
**Course Objectives:** This course was originally supposed to be called “The First Amendment and Original Intent.” Then, in response to an emergency, I was asked to re-tool it into a senior seminar. In response to my disdain for the accreditation bureaucracy, I decided to make it a special topics class. (Because it is no longer a capstone class, the accreditation Nazis no longer control my course content. Fitting response for a First Amendment advocate, is it not?). It is now an overview of First Amendment cases, all of which are crime-related. It begins with a discussion of the first important free speech cases in American history, which were necessitated by the over-zealousness of the Wilson administration during World War I. From there it moves into more contemporary problems associated with the criminalization of obscenity and “expressive conduct.” Before the semester ends, we will get into some contemporary issues such hate crimes legislation and penalty-enhancement statutes. This may be the most interesting and relevant course you ever take as a student at UNCW. I do not say that for lack of humility. (See my forthcoming book, *Ten Steps to Humility: And How I Made It In Seven*). But, seriously, I’m just working with really interesting and sometimes explosive material. Over the course of the semester, we will all gain a greater understanding of a very complex area of constitutional law.

**Class Activities and Grading:** I will talk about a lot of cases this semester. You will each brief at least five of them. I will explain how that is to be done (in our first class meeting). When you present your case briefs you will be a part of the dialogue about the case. Whenever someone else presents a case brief you will just listen. Take good notes as the cases are covered on the exams. Your grade will be based upon your three tests, which are worth ten points each and your case briefs, which are worth five points each. I will simply take your points earned, divide by points possible, and grade on a ten percent-point scale.

Note that I will take attendance this semester. If you miss a class it is no big deal. If you miss two classes I will attach a minus to your final grade. For every additional absence I will deduct a letter grade.

**Course Learning Objectives:** To foster an understanding of the danger of the government assuming control of speech. This includes, but is not limited to, forcing professors to speak against their will by including useless learning objectives in their course syllabi.
Class Outline:
Meeting One: Introduction to the class, explanation of syllabus, assignment of briefs.


Meeting Seven: Chapters 1-5 in Unlearning Liberty. Test One.


Meeting Thirteen: Chapters 6-10 in Unlearning Liberty. Test Two.

Final Exam: Consult Schedule.
**Who is Davidson Myers?**

If you have not yet heard (or read) about me, I am an outspoken professor who has, at times, been critical of certain aspects of evolution. I mention this because it affects the way I see you and the way I will treat you this semester. Rather than seeing you as the mere product of random mutation, I see you as a unique individual endowed by his Creator – not just with a right to life, liberty, and the pursuit of happiness – but with a purpose. Each one of you has unique and special talents and along with that a distinct purpose in life that makes you not just unique but irreplaceable.

Unfortunately, I sometimes have students who resist fulfilling their God-given potential. Often, they do things in college that hurt their chances of success in life. One good example is a fellow named Davidson Myers whom I first taught in the fall of 1999. Davidson, who aspired to be a lawyer, came into my class late on several occasions. He was also prone to turning around in his seat and yapping in class with another student by the name of Paula Tyndall. This went on for weeks until Davidson the aspiring lawyer got back his first test grade. It was a “C” in a class called “Criminal Law and Procedure” that was central to his career aspirations. He was devastated so he came by the office to see me. When Davidson came by he told me he could not afford to be getting “Cs” because he was going to be a lawyer. My response to Davidson was simple: “No, you’re never going to be a lawyer. Not until you get your (offensive term deleted) together.”

A truly bizarre thing happened to Davidson after I told him to get to class on time and pay attention or he would never amount to anything. He actually did what I told him to do. In addition to getting an “A” on my next exam he took another of my courses the next semester. He got an “A.” Today, he is a lawyer married to another lawyer. He and his wife have successful practices here in North Carolina. When I called him to ask permission to share his story he laughed uncontrollably. I consider him a friend and someone I would hire were I to get into trouble with the law.

By the way, here is the reason I am sharing Davidson’s story with you today:

1. Every time you enter my class late – even one second late (as you should be in your chair before the class begins) – I will send you an email with the question “Who is Davidson Myers?” in the subject line. If you can tell me who he is, I will only deduct one point from your final average. If you cannot, I will send another email, which will cost another point.
2. Every time you flap your jaws with one of your classmates while I am lecturing I will send you an email with the question “Who is Davidson Myers?” in the subject line. If you can tell me who he is, I will only deduct one point from your final average. If you cannot, I will send another email, which will cost another point.
3. Every time I see or hear your cell phone in my class I will send you an email with the question “Who is Davidson Myers?” in the subject line. If you can tell me who he is, I will only deduct one point from your final average. If you cannot, I will send another email, which will cost another point.

All points deducted will go into a special fund available to credit (at semester’s end) those students who follow the rules. In other words, they will go to those who never received a “Who is Davidson Myers?” email.