Hist. 390R, Sec. 1 will focus on aspects of religious freedom in history. This topic lies at the intersection of the study of religion, law, international conflict, intellectual history, philosophy, government, and a host of other fields. Religious freedom is one of the most current topics of our time. Yet the history of religious freedom is a relatively unplowed field, and no survey text exists.

This course will open to students a view of what religious freedom is and how it has developed in history. The format of the course will be seminar-like to the extent possible, with some lecturing but mostly discussion of readings and supervision of directed research. Students will create an outline and bibliography of their research, write brief thought-pieces that share their perspectives, and will have an opportunity for in-class presentation. Past students have found this format liberating and helpful to them in developing their historian skills. This course is a good preparation for law school and for graduate work in history or other fields.

This semester, we will cover the topic broadly but will have two areas of particular emphasis: historical antecedents to religious freedom in the medieval and early modern periods and religious freedom in American law (which is a great introduction to the subject as a whole). A challenge of this topic generally is that there is no general survey book, but I will lecture on the broad overview of the historical development of religious freedom before we get into more specialized discussion.

Assignments and grading

*Essays:* You will have two brief essays that will emphasize your thoughts on what we are studying during the semester. The assignments will be announced a few days before the due date.

*Research Project:* You will pursue a research project of your own choosing (but approved by me) that seeks to report on some aspect of religious freedom in history. We’ll talk about this project in the early part of the course. You are to produce an outline of a paper you would write and an annotated bibliography for the paper, but you do not have to produce the paper itself. You will, however, give an oral report of your conclusions to the class.

*Briefs:* Later in the semester, you will be assigned to “brief” two or three legal cases for presentation to the class. (I’ll teach you how. This is the “law school” component of your training.)
Reading: Much of the class will be reading the two required books and discussing them in class, as well as other readings as assigned. Take a few notes and try to refine your thinking through reading and discussion.

Participation: As a seminar, this class will thrive on your participation. This is a learning exercise that is enhanced through discussion. Although it is a subjective measure, a significant portion of your grade could depend on your participation. (In other words, regular and thoughtful participation that demonstrates your preparation and understanding of the subject helps your grade. Regular lack of preparation or participation — including attendance — hurts your grade. A seminar is a team effort and missing a session is like missing team practice: it’s harder to be recognized as a contributor to the team. Of course, I understand legitimate reasons to miss; just try to tell me beforehand, and don’t do it often.

Final: I’ll give you a take-home essay final. It will be due by the end of the semester.

Texts


Schedule (subject to adjustment)

Because this will be taught as a seminar, we will maintain some flexibility in the schedule so that our dialogue can develop in interesting ways. Be prepared for the readings and assignments to be clarified from class to class. However, here is the basic plan as of the beginning of the semester:

Week 1: Introduction to class. Why religious freedom? Why the history of religious freedom? What we hope to get out of the class. The doctrine of religious freedom from a religious perspective. Readings handed out.

Week 2: The justifications of religious freedom in philosophy. An overview of religious freedom in history.

Week 3: Begin discussion of *Divided by Faith*.

Week 4: Continue discussion. (I will possibly be in South America this week, in which case you will continue your reading and should invest your time in your research project.)

Week 5: Continue discussion.
Week 6: Attend a session of the International Symposium of Law and Religion, which will be in the BYU Law School on Monday and Tuesday of this week, more information to follow. Thursday, October 7, will be a session to recap current religious freedom issues around the world.

Week 7: Finish discussion of *Divided by Faith* (and probably have an essay assignment).

Week 8: Start reading and discussing the indicated chapters of *Religion and the American Constitutional Experiment*. (We won’t be reading every chapter of this book.)

Week 9: Continue reading and discussing.

Week 10: Continue reading and discussing. (It’s about here when we’ll be briefing cases.)

Week 11: Finish reading. (Another essay?)

Week 12: Work on research projects in class.

Week 13: No class.

Week 14: Deliver reports on research projects in class (and turn them in). Receive take home final exam.

Week 15: Tie up loose ends. Summarize your learning by way of answering questions in class that will be something of an oral evaluation or oral exam (not to make you nervous). These should be worthwhile and interesting days, so don’t dread them too much. Take home final exam is due on the last day of class, December 9.