

## **The Politics of Religious Liberty**

### **Preliminary Syllabus**

Dr. Andrew Gardner

Wednesday 7:00PM-9:00PM

**Modality:** Synchronous Online

### **Course Description**

The first sixteen words of the United States Bill of Rights read, “Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof.” Through these words, people of all faith traditions within the United States have a right to practice their religious tradition free from government interference or endorsement. But what is the extent of these rights and what are their limitations? Can religious rights be applied equally across all faith traditions? This class will interrogate the politics of religious liberty with a particular focus on the context of the United States. In the first section of the course, students will study the history of minority and dissenting traditions in colonial America that led the inclusion of religious rights within the Bill of Rights. The class will then turn to examining important court cases throughout American history that have both sought to expand and limit the rights of religious people. Through engaging these court cases, the course will also analyze how diverse religious groups work together to protect their shared religious rights. The final weeks of the course will examine religious liberty from an international perspective, and the challenges and limitations of U.S. approaches to religious liberty. Students will come away from the course with a better knowledge of both the challenges of protecting religious rights within a multi-faith society as well as the ways in which students can constructively work across faith traditions to protect religious liberty.

### **Learning Outcomes**

At the conclusion of this course, students will

- Gain a better understanding of both the historical, political, and religious foundations of religious freedom within the United States
- Examine contemporary issues around religious freedom before the Supreme Court to better contribute to broader societal conversations around protecting religious freedom for all people
- Compare how religious freedom is protected in other contexts around the world
- Think critically about how the role of religious freedom intersects with their vocational calling and objectives

### **Style of the Course**

Course instruction at the beginning of the course will be primarily lecture and will evolve into a more seminar structure revolving around presentations and discussions.

### **Required Textbooks**

John Witte Jr. and Joel A. Nichols, *Religion and the American Constitutional Experiment*, 4<sup>th</sup> ed. (New York, NY: Oxford University Press, 2016).

## **Assignments**

### *Participation 10%*

Students will come to class prepared and ready to discuss the week's readings or constructively engage in their presentation and classroom conversation.

### *Discussion Posts: 15%*

Students will post at least one thoughtful and substantive discussion posts online on the Monday of each week and will respond to at least one of their colleague's posts by Tuesday.

### *Religious Freedom Essay 20%*

After the first week's class students will write a two-page, double-spaced essay responding to the question, "How does the work of protecting and defending religious freedom for all people intersect with my career and vocational goals?" At the conclusion of the course, students will edit and rewrite this essay based upon their work over the course of the semester.

### *Book Report 15%*

Midway through the semester, students will select a book from a pre-approved list of books about religious freedom. They will read the book independently, write a three-page critical review of the book and make a short presentation to the class the focuses on how the book contributes to our understanding of religious freedom.

### *Court Case Presentation: 10%*

Students will select a landmark Supreme Court case in religious freedom and teach the class about the details of the case, the primary question the case posed to religious freedom, and the logic of the courts ruling. Students will be responsible for leading the class in discussion around whether they think the case was rightly or wrongly decided and its implications for religious freedom.

### *International Context Presentation and Comparative Report: 30%*

Students will select a country and research how that country protects or does not protect religious freedom for all people. Students will report their findings back to the class in a presentation and lead the class in a discussion around the country's legal protections for religious persons. Students will also compose an 8-10 page paper comparing and contrasting their selected country's protections for religious liberty with those of the United States.

## Course Outline

<b>Class Date</b>	<b>Class Topic</b>
January 19, 2022	Introduction to Religion and Law
January 26, 2022	The Fracturing of Church and State: The Reformation
February 2, 2022	Religious Freedom and the Democratic Experiment Part I
February 9, 2022	Religious Freedom and the Democratic Experiment Part II
February 16, 2022	Race and Religious Freedom Part I
February 23, 2022	Race and Religious Freedom Part II
March 2, 2022	Mormonism and Religious Freedom
March 9, 2022	Book Reports
March 16, 2022	Incorporation of the First Amendment
March 23, 2022	Free Exercise Clause
March 30, 2022	Establishment Clause
April 6, 2022	Legal Interfaith Work
April 13, 2022	International Contexts Part I
April 20, 2022	International Contexts Part II
April 27, 2022	Contemporary Cases
May 4, 2022	Final Paper Due