### **GODBEY LECTURE SERIES**

### CONSTITUTIONAL LAW 101-CIVIL RIGHTS AND LIBERTIES

# Lackland H Bloom, Jr

I.	EOUAL	, PROTECTION OF THE L	<b>LAWS</b>

- A. Brown v Board of Education
  - 1 A revolutionary decision.
  - 2 It permanently changed the roll of the courts in America.
- B. Classifications
  - 1 Generalization
  - 2 Over and Under Inclusiveness
- C. Standards of review
  - 1 Deferential-Rational relation to a legitimate purpose.
- 2 Strict-Narrow tailoring to a compelling state interest with no less restrictive alternatives.
  - 3 Intermediate-Substantially related to an important state interests
  - D Strict Scrutiny
    - 1 Suspect Classifications-Race & Alienage
    - 2 Fundamental Interests-Voting, Criminal Process, Interstate Travel

### II. INCORPORATION OF THE BILL OF RIGHTS AGAINST THE STATES

- A The Original Constitution.
- B The Fourteenth Amendment Due Process.
- C Extraordinary Impact.

## III THE REVIVAL OF SUBSTANTIVE DUE PROCESS

- A. Griswold v Connecticut and the Right to Privacy.
- B Roe v Wade and the Acceptance of Substantive Due Process.
- C Tradition or Evolution?
- D It's here but is it legitimate?

### IV. FREEDOM OF SPEECH

- A Extraordinary Complexity.
- B The Central Values
  - 1 The Search for Truth
  - 2 Self Government
  - 3 Self Realization
- C The Core-Political Speech
- D Extended to Defamation, Obscenity, Provocative Speech, Commercial Speech
- E The challenges of new media

## V. FREEDOM OF RELIGION

- A Two Clauses-Establishment and Free Exercise
- B Late Twentieth Century Jurisprudence
- C Separation v Accommodation--Reaction Counter-reaction.
- D The Role of History and what does it tell us.