

The Wall Street Journal Instructor Guide

An Overview for Law Professors
Fall 2018

About The Wall Street Journal's Instructor Guide

We developed this guide to help you maximize The Wall Street Journal as a resource for your classes. You'll be able to energize discussions and engage students with tangible examples of course concepts that your students can apply in the real world. In addition, with the help of faculty partners, we've curated a special collection of our most popular and thought-provoking articles across management. For each of these readings, we provide a summary, correlation to course topics, classroom applications and questions suitable for launching discussions and conducting assessments. Here are some of the many ways to incorporate WSJ into your courses:

- **Course Readings:** Assign articles as required reading alongside your textbook sections. For best results, include assessment questions on quizzes and exams.
- **Discussion Launchers:** Use articles to spur classroom and threaded discussions in online and hybrid courses on core concepts and current events.
- **Extra Credit:** Allow students to read optional articles and answer assessment questions for extra credit.
- **Group Projects:** WSJ is a rich source of real-world topics for group research and presentation projects.
- **Research Papers and Case Studies:** WSJ features provide timely citations for research projects.

Table of Contents

1. [Supreme Court Ruling Ducks Conflict Between Religious, Gay Rights](#) 6/5/2018
2. [Judge Demands More Information from Oil Companies in Climate-Change Suits](#) 5/25/18
3. [Companies Trying to Deal With Discrimination Face Backlash](#) 5/7/18
4. [Regulators Take On Silicon Valley, as They Did Earlier Innovators](#) 4/18/18
5. [What Rights Should Corporations Have?](#) 3/2/18

Supreme Court Ruling Ducks Conflict Between Religious, Gay Rights



Reporters: Jess Bravin (06/05/18)

Reviewed By: Linda Christiansen, Indiana University Southeast

Topics: Civil Rights, Concurring Opinions, Constitutional Law, Discrimination, Dissent, Free Speech, Supreme Court

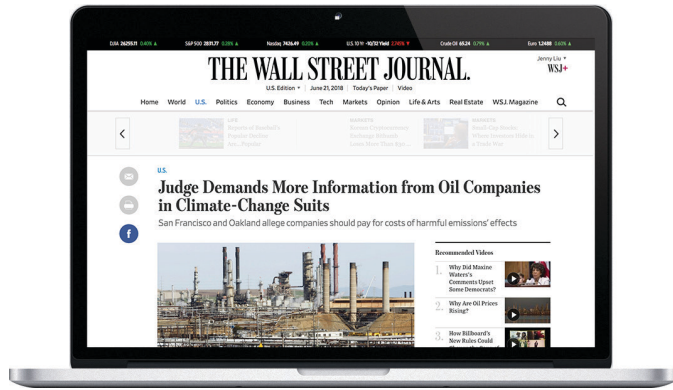
Summary: The Supreme Court sidestepped a decision on whether religious merchants have a constitutional right to deny service to gay people, instead ruling narrowly that a Christian baker didn't get a fair hearing before a state civil-rights commission. The 7-2 majority found that in enforcing state civil-rights law, which forbids discrimination based on sexual orientation, the Colorado Civil Rights Commission appeared contemptuous toward the Christian baker's religious beliefs against same-sex marriage. The decision all but ensured that the underlying conflict between gay-rights backers and religious conservatives soon would return to the court. In two separate concurring opinions and a dissent, seven of the justices laid down markers for the battles to come.

Classroom Application: This Supreme Court decision is an update to the legal battle between religious rights and same-sex marriage.

Questions:

1. What are the facts of the lawsuit? Who were the parties to the case?
2. How did the Supreme Court rule? What was the reasoning for that ruling? With which of the parties' actions did the court disagree? Why?
3. What are civil rights? Why was this considered by some to be a civil rights case?
4. How is this decision limited? What issues didn't the opinion address? Why? Are those issues likely to be addressed in the future?
5. What is the concurring opinion? Why would a justice write one? What is a dissenting opinion? Why do judges write them? What do the concurring and dissenting opinions reveal in this case?

Judge Demands More Information from Oil Companies in Climate-Change Suits



Reporters: Alejandro Lazo and Miguel Bustillo (5/25/18)

Reviewed By: Linda Christiansen, Indiana University Southeast

Topics: Clean Air Act, Dismissal, Emissions, EPA, Friend-of-the-Court Brief, Jurisdiction, Public Nuisance

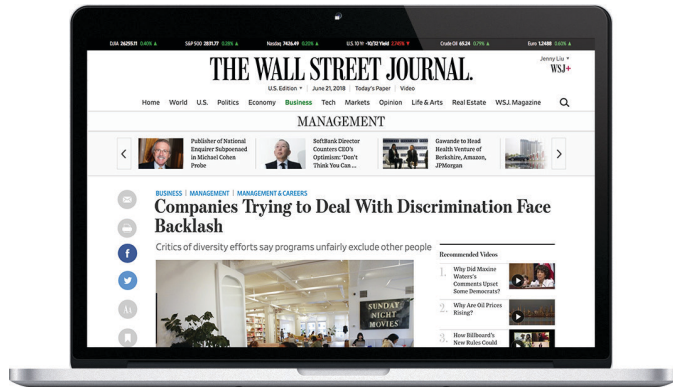
Summary: A federal judge said he needed more information before deciding whether to dismiss the lawsuits by San Francisco and Oakland alleging that five of the world's largest oil companies should pay to protect the cities' residents from the impacts of climate change. The judge asked the oil companies and cities to answer their arguments regarding the merits of the suit, and ask the companies to produce additional material backing up claims by some that they shouldn't be a part of the case because the court lacked jurisdiction over them.

Classroom Application: This article could be used for coverage of torts, environmental law and dismissals. This is also an interesting article to use for public nuisance because we can discuss causation links, as well as how damages could be calculated.

Questions:

1. What are the facts of this case? Who are the plaintiffs and who are the defendants? What areas of law are the plaintiffs applying?
2. What is a dismissal? In what situations are they granted? Why is a dismissal an important decision in a lawsuit?
3. What did the judge say he needed at this point in the lawsuit? Why?
4. What are the defendants' arguments? How do these arguments support dismissal?
5. What is the jurisdiction? What does it require? In general, how is it determined? How could it be a factor in this lawsuit?

Companies Trying to Deal With Discrimination Face Backlash



Reporter: Kelsey Gee and Lauren Weber (5/7/18)

Reviewed By: Linda Christiansen, Indiana University Southeast

Topics: Discrimination, Employment Law, Reverse Discrimination, Unruh Act

Summary: Companies trying to rectify a legacy of discrimination are finding that some tactics are backfiring and sparking new grievances. Female-only initiatives and other diversity efforts are drawing objections from those who feel left out or challenge the idea that people in historically underrepresented groups need targeted resources to help them accelerate in their careers and are raising concerns that the programs unfairly exclude other people. Many companies trying to reach diversity goals are also attempting to avoid offending anyone or wading into murky legal territory. While federal statutes prohibit discrimination against any sex or race, courts have recognized companies' right to correct imbalances through programs such as targeted outreach and training courses designed for people from groups that are underrepresented in a firm's workforce.

Classroom Application: This article could be used when covering employment law and discrimination.

Questions:

1. What are the facts surrounding the investigation into the Wing? What agency is investigating?
2. What type of discrimination is discussed in the article? How is it different than many cases appearing in the news or in courts?
3. What is the Unruh Act? When was it enacted? What is its purpose? How has Al Rava used the act to change some policies?
4. How could the groups discussed in the article achieve their goals without discriminating?

Regulators Take On Silicon Valley, as They Did Earlier Innovators



Reporter: John Steele Gordon (4/18/18)

Reviewed By: Linda Christiansen, Indiana University Southeast

Topics: Antitrust Law, Restraint of Trade, Sherman Act

Summary: The Wild West days of Silicon Valley are coming to an end, just as they did for industrial capitalism. This article presents the history and development of antitrust law. The author hopes the current parties - the entrepreneurs, the market, and the government - can develop the needed regulations to adapt this maturing industry to the demands of modern American life.

Classroom Application: This history of the development of antitrust law is presented in the response to the growth and dominance of Facebook and other Silicon Valley companies. It is an interesting article to use for coverage of antitrust law.

Questions:

1. What is antitrust law? What does it protect? What does it regulate?
2. Why do some parties have concerns about Facebook and other tech companies?
3. What is the Sherman Act? When was it enacted? Why was it enacted? How was it used in those early days?
4. What is the ICC? What is its purpose? Why was it formed? How is it related to the Hepburn Act?
5. How could US antitrust law be applied to the activities of Facebook and other Silicon Valley companies? How are the companies discussed in the article similar to Facebook?

What Rights Should Corporations Have?



Reporter: Adam Winkler (3/2/18)

Reviewed By: Linda Christiansen, Indiana University Southeast

Topics: Corporations, Landmark Decisions, Rights

Summary: Corporations have come to possess some of the most fundamental rights of individuals. The first Supreme Court case on the rights of business corporations was decided in 1809. After opponents in Georgia imposed a tax on the Savannah branch, the Bank of the United States claimed a constitutional right to challenge the tax in federal court. Article III of the Constitution, however, guaranteed the right to sue in federal court only to “citizens.” In a landmark decision, Chief Justice John Marshall held that the Constitution must be read expansively to include corporations. Recent examples include Citizens United (2010) - the justices held that corporations had the same free-speech right as individuals to spend money on election ads - and Hobby Lobby (2014) - the Court held that certain corporations had a right to religious liberty under a federal statute and were entitled to an exemption from Obamacare’s mandate to cover birth control in employee health plans.

Classroom Application: This article discussing the legal rights of corporations would be appropriate for coverage of forms of doing business and corporate law.

Questions:

1. The article refers to corporate personhood? What does that mean?
2. What is a landmark ruling? What is the importance of a landmark ruling?
3. What was the first landmark case discussed in the article? What were the facts of that lawsuit? What legal right was in question? What did the court decide?
4. What were the details of the second landmark case discussed in the article? What legal right was in question?
5. How have corporate rights changed over the years? What were the original rights? How have the number and types of rights changed?
6. Why are some people critical of corporate rights?

