



Osher Lifelong Learning Institute
@ Brandeis University
Presents



Mammoth Cheeses and Burning Flags:
Civil Liberties in the United States

Faculty

Dan Breen, J.D., Ph.D.

Legal Studies Program of the

Department of American Studies, Brandeis University

Monday through Friday: January 3rd to 7th, 2011

9:30 a.m. to 12:30 p.m.

Turner Street or Hassenfeld at Brandeis University

TO BE DETERMINED



In this seminar, we will look at how liberties expressed in the Bill of Rights have been understood in recent American history, particularly through leading decisions of the Supreme Court. All of these decisions have been controversial in their own way, and ought to provoke robust debate on the core issues of what our rights are, and the extent to which they ought to give way to the needs of the community around us. We will read a few representative decisions, and think about how those rulings would apply to situations likely to crop up in the coming years. Along the way we will address all manner of controversies, including: 1) the Boy Scouts' right to exclude gay scout masters, 2) a corporation's right to contribute money to support candidates likely to favor the corporation's interests, 3) the Mississippi Freedom Summer of 1964, 4) the ability of prisons in California to segregate prisoners on the basis of race. And always, we will wrestle with the ultimate question: *when do the values of democratic choice have to give way to the rights of the individual?*

Monday: *Economic Rights and the Takings Clause:* Suzette Kelo and her "little pink house." To what extent may the state take our property? How secure *are* we in our rights to land?

Tuesday: *Freedom of Worship:* Prayer, Creches and Animal Sacrifice. Should students be allowed to conduct moments of silence before H.S. football games? Should towns prohibit the ritual killing of chickens?

Wednesday: *Freedom of Speech:* How far can we go to express ourselves? Do you have the right to disrupt military funerals by blaming soldiers' deaths on tolerance of gays? Why or why not? What is speech "good for" anyway? Here, we will look with special care at Justice Brandeis' famous answer to this question.

Thursday: *Equal Protection of the Law:* Why shouldn't a military college be able to exclude women? Why shouldn't states be able to define "marriage" as they like? What does this mean: "All men are created equal?"

Friday: *Right to Vote:* A survey of the strange story of voting in America, and how men and women fought and died for it during the 1960s. But is it possible to have too much voting? And what is it about the Constitution that leaves us with a two-party, and not a multi-party, system?

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Dan Breen, J.D., Ph.D. is a lecturer at Brandeis in the Departments of Philosophy and Legal Studies and a Professor of History at Newbury College in Brookline. He holds a law degree from the University of Georgia and a doctorate from Boston College. His article on the influence of Judge Henry J. Friendly upon Chief Justice John Roberts was published by the South Dakota Law Review, and he is currently at work on an article tracing the origins of the concept of Self-Defense in Massachusetts criminal law. The scope of the topics he teaches is vast and includes *Constitutional Law, Judicial Politics, Legislation, Introduction to World Politics, Introduction to American Politics, American Political Parties and Interest Group, Introduction to Law, Topics in the Philosophy of Law, Justice Louis Brandeis and Progressive Jurisprudence*. He grew up in Atlanta, Georgia.

REGISTRATION for Civil Liberties

Space is limited. Register early.

Make check payable for \$185 to Brandeis University

Send registration and check to:

Rapaporte Seminars/BOLLI, MS 085, Rabb School, Brandeis, Waltham, MA 02454

Name _____ Email _____

Address _____ Phone _____

Questions? Contact Ilana Levine at (781) 736-2992 or ilevine@brandeis.edu

If you are not a BOLLI member, please tell us if you are:

- BNC Member?
- Brandeis Alum? Class of? _____
- NewBridge/Hebrew Senior Life _____
- How you heard about the program? _____