

CONSTITUTIONAL LAW (CONLW)

CONLW 997: Special Topics

1-12 Credits/Maximum of 21

Special Topics

CONLW 957: The Constitutional Law of Religion

3 Credits

This course examines current constitutional doctrine concerning religion under the First Amendment to the Constitution. The focus will be on the essential cases and principles of the Free Exercise and Establishment Clauses of the First Amendment. These cases and principles are organized along three thematic lines: (1) the regulation of religious activity (free exercise and neutrality, governmental interests, legislative accommodation), (2) the funding of religious activity (establishment and neutrality, governmental support of religious institutions), and (3) the treatment of religion in government's culture shaping activities (public schools, school curriculum, religious speech). The course ends with a discussion of the definition of "religion" for purposes of federal constitutional law.

CONLW 958: Comparative Constitutional & Public Law

3 Credits

The principal objective of this course is to provide students with a greater understanding of how each nation's body of constitutional law is shaped by history, institutions, and current values. The comparative project, by focusing on narrow differences between similar countries, allows students to move beyond an acceptance of basic premises of constitutional law as "natural" or "inherent." As an important dividend, students will gain basic knowledge of foundational concepts in the legal landscape of other nations, hopefully providing students with a comparative advantage in seeking employment with government offices and private firms whose clients engage in substantial cross-border transactions.

CONLW 963: Equal Protection & Civil Rights

3 Credits

This course studies the development of equal protection law under the Fifth and Fourteenth Amendments, the state action issue, and the free exercise and establishment clauses of the First Amendment.

CONLW 965: First Amendment - Free Speech

3 Credits

This is a course about the freedoms of speech, press, religion, association, and assembly under the First Amendment. Two-thirds of the course will be about freedoms of speech, press, and assembly. We will examine historical context, doctrinal development, and current caselaw. We will ask why government regulates speech, the methods it uses for doing so, and what justifications are ever sufficient for limiting speech. Among other topics, we will examine issues surrounding the use of public spaces, the role of the institutional press, campaign finance, symbolic speech, the law of obscenity and defamation, and the rights of private organizations to determine their membership. The final one-third of the course will provide an introduction to the First Amendment's treatment of religion. We will ask how the two clauses in the First Amendment dealing with religion—the Free Exercise and Establishment Clause—relate to each other, and explore a few of the most important debates about them.