

[law-class2025] Course focused on 2024 election

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To:law-class2025@colorado.edu <law-class2025@colorado.edu>

Dear Second Year JD students:

I'm writing about what I believe will be an exciting and timely class that I'll be teaching this fall. Although the class title is Statutory Interpretation, this fall's syllabus might be more accurately titled The Crisis of the American Legal System in the Age of Trump.

The focus of the class will be various issues at the center of this fall's presidential election, including:

The battle over abortion rights, and how it is now playing out in both legal and political terms.

The extent to which the American legal and political systems are being pushed toward some variety of authoritarian Christianist nationalism, with potentially fascistic overtones.

The Supreme Court's current legitimacy crisis, including reform proposals to curtail the Court's power within the contemporary American legal and political system.

The various prosecutions and civil actions in which Donald Trump is a criminal and civil defendant, and the effect of the Supreme Court's recent decision, granting presidents broad-based immunity against criminal prosecution after they are no longer in office.

A look at what the political scientist Juan Linz has called "the perils of presidentialism," in the context of the contemporary American legal and political scene: that is, the historical tendency of presidential systems to break down because of competing claims of ultimate sovereignty between the executive and legislative branches.

A comparison between the social crises of the late 1960s and those of today, which will focus on the issue of the extent to which today's issues represent some sort of fundamental threat to social and political national stability.

The rise of a self-conscious white identity politics in America, and the implications this has for the American legal and political systems.

The crisis of legal interpretation in a world of radically conflicting interpretive theories.

The class will also follow the 2024 presidential election, using it as a backdrop for discussing the larger issues that election raises regarding the topics covered in the course.

The course will feature a 10 to 15-page paper, rather than a final exam. The paper prompt will be designed to allow students to pursue whatever course topic or topics they found most engaging. Class discussion will be informal, and sensitive to pursuing those themes and topics that seem most important under the circumstances: those circumstances being the political and legal crisis that the 2024 election represents for the American system of law and government.

The readings for the class will be eclectic, and designed to inspire genuine engagement.

They will include books such as Kristen Luker's *Abortion and Politics of Motherhood*, Robert Paxton's *The Anatomy of Fascism*, and Rick Perlstein's *Nixonland* (selections), and essays such as Joan Didion's "The White Album," Umberto Eco's "Ur-Fascism," Perlstein's "The Long Con," and Ta-Nehisi Coates', "The First White President."

Class will be held from 10:30 to 11:50 on Monday and Wednesday, in Room 300.

Please feel free to contact me if you have any questions regarding the course, by emailing me at paul.campos@colorado.edu. I would also be happy to discuss any questions you have by Zoom or in person: email me for an appointment if you would like to do this.

I hope to see some of you next week.

All best,

Paul Campos
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