

RLG 5497/REL 4491 [Draft]
Religious Liberty and Human Rights
Prof. S. B. Twiss (stwiss@admin.fsu.edu)
Office: Center for the Advancement of Human Rights
(426 West Jefferson Street)
Fall 2018
Wednesdays 3-5:45 p.m.
Dodd Hall 207

Description: Exploration of religious liberty issues in both the American and European contexts, utilizing interpretive overviews as well as essential historical documents and significant legal cases (U.S. Supreme Court and European Court of Human Rights). Issues include, for example: free exercise of religion, religious exemptions, church-state relations, religious discrimination, protection of religious minorities, ideological functions of religious liberty rhetoric. Seminar format. Requirements: active and informed participation in all seminar discussions, including seminar leadership and presentations (in student teams) [40%]; a final research paper on a topic pre-approved by the instructor [60%].

Textbook Order:

Martha Nussbaum, *Liberty of Conscience: In Defense of America's Tradition of Religious Equality* (Basic Books, 2009).
Tisa Wenger, *Religious Freedom: The Contested History of an American Ideal* (University of North Carolina Press, 2017).
Malcolm D. Evans, *Religious Liberty and International Law in Europe* (Cambridge University Press, 2008 [1997]).
Note: All additional readings available on canvas course site library.

Tentative Conspectus:

August 29: Course introduction and orientation (including discussion of attached excerpts from U.S. Bill of Rights, U.N. documents, and European Convention).

September 5: Nussbaum, *Liberty of Conscience*, pp. 1-114; historical American documents; Twiss chapter on Roger Williams and freedom of conscience and religion.

September 12: Nussbaum, pp. 115-223; excerpts from selected U.S. Supreme Court "accommodation" cases (Sherbert; Yoder; Smith; Seager; Reynolds; Gobitis).

September 19: Nussbaum, pp. 224-305; excerpts from selected U.S. Supreme Court "establishment" cases (Schempp; Jeffree; Lemon; Weisman; Allegheny; McCreary).

September 26: Nussbaum, pp. 306-368; selected contemporary controversies (to be announced; also *Burwell v. Hobby Lobby Stores*).

October 3: Wenger, *Religious Freedom*, pp. 1-142.

October 10: No class (instructor away).

October 17: Wenger, pp. 143-239; abstracts for final papers due.

October 26: Evans, *Religious Liberty and International Law*, pp. 1-144.

October 31: Evans, 145-261.

November 7: Evans, 261-376; European Convention articles.

November 16: Selected European Commission and Court cases (e.g., Campbell & Cosans [UK]; Kokkinakis [Greece]; Otto-Preminger-Institut [Austria]; Arrowsmith [UK]).

November 21: No class (university holiday).

November 28: Student papers and related readings.

December 5: Student papers and related readings.

December 12: Final papers due.

Course Policies and Miscellaneous Information:

Attendance Policy: Students are expected to attend all classes. Unexcused absences will negatively affect the attendance/participation grade. For each unexcused absence the attendance/participation grade will be reduced by 10%. Excused absences include documented illness, deaths in the family or other documented crises, call to active military duty or jury duty, religious holy days, and official university activities. These absences will be accommodated in a way that does not arbitrarily penalize students who have a valid excuse. Consideration will also be given to students whose dependent children experience serious illness.

FSU Honor Code: The Florida State University Academic Honor Policy outlines the University's expectations for the integrity of students' academic work, the procedures for resolving alleged violations of those expectation, and the rights and responsibilities of students and faculty members throughout the process. Students are responsible for reading the Academic Honor Policy and for living up to their pledge to "...be honest and truthful and...[to] strive for personal and

institutional integrity at Florida State University.” (Florida State University Academic Honor Policy, found at <http://fda.fsu.edu/Academics/Academic---Honor---Policy>)

Religion Department Policy on Honors Violations: “The policy of the Department of Religion is that all violations of the FSU honor code, even first offenses, will result in a grade of 0 for the assignment and will be reported to the Office of the Dean of the Faculties. Additional sanctions may be imposed by FSU as part of the procedure for resolving academic honor allegations.”

American with Disabilities Act: Students with disabilities needing academic accommodations should register with and provide documentation to the Student Disability Resource Center (SDRC). Please bring a letter to class from the SDRC indicating you need academic accommodations. This should be done within the first week of class. Please talk to the instructor if you have questions. For more information services available to FSU students with disabilities, contact the Student Disability Resource Center, 874 Traditions Way, 108 Student Services Building, Florida State University, Tallahassee, FL 32306-4167. Phone: (850) 644-9566 (voice) (850) 644-8504 (TDD) email: sdrc@admin.fsu.edu Website: <http://www.disabilitycenter.fsu.edu/>

This syllabus is available in alternative format upon request.

Free Tutoring from FSU: On-campus tutoring and writing assistance is available for many courses at Florida State University. For more information, visit the Academic Center for Excellence (ACE) Tutoring Services’ comprehensive list of on-campus tutoring options at <http://ace.fsu.edu/tutoring> or contact tutor@fsu.edu. High- quality tutoring is available by appointment and on a walk-in basis. These services are offered by tutors trained to encourage the highest level of individual academic success while upholding personal academic integrity.

Syllabus Change Policy: Except for changes that substantially affect implementation of the evaluation (grading) statement, this syllabus is a guide for the course and subject to change with advance notice.