

THE SUPREME COURT AND THE RIGHT TO PRIVACY

Every day, we hear about the issue of “our rights.” Some of these rights are established by specific amendments to the Constitution of the United States or various state constitutions. Examples of this are the 1st Amendment right of free speech or the 2nd Amendment right to bear arms. There are, however, certain constitutional rights that are found nowhere in the language of the federal or some state constitutions. This four-lecture course will focus on one of these unspecified rights - The Right to Privacy.

Where does it come from? How was it identified? How is it applied? All of these questions will be addressed in this course. Among the most controversial of these unspecified constitutional rights, we may debate the meaning of the Right to Privacy as part of our daily discourse at home, in the workplace, in the gym or at social gatherings. Sometimes the discussions are civil, sometimes acrimonious, and these discussions impact on our interactions with our family, friends and business associates. This course will explore the right to privacy, in the context of history, legislation and court decisions that established this right and interpret and (maybe) protect these rights today.

In discussing the Right to Privacy, we will identify and discuss in some detail, the Supreme Court Justices who authored relevant privacy opinions and how their backgrounds and value systems influenced their decision-making. These include United States Supreme Court Justices Louis Brandeis, Justice James McReynolds, Justice William O. Douglas and New Jersey Supreme Court Chief Justice Richard J. Hughes.

SOME OF THE LECTURES WILL BE A REPEAT OF LECTURES, IN WHOLE OR IN PART, THAT HAVE PREVIOUSLY BEEN PRESENTED IN EARLIER VERSIONS OF THIS COURSE, BUT THEY WILL BE UPDATED. ALTHOUGH THIS COURSE IS PRIMARILY A LECTURE COURSE, ADDITIONAL TIME WILL BE MADE AVAILABLE FOR DISCUSSION OF THE ISSUES RAISED IN THE LECTURES.

Course reading materials will be distributed when an enrollment list is finalized.

Leader: Philip Carchman is a retired judge of the Superior Court of New Jersey, Appellate Division and former Administrative Director of the New Jersey Courts.

Tuesdays: 11:00 a.m. to 1:00 p.m., 4 weeks: February 23 through March 16

Maximum: unlimited