

# THE FIRST AMENDMENT AND RELIGION IN AMERICA

PSC 291/291W

Professor Jackson

Fall 2018

## **Required material: All assigned readings are posted as .pdf files on Blackboard.**

(The .pdf files can be printed on a 2-to-1 basis, if you so desire, conserving paper and ink. This is practical for many of the .pdf files that currently have one printed page per .pdf page, but probably not practical (i.e., legible) for the .pdf files that currently have two printed pages per .pdf page.)

**Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peacefully to assemble, and to petition the Government for a redress of grievances.**

**--First Amendment to the Constitution of the United States**

This course is an examination of the special articulation and role of religion in the United States, particularly as expressed in the two religion clauses of the First Amendment. We will examine some of the key historical and political antecedents to the key decisions (usually, but not exclusively, from the Supreme Court of the United States) construct to American civil and social life.

In addition to your (hopeful) class attendance and participation, work for the course will consist of a short mid-term paper and a final essay. (Students who are taking this for Political Science writing [PSC 291W] should meet with me at the end of the first class on September 4<sup>th</sup> to discuss writing requirements that will be in lieu of the short mid-term paper and final essay.)

*September 4* **Overture**

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Noonan & Gaffney, pp. 158-65  
 Thomas Jefferson, Notes on Virginia (Query XVII) (1784)  
 Noonan & Gaffney, pp. 169-73  
 James Madison, A Memorial and Remonstrance Against Religious Assessments (1785)  
 Noonan & Gaffney, pp. 178-200  
 George Washington, First Inaugural Address (1789)  
 Congressional Resolution: Day of Thanksgiving (1789)  
 George Washington, Farewell Address (1796)  
 Thomas Jefferson, Letter to the Danbury Baptists (1802)  
 James Madison, Detached Memoranda (circa 1817)

*September 25* **The American Experience Through the Application of the First Amendment to States**

Noah Feldman, Fkxf gf "d{ "I qf <"Co gtleca' Ej wtej -State Problemô and What we Should do About It (Farrar, Straus and Giroux 2005), pp. 53-78"j gtgcht "ôHgrf o cp. "Divided by Godö+"  
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 Alexis de Tocqueville, Democracy in America (Book I, Chapter XVII) (1835)  
 Witte & Nichols, pp. 118-22 & 130  
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## **Congress Enters the Fray**

Religious Freedom Restoration Act of 1993

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Amendment

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Religious Exemption Law Map of the United States

Religious Land Use and Institutionalized Persons Act of 2000

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*November 28* **Academic Views on the Supreme Court and the Religion Clauses**