crisis, with a special focus on moments in which elections are followed by constitutional crisis such as the 2000 US election. The goals of the seminar are twofold: first, introduce students to American Constitutional theory and practice and, second, compare lessons learned with the German and European experience. This seminar explores the ambivalent relationship between the tradition of constitutionalism and episodes of social and political crises that have emerged over the last three centuries. The sessions focus systematically on selected events. The objective is to elicit questions and examine themes rather than providing students with a complete survey of the academic work in this area.

### **Seminar Structure**

The seminar is divided in twelve sessions (one hour and thirty minutes each). Each session – except for the first session - begins with a short discussion of an American constitutional controversy or case. The case is used to frame the questions and main themes. This is not a seminar on American constitutional law. It uses court cases as a thought-provoking tool. Each session includes both a list of readings. The readings include both American and European scholars. The reading list is divided into three sections: required readings (must read for seminar participation, two or three readings per session), recommended readings (these are readings that I will refer to during the seminar), and post-seminar recommended readings.

### **Session 1: Constitutionalism and Crisis – Basic Concepts**

#### **a. Constitutionalism and National Emergencies**

Session 2: Habeas corpus, military tribunals and the American civil war

Session 3: World War II and internment camps of US citizens of Japanese ancestry

Session 4: The war on terrorism after 9/11

Session 5: Executive power and national emergencies

#### **b. Constitutionalism and Economic Catastrophes**

Sessions 6: The Great Depression and the failure to act

Session 7: The New Deal and the constitutional reinterpretation of the commerce clause

Sessions 8: Constitutional dimension of the current financial crisis

Sessions 9: Executive power during a financial crisis

#### **c. Constitutionalism and Political Crises**

Session 10: The Watergate scandal

Session 11: The 2000 election in the United States

	Session 12: Constitutionalism and crises: two theoretical approaches
<b>Voraussetzungen/ Vorkenntnisse</b>	
<b>Literatur</b>	<i>Eine ausführliche Literaturliste</i> finden Sie in den Semesterferien im Opal.
<b>Begrenzung der Teilnehmeranzahl</b>	
<b>Angeboten für folgende Studiengänge/ Verwendbarkeit</b>	Philosophische Fakultät
<b>Anmerkungen</b>	