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The Institute of Bill of Rights Law

Institute of Bill of Rights Law at The College of William & Mary School of Law

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At the Marshall-Wythe School of Law
The College of William and Mary
Williamsburg, Virginia
The Institute of Bill of Rights Law is a privately funded organization primarily oriented to education and research on constitutional liberties. Its foundation in 1982 at the Marshall-Wythe School of Law recognized the prominent role of Williamsburg and the College of William and Mary in the legal education of the early leaders of the United States.

William and Mary, chartered in 1693, is the second oldest institution of higher learning in the United States. It was named after the English monarchs to whom the Parliament presented the English Bill of Rights in 1689. The College’s School of Law was named for two of Virginia’s most prominent legal figures: John Marshall and George Wythe. Marshall was the Chief Justice of the United States Supreme Court most responsible for forging the authority of the constitution and the nation. Wythe, under whose tutelage Thomas Jefferson, John Marshall, James Monroe and Henry Clay studied law, held the first academic chair of law in America at William and Mary from 1779-1790.

The Institute derives its initial funding from the Lee Memorial Trust Fund, created in a bequest from Laura Lee of Washington, D.C. in memory of her parents, Alfred Wilson Lee and Mary I. W. Lee. Mr. Lee was founder and president of Lee Enterprises, Inc., a communications corporation consisting of newspapers, electronic media and related entities, headquartered in Davenport, Iowa.
AIMS

The Institute's central focus is scholarship and education on freedom of speech and of the press, with interests also in legal history, legal writing, and professional responsibility. The Institute serves both the legal and journalism professions in manners consistent with its ties to a professional school and an institution of higher education. The Institute is an academic foundation; it undertakes no lobbying and adopts no partisan political stance. Its mission is quality research and public education.

PROGRAMS & PUBLICATIONS

The Institute undertakes extensive conference and publication activity. Some of its programs are oriented to research and theoretical matters; others facilitate the interaction of lawyers and journalists in common practical matters. The Institute publishes the proceedings of its annual symposium and has also established its own monograph series.

The major annual program of the Institute is a symposium designed to attract a broad audience of academic and practicing lawyers and journalists. The symposium is already a nationally prominent event. Topics from previous years have included "Defamation and the First Amendment: New Perspectives" (1984) and "National Security and the First Amendment" (1985). The 1986 symposium was "Religion and the State" and attracted the nation's major authorities on the subject: Jesse Choper, Dean of the University of California at Berkeley School of Law, Philip Kurland the William B. Kenan, Jr. Distinguished Service Professor at the University of Chicago Law School, and Kent Greenawalt the Cardozo Professor of Jurisprudence at Columbia University. Commentators included recognized legal scholars from such universities as Chicago, Michigan, New York University, Northwestern, California, Virginia, Texas and Georgetown. The 1987 symposium, to be held March 27-28, will explore the framing of the constitution. Robert A. Ferguson, Professor of English at the University of Chicago, Morton J. Horwitz the Charles Warren Professor of American Legal History at Harvard and Sanford Levinson, Professor of Law and Dougherty, Hearon and Moody Faculty Fellow at the University of Texas will deliver major papers.

The Institute also has a continuing commitment to encourage communication between the fields of law and journalism. To that end, the Institute sponsored a sympo-
sium in July 1985 with the American Society of Newspaper Editors. A number of the country’s leading editors joined media law experts for a program entitled “Legal Restraints on the Press: An Overview”. On November 17-20, 1985, the Institute cosponsored a seminar on Freedom of the Press with the Southern Newspaper Publishers Association. Participants were predominantly journalists; the panel included publishers, editors, litigators and constitutional scholars. On June 5-6, 1986, the Institute and the American Newspaper Publishers Association conducted a seminar entitled “Libel Law and the Press: Myth and Reality.” The seminar presented and discussed the results of the Iowa Libel Research Project, a long-awaited empirical study of libel litigation, and the recommendations that accompany it. On November 20-21, 1986, the Institute will cosponsor with the Virginia Bicentennial Commission a seminar for journalists on the history of the Constitution.

In addition to the symposium publications, the Institute has developed a monograph series. In November 1984, the Institute invited Lee Bollinger of the University of Michigan School of Law to deliver the annual George Wythe lecture on “Tolerance and the First Amendment”. The talk will soon appear as the Institute’s first monograph. The second monograph grows out of an Institute-sponsored program for the American Society for Eighteenth Century Studies. It is tentatively entitled Constitution and Rights and will be simultaneously published in the New York University Legal History Series and by the Institute. It is coauthored by William Nelson, (New York University School of Law) and Robert Palmer (Institute of Bill of Rights Law). In March, 1986 the Institute cosponsored a lecture by Professor Michael Perry, an authority on constitutional interpretation from Northwestern University. Professor Perry’s paper will be published in the William and Mary Law Review.

The Institute of Bill of Rights Law performs broader public outreach functions as well. On November 9-11, 1986, for example, the Institute will cosponsor, with the First Amendment Congress, a conference directed primarily to public school teachers entitled “First Amendment Issues: Schools in a Free Society.” The Institute has been designated by the Virginia General Assembly as a focal point for statewide celebration of the Bicentennial of the Constitution in 1989 and the Bill of Rights Bicentennial in 1991. It is thus initiating a series of public information and educational programs on the Constitution and the Bill of Rights. The Institute will maintain liaison with national and state commissions and other organizations in planning and participating in the Bicentennial celebrations.
Each year the Institute brings to Marshall-Wythe a major scholar as the Distinguished Lee Professor to encourage research and provide additional opportunities for faculty and student development. Since the initiation of the program, the Distinguished Lee Professors have included David Anderson of the University of Texas Law School (1983), Robert Kamenshine of the Vanderbilt School of Law (1984), and Kent Greenawalt the Cardozo Professor of Jurisprudence at Columbia Law School (1985). These widely recognized scholars have contributed substantially to the reputation of the College and provided stimulating interaction with faculty and students.

In September, 1986, the Institute will initiate a Lee Fellows program. Under its auspices, a series of prominent scholars will be brought to the law school to conduct lectures, seminars and class discussions for the benefit of both faculty and students at the College. During the 1986-87 academic year Vincent A. Blasi the Corliss Lamont Professor of Civil Liberties at Columbia University School of Law, Kenneth Culp Davis the Distinguished Professor of Law at University of San Diego, and A. E. Dick Howard the White Burkett Miller Professor of Law and Public Affairs at the University of Virginia have agreed to visit as Lee Fellows.

The Institute also provides the school of law with a legal historian: Robert C. Palmer. Professor Palmer works in both American and English legal and constitutional history. He is a prolific scholar and was the recipient of the American Historical Association’s Herbert Baxter Adams Prize in 1984.

The Institute, to encourage new approaches to teaching legal writing at Marshall-Wythe, funded an experimental program in legal writing. Professor Michael Hillinger was hired as a full-time teacher in legal writing and appellate advocacy. The law school recently adopted Professor Hillinger’s approach and dedicated a regular faculty position to carrying it out.

Timothy Sullivan, Dean of the Law School, is the Director of the Institute. He and Gene Nichol, the Deputy Director and a nationally recognized constitutional law scholar, are responsible for directing Institute development and coordinating Institute activities.
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