

UNIVERSITY OF CALIFORNIA, SAN DIEGO
Department of History
Winter Quarter 2012

PROF. PARRISH
HIUS155A
Solis 109

Office: HSS6073
Office hours:
MWF 11-12 or by
Appointment
mparrish@ucsd.edu
858-534-4696 (O)

LAW AND RELIGION IN AMERICAN HISTORY: COLONIAL FOUNDATIONS TO 1940

This lecture-discussion course examines selected topics in the history of law and religion in American society from the colonial era through the Great Depression. HIUS 155B in the Spring Quarter 2011 will continue the subject from 1940 to the present. Major emphasis will be placed upon the Religion Clauses in the First Amendment to the Constitution of the United States and their interpretation by federal courts.

Topics this quarter will include the origins of the concepts of religious toleration and religious freedom; religious dissent and the colonial heritage, the impact of the American Revolution and the adoption of the Constitution and the Bill of Rights, early interpretations of the Free Exercise and Establishment Clauses; the role of religion in the coming of the Civil War; federal suppression of polygamy; and early 20th century judicial support for religious liberty.

The following books and materials are required for the course. With the exception of materials on Electronic Reserves (ER) in the University Library, they may be purchased in the University Bookstore. Those marked with (*) will be used also in HIUS 155B in the Spring Quarter. A few copies of those marked (**) will be placed on reserve in the Geisel Library as well.

**John T. Noonan & Edward Gaffney, Jr., *Religious Freedom: History, Cases and Other Materials on the Interaction of Religion and Government*.

**John T. Noonan, *The Lustre of Our Country*.

Gary Wills, *Head and Heart: American Christianities*.

Course Requirements: Students should bring Noonan & Gaffney to class each session and complete the week's assignments prior to Monday. A one-hour in class mid-term on Friday, February 10 will count for 35% of the course grade. A three-hour

final examination on March 23rd will count for 55% of the course grade. Two unannounced quizzes on selected Fridays will each count for 5% of the course grade. There will be one make up quiz during the last week of class, March 16. **Please Note: Students taking the course N/NP must complete all of the examinations and quizzes and receive a grade of C or higher.**

Assignments

WEEK I (Jan 9-13)

Noonan & Gaffney, chapter 5, pp. 117-155
Noonan, Lustre, pp. 1-38 & chapter 14 (The Ten Commandments)
Wills, Head and Heart, pp. 1-82

WEEK II (Jan 16-20)

Noonan, Lustre, pp. 39-56
Wills, Head and Heart, pp. 83-171

WEEK III (Jan 23-27)

Noonan & Gaffney, pp. 158-182
Noonan, Lustre, pp. 60-91
Wills, Head and Heart, pp. 175-222

WEEK IV (Jan 30-Feb 3)

Noonan & Gaffney, pp. 182-208
Wills, Head and Heart, pp. 223-249

WEEK V (Feb 6-10)

Noonan & Gaffney, pp. 208-244
Wills, Head and Heart, pp. 255-302

MID-TERM EXAMINATION IN CLASS, FRIDAY FEB 10

WEEK VI (Feb 13-17)

Noonan & Gaffney, pp. 244-266
Noonan, Lustre, pp. 94-115
Permoli v. New Orleans; Vidal v. Girard's Executors (ER)

WEEK VII (Feb 20-24)

Noonan & Gaffney, pp. 254-287
Noonan, Lustre, pp. 120-137
Wills, Head and Heart, pp. 303-335

WEEK VIII (Feb 27-March 3)

Noonan & Gaffney, pp. 288-307
Wills, Head and Heart, pp. 336-350

WEEK IX (March 6-10)

Noonan & Gaffney, pp. 309-325

WEEK X (March 13-17)

Noonan & Gaffney, pp. 325-358
Cochran v. Louisiana; Hamilton v. Board of Regents (ER)

FINAL EXAMINATION: March 23, TBA