

Law 590-02 & 03
Firearms Law and the Second Amendment Senior Writing Seminar
Course Policies and Syllabus
Fall 2019
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This course is a Senior Writing Seminar on the Second Amendment, and is taught both face-to-face (Section 02) and online (Section 03). The course has two main components: the first understanding the history and development of Second Amendment legal theory; the second is writing a high-quality research paper. Both the law and the writing are the foci of the course.

Course Materials:

Required: *Firearms Law and the Second Amendment* by Johnson, Kopel, Mocsary, & O'Shea, 2nd ed. The casebook provides edited versions of some crucial cases, and in some instances, I will assign you to read those cases in their entirety.

Recommended: *Negroes and the Gun: The Black Tradition of Arms* by Nicholas Johnson; *Gun Control in the Third Reich: Disarming the Jews and "Enemies of the State"* by Stephen Halbrook.

Individual Conferences:

I am an adjunct professor, so I have no office or office hours per se. However, the later portion of this class will be focused on writing and revising your papers. As such, I will make myself available for individual conferences as requested and will be happy to comment on drafts submitted to me electronically.

Class time and place:

The face to face version of this class meets Fridays in Lesar Hall room 164, from 9:30 a.m. until noon. A video recording of the Friday lectures will be available to the online section soon after the Friday course meets. See the weekly schedule below for information regarding dates when class meets.

Course description:

This class is devoted to the history and development of law concerning the Second Amendment to the United States Constitution. It is also focused on helping students improve their writing and using writing as a method of thinking through legal issues. Hopefully that sounds fun to you, but just in case it doesn't we will spend some time at a rifle range and will host several guest speakers who can add to our understanding of firearms law.

Attendance:

I will keep attendance. Because this class is hybrid with students attending both face to face and online, your participation in class will be noted by the short writing assignments you submit weekly. In case of an unforeseeable, genuine emergency that prohibits your completion of any course work, please reach out to me so that we can discuss a solution. I am very forgiving with

students who communicate with me at the onset of a problem, but not so much for students who procrastinate and then ask for accommodations at the last minute.

Class Discussion and Participation:

This is a small class. You are expected to fully participate in class discussions. Each week you will respond, in writing, to the course readings and submit your writing (400-500 words) to me before class. I will anonymously share excerpts of these writings with the class in an effort to further class discussion.

We will be discussing topics that are of considerable significance to many people and about which reasonable people may have differing beliefs and views. Consistent with your role as a future member of the bar, you are expected to conduct yourself at all times with the utmost courtesy and civility, according your classmates and professor respect, listening to them with an open mind, and thinking critically about your own point of view and that of others.

Plagiarism:

Plagiarism is a clear violation of both the SIU School of Law Honor Code, <http://www.law.siu.edu/Current%20Students/PDF/SOL%20Honor%20Code-Revised%2011-13-08.pdf> and the SIU Legal and Ethical Conduct Requirements: <http://bot.siu.edu/leg/policies.htm1#7F>. Plagiarism will be treated severely and the penalties for any student who plagiarizes will include receipt of an “F” for the course and referral for formal academic misconduct proceedings which may result in expulsion from the law school. If you are unsure what constitutes plagiarism, refer to the definition in the SIU Legal and Ethical Conduct Requirements at the above link.

Emergency procedures:

As required by the campus-wide SIU administration, I am providing the following information to you: Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC emergency response plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, on BERT’s website www.beret.siu.edu, on the Department of Safety’s website www.dps.siu.edu (disaster drop down), and in the Emergency Response Guidelines pamphlet. Know how to respond to each type of emergency.

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.

Assignments, Deadlines, and Grading:

Your final grade will consist of the following:

Weekly writing assignments:	30%
Presentation on your topic:	10%
Final paper:	60%

Weekly writing assignments: You will submit to me, via email to Sharee.langenstein@siu.edu, a weekly reaction paper of 400-500 words, concerning the assigned readings for that week. These should be submitted by noon on Thursday concerning the readings for Friday's upcoming class.

Presentations: At the end of the semester, everyone will give a live presentation about their paper to the class. The online section students will email the presentations to me, and these must have an audio and/or video component. Presentations should last 5-7 minutes and must be professional and formal, as if presenting at a CLE or academic conference.

Paper: The bulk of your grade this semester is the completion of a 25-page (minimum) paper on a topic that concerns the Second Amendment. The paper must be typed and double-spaced, with one-inch margins in Times New Roman font. **The final drafts of all papers are due at noon on Wednesday, December 11, 2019.**

Readings:

Each number represents a week in the class. In doing the reading, it is imperative that you read and at least consider the Notes & Questions and Exercises in each section; we will be discussing selected ones in class. A few notes on the readings:

- Readings are approximate; material not finished one week will be covered the next.
- We will cover material in various levels of detail; you should read all of it, however, to get the context needed to properly understand it.
- If part of a chapter is not listed (e.g. 2.A and 2.G-J) you should quickly skim that section to get a sense of its contents. We will be quickly flipping through those sections in class.
- A goal of this class is to cover applications to firearms law and theory, and the Second Amendment, to specific areas that interest you. Therefore,
 - if there is material in the book in which you are particularly interested, but it is not listed in the syllabus, please let me know; and
 - I will be soliciting your input into what we should cover in the second part of the semester, so please think about what material from chapters 9, 11, and the online chapters to the 1st edition you would like included in the second half of the syllabus.
 - Online chapters link:
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2683661

The following list is an estimation of the readings for our weekly class sessions. I am still working to finalize various guest speakers and our range day so these may shift a bit. Please stay far enough ahead to be properly informed for class discussion.

August 30	Chapter 1, Chapter 2.B-F & K	Social Science & Early/UK History of Weapons Laws
September 6	Chapter 3.A, C, E.4, & F Chapter 4 A-D, F.1, F.2	Colonial Era & New Constitution
September 13	Chapter 5 B & F. Chapter 6 A-C, E, G.	Antebellum Case Law & Civil War
September 20	Chapter 7 A-B, D, E, G Chapter 8 A, C, D	Twentieth Century & Gun Control Act (GCA)
September 27	Chapter 10	Heller & McDonald
October 4	Chapter 11 A, B, D, E Chapter 11 F.3	Applying the Affirmed Right to Arms Part 1
October 11	Chapter 11 appendix 3	Applying the Affirmed Right to Arms Part 2
October 18	Topic proposals due	
October 25		
November 1		
November 8		
November 15		
November 22		