

Privacy, the Second Amendment, and Other Rights

Every day, we hear about the issue of “our rights.” We debate, among other things, our right to privacy, our right to bear arms under the 2nd Amendment, our right to vote, our right to say what we want, pray as we choose or express our patriotism in our own way. Some of these issues 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. This course will explore the derivation of many of these rights, all in the context of history and court decisions that interpret and (maybe) protect these rights.

The course will consist of eight lectures. To establish context, we start with an introduction and orientation of the Federal and New Jersey court systems as well explore the issue of how law is made including a discussion of the common law. In later lectures, we will study, in detail, the right to privacy, and the right to bear arms under the 2nd Amendment. We will explore the struggle of Susan B. Anthony and the suffrage movement to achieve a woman’s right to vote. We will discuss how the Eugenics movement implicated the reproductive rights of women. 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 or be prosecuted for burning that same symbol. We will also explore the issue of how the courts dealt with the issue of race and its impact on the individual rights of minorities.

SOME OF THE LECTURES WILL BE A REPEAT OF LECTURES, IN WHOLE OR IN PART, THAT HAVE PREVIOUSLY BEEN PRESENTED IN EARLIER VERSIONS OF 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.

For the first class, please read (and pay particular attention to the footnotes) King v. Burris, 588 F. Supp. 1152 (D. Colo. 1984). The case can be found at the following link:

<https://law.justia.com/cases/federal/district-courts/FSupp/588/1152/1679730/>

Additional cases will be distributed after the class roster is finalized.

Leader: Phil Carchman is a Judge of the Superior Court of New Jersey, Appellate Division, on recall status.

Wednesdays: 10:00 a.m. to noon, 8 weeks: September 25 through November 20 (no class on 10/9)

Location: D&R Greenway Johnson Education Center, Maximum 45 seats