

The History Religious Liberty in America – The Yeshiva University Case

Session I: Introduction and the Origins of the First Amendment

Reading(s):

- The First Amendment.
- Washington’s Letter to Newport Jews.

Session II: A Brief History of Modern Free Exercise Jurisprudence

Reading(s):

- Employment Division v. Smith (excerpts).
- Our Lady of Guadalupe School v. Morrissey-Berru (excerpts).
- Fulton v. Philadelphia (excerpts).

Session III: The YU Case: Part 1

Reading(s):

- NY Supreme Court Order against YU (excerpts).
- NY Appellate Court Order against YU (excerpts).
- “Religious Education on Trial” by Tal Fortgang.

Session IV: The YU Case: Part 2 – YU’s Petition to SCOTUS

Reading(s):

- Yeshiva University’s Petition for Stay Before the Supreme Court.
- Supreme Court Order Denying Stay.

Session V: Religious Education and Religious

Reading(s):

- “Taking the Long Way” by Yuval Levin.