

The Federal Judiciary: From Idea to Institution

Part of the "American Institutions" Series of Online Courses

This online course on the institution of the Federal Judiciary in the United States examines the role of "the judiciary" as one of the three branches of American government. Under the Articles of Confederation there was no federal judiciary, but each state had its own judicial branch and little interest in relinquishing judicial powers to the new federal courts. Article III of the Constitution outlines the federal judiciary in very broad terms, leaving it to Congress to create by law a working judicial structure and to determine most of the federal courts' jurisdiction (or power to decide cases). Core issues to be examined in this course include: creation of the judicial branch and its constitutional ties to the other branches; key statutes affecting the organization, jurisdiction, and operation of the federal courts; the relationship between the federal judiciary and state judicial systems; the relationship between the Supreme Court and its co-equal branches in the national government; the doctrine of judicial review; the evolution of the Supreme Court as an institution; controversies surrounding the exercise of federal judicial power and how Congress, the Executive, states, and the people through constitutional amendments have responded to those controversies; debates over methods of interpreting the Constitution; and contemporary issues involving the role of federal courts in the American political system.