

Old and New: Judicial Decisions That Still Command Today's Headlines

Every day, as we read the newspaper or watch the news, we are confronted with myriad controversial issues that command our attention and generate serious debate. Immigration, patriotism, religion, women's rights, the role of courts and judges all become part of our daily discourse at home, in the workplace, in the gym or at social gatherings. Sometimes the discussions are civil, sometimes acrimonious, and these discussions impact on our interactions with our family, friends and business associates. Many perceive that these issues are new and have never been subjected to the critical review of the courts; however, this is not the case. This course will explore cases that have been decided in the past, which provide the underpinnings for consideration of current issues.

In the eight lectures comprising this course, we will provide an introduction and orientation of the Federal and New Jersey court systems, as well as explore the issue of how law is made, including a discussion of the controversial issue of "judge-made law"; we will examine women's struggles to achieve suffrage with a focus on the trial of Susan B. Anthony charged with the crime of "voting" and the companion civil trial of Virginia Minor, whose case was resolved in the United States Supreme Court; we will review the law and explore the Supreme Court decisions that inform the issue of whether a person can be compelled to salute the flag; we will provide a brief history on governmental restrictions on race and immigration and then focus on the interment of the Japanese during World War II; we will discuss some cases involving life and death issues such as eugenics and the right to die under both the Federal and New Jersey Constitution; we will examine the role of religion in the United States and the cases involving display of religious symbols, including the Ten Commandments, in public places; we will discuss the lives and careers of some Supreme Court justices including some of the best and the worst; and we will examine the doctrine of the right to privacy and its implications in modern society.

Note: Some of the lectures will be a repeat of lectures, in whole or in part, that have previously been presented in this course, but they will be updated. Although this course is primarily a lecture course, additional time will be made available for discussion of the issues raised in the lectures.

Recommended Reading: Nelson Johnson, *Battleground New Jersey, Vanderbilt, Hague and Their Fight for Justice*, available at Amazon.com. Cost ranges from \$15 to \$21. A case list will be distributed after the class roster is finalized.

Leader: Philip Carchman is a retired judge of the Superior Court of New Jersey, Appellate Division.

Tuesdays: 10:00 a.m. to 12 noon, 8 weeks: October 16 through December 4

Location: Monument Hall