

**PROFESSOR EANG NGOV
COMPARATIVE LAW AND RELIGION
SUMMER ABROAD IN SPAIN
SUMMER 2019**

Contact Information

ENGOV@BARRY.EDU

About the Professor

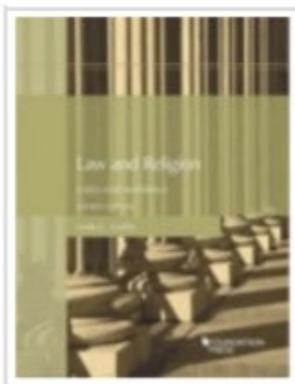
Professor Eang Ngov received her B.A. from the University of Florida, magna cum laude and J.D. from the University of California at Berkeley School of Law (Boalt Hall). Before joining Barry University Dwayne O. Andreas School of Law, Professor Ngov practiced domestically and internationally. She was a deputy prosecuting attorney in the state of Washington and practiced in Germany with the U.S. Department of the Army as a Civilian Attorney-Advisor. The U.S. Department of the Army awarded her the Commander's Award for Civilian Service and Performance Awards for her legal service to deploying soldiers and their families during Operation Iraqi Freedom.

Her scholarship focuses on constitutional law and constitutional criminal procedure, particularly individual rights and equal protection, and her writing has been published in the *Stanford J. Civil Rts. & Civil Liberties*, *Utah Law Review*, and *American University Law*, among others. Professor Ngov's articles have been cited by the United States District Court for the District of Massachusetts, State Supreme Court of Michigan, State Supreme Court of Vermont, and in an amicus curiae brief filed in the United States Supreme Court, as well as in scholarly journals.

She was awarded the Teacher of the Year Award for Upper Level Courses in 2014 and 2015.

Course Text & Materials

Required Text: LAW AND RELIGION: CASES AND MATERIALS. Author: Leslie Griffin, Fourth Edition, Foundation Press, ISBN 9781634605236. Additional articles will be assigned and posted on Dropbox. Please bring your textbook and assigned materials to class.



Course Description

This course will provide a comparative approach to religion. The focus on U.S. law will be on the interpretation and application of the Free Exercise Clause and the Establishment Clause of the First Amendment. A variety of judicial, historical, and theoretical readings will be assigned to illustrate historical tensions between law and religion in the United States and other countries. We will explore theories of neutrality, separation, and accommodation that have been advanced in the U.S. and international community.

To ensure a robust and thoughtful discussion, students are requested to be respectful of differing viewpoints.

Course Objectives

At the end of this course students should be able to accomplish the following:

1. Understand competing religious systems and their implications on the U.S. and international governments' approach to separation of church and state
2. Understand the effect of religious systems and free exercise
3. Develop an appreciation for religious diversity
4. Engage in self-reflection and exhibit a willingness to engage in self-appraisal of one's own beliefs as they relate to the law
5. Engage positively in purposeful, respectful debate

Class Participation

Expectations:

I expect you to be well prepared for each class session. Well prepared means you are prepared to discuss the material assigned for that day *plus any preceding material* and any information posted by me via Dropbox. I expect you to participate in class, and please do not be hesitant about volunteering simply because you are unsure of your answer; a good class session is an exercise in working through an issue.

Professional Conduct

Law school introduces students to the expectations of professional conduct. If an act would be considered unprofessional in a legal setting, I ask students not to do it in the classroom. If I determine that a student is acting unprofessionally, I will ask that student to leave class and will mark the student as absent for that day.

At all times, students are expected to be respectful of differing viewpoints. Students need not agree with another's opinion but must conduct themselves with professionalism. Students should feel free to contribute to the class discussion without fear of judgment in this course because a robust discussion enhances the course.

Commercial outlines and case briefs are not permitted in class.

Technology Policy

Laptops and tablets are permitted for note taking purposes only. Please store away your cell phones and do not take them out during class. Any violations will result in the technological device being banned from class for the duration of the study abroad program.

Attendance

ABA requirements:

The ABA and the law school require regular attendance of classes; students are also expected to be in class on time.

Students should refer their respective school's policy to determine the amount of allowable absences.

Summative Assessments

Unless otherwise specified, students' grades will consist of the following:

1. final take home exam (50% of the final grade)
2. participation in class (25% of the final grade)
3. presentations (25% of the final grade). Students will sign up for discussion topics and presentation topics.

Recording Class

This course covers controversial topics. In order to encourage free discussion and to avoid chilling students' participation, no portion of the class may be recorded by audio and/or video.

Honor Code

The Honor Code and Student Code of Conduct of each respective school applies to this course and examination.

Changes to the Syllabus and Reading Assignments

The syllabus and reading assignments are subject to change. I will provide notice of any changes by email or announcement in class.

Reading Assignments

To allot equal time for each student's presentation, the reading assignments may be adjusted depending on the size of the class. Additional reading assignments may be added if the class size is smaller than expected.

| Assignment | Topic | Pages | # of assigned pages |
|------------|---|--------------------|---------------------|
| 1 | Ch. 2 Introduction to Establishment A. Fusion of Governmental and Religious Functions B. The Lemon Test, Endorsement, and Coercion | 45-72 | 21 |
| 2 | C. Prayer and Government | 73-100 | 27 |
| 3 | Ch. 3 What is Establishment of Religion A. Religious Symbols and Monuments | 101-133 | 33 |
| 4 | B. Public Funding of Religion | 134-162 | 28 |
| 5 | C. Establishment Clause as a Defense: Equal Access | 163-180 | 28 |
| 6 | Ch. 4 Constitutional and Statutory Protection of Free Exercise A. Constitutional Exemptions: From Sherbert to Smith | 181-214 | 33 |
| 7 | B. Statutory Exemptions: RFRA | 215-244 | 29 |
| 8 | Chapter 6: Conflicts Between Individual and Institutional Religious Freedom B. Disputes about Religious Employment | 311-313 328-361 | 36 |
| 9 | C. Tort Suits Against Religious Organizations | 363-395 | 32 |
| 10 | Chapter 8: Comparative Religious Freedom A. Religious Garb | 443-470 | 29 |
| 11 | B. Blasphemy and Defamation of Religion C. Conscience 2. Law and Government | 471-482 497-507 | 21 |
| 12 | 3. Religious Exemptions Student Led-Discussions and Presentations See Dropbox for additional reading | 508-520 | 12 |
| 13 | Final Take-Home Exam is Due Student Led-Discussions and Presentations See Dropbox for additional reading | | |
| 14 | Student Led-Discussions and Presentations See Dropbox for additional reading | | |
| 15 | Student Led-Discussions and Presentations See Dropbox for additional reading | | |
| 16 | Student Led-Discussions and Presentations See Dropbox for additional reading | | |