

REDEFINING THE FIRST FREEDOM

The Supreme Court and
the Consolidation
of State Power

GREGG
IVERS

Redefining The First Freedom

Maria Rubins



Redefining The First Freedom:

Redefining the First Freedom Gregg Ivers, 1993 For over two hundred years the First Amendment to the U S Constitution has prevented government from establishing an official religion and from supporting or inhibiting privately held religious beliefs Nonetheless agreement over the proper constitutional boundaries separating religion from the state remains elusive In this timely book Ivers demonstrates that recent trends emerging in the Supreme Court point toward a weakening of the constitutional protections extended to religious minorities and a widening breach in the wall separating church and state In the last decade Ronald Reagan who openly expressed his contempt for the Court s religious clause decisions appointed justices who shared his view that majorities should have greater control over questions involving the place of religion in public life This pattern has been continued by George Bush s appointments to the Court In rigorous and comprehensive terms Ivers examines the profound changes in the church state jurisprudence of the Supreme Court Rather than viewing law and politics in mutually exclusive terms the author explains how this Court s drastic departure from established precedent is not value neutral as claimed but represents a carefully crafted political jurisprudence designed to advance the interests of majoritarian religion In case after case Professor Ivers illustrates that the Court has abandoned its role as a countermajoritarian institution a posture that has had and will continue to have grave consequences for religious minorities not well positioned in legislative bodies Brilliantly argued and written in a lucid accessible manner *Redefining the First Freedom* will appeal to constitutional scholars political scientists and civil rights activists It will inject new vigor into the debate over the Court s role as guarantor of individual rights the meaning of the First Amendment religion clauses and the appropriate relationship between religion and government

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The Religion Clauses of the First Amendment Ellis M. West, 2012-07-10 The First Amendment of the U S Constitution begins Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof The Supreme Court has consistently held that these words usually called the religion clauses were meant to prohibit laws that violate religious freedom or equality In recent years however a growing number of constitutional law and history scholars have contended that the religion clauses were not intended to protect religious freedom but to reserve the states rights to legislate on If the states rights interpretation of the religion clauses were correct and came to be accepted by the Supreme Court it could profoundly affect the way the Court decides church state cases involving state laws It would allow the states to legislate on religion even to violate religious freedom discriminate on the basis of religion or to establish a particular religion This book carefully thoroughly and critically examines all the arguments for such an interpretation and more importantly all the available historical evidence It concludes that the clauses were meant to protect religious freedom and equality of the individuals not the states rights

Social Issues in America James Ciment, 2015-03-04 More than 150 key social issues confronting the United States today are covered in this eight volume set from abortion and adoption to capital punishment and corporate crime from obesity and organized crime to sweatshops and xenophobia

To Build a Wall Gregg Ivers, 1995 *To Build a Wall* represents the first extensive study of the effect of Jewish interest groups on church state litigation Ivers carefully traces the evolution of the American Jewish Committee the American Jewish Congress and the ADL from benevolent social service agencies to powerful organized interest groups active on all fronts of American politics and public affairs He draws extensively upon original sources and archival materials from each organization personal interviews over a five year period as well as the personal files and papers of Leo Pfeffer the lead counsel or amicus curiae in nearly every establishment clause case from the late 1940s through the early eighties Ivers concludes that organized interests can and do have critical influence in the legal process but that organizational needs and external demands result in a more ad hoc less planned approach to law and litigation than much previous scholarship has suggested Ivers also argues that the ethnic economic and religious differences that led to the formation of competing Jewish organizations eighty years ago continue to drive a dynamic pluralism within the Jewish community manifest in part in divergent approaches to litigation and public affairs

Changing and Unchanging Face of U.S. Civil Society Marcella Ridlen Ray, 2017-12-02 Ray has written a book that should be read by anyone interested in the current debates about the general health of civil society in the United States *American Journal of Sociology* The formation maintenance and well being of American civil society is a topic of intense

debate in the social sciences Until now this debate has lacked rigor with the term civil society commonly used interchangeably and imprecisely with other terms such as civic engagement Today s discourse also lacks methodological discipline and relies too heavily on narrowly selected evidence in support of a particular argument In this invaluable contribution to the debate Marcella Ridlen Ray supplies an empirical study based on a theoretical model of democratic civil society one that posits high levels of communication diversity autonomy mediation and voluntary association In Ray s account the emergent story of U S civil society is that of a dynamic institution not necessarily one that is linear in its progression It is a tale of flux resilience and stability over the long term that is consistent with subtexts on political equilibrium she notes in the work of early political analysts such as Aristotle Machiavelli Locke Burke and later Tocqueville Ray dispels the widely accepted myth that Americans are increasingly apathetic and withdrawn from common interests The evidence reveals a persistence of long standing public spiritedness despite the fact that individuals use wider discretion in deciding if and how to attach to community and despite a historical lack of enthusiasm for performing civic duties in lieu of more pleasurable leisure activity This public spiritedness continues to reflect embedded religious cultural values that disproportionately influence how and when people dedicate time and money to associational life U S civil society has grown more inclusive and democratic as Americans venture at growing rates across differences in perspective Encyclopedia of the United States Constitution David Andrew Schultz,2010-05-18 Covers the people court cases historical events and terms relating to one of the most studied political documents in schools across the country the United States Constitution **Encyclopedia of Religion in American Politics** Jeffrey Schultz,John G. West,Iain Maclean,1998-12-14 Today such issues as abortion capital punishment sex education racism prayer in public schools and family values keep religion and politics closely entwined in American public life This encyclopedia is an A to Z listing of a broad range of topics related to religious issues and politics ranging from the religious freedom sought by the Pilgrims in the 1620s to the rise of the religious right in the 1980s

Religion in the Public Sphere: A Comparative Analysis of German, Israeli, American and International Law Winfried Brugger,Michael Karayanni,2007-08-10 How closely connected should church and state be May a state endorse the role and meaning of religion at all Can it treat distinct religious groups differently This book addresses these questions and more through a portrayal and comparison of the legal systems of Germany Israel France and the United States This thought provoking book brings the often opposing demands of religious and secular freedoms into clear focus **Green Liberalism** Marcel Wissenburg,2013-11-05 This is an agenda setting exploration of the relationship between green politics and liberal ideology Ecological problems provide unique challenges for liberal democracies This challenge is examined by the author who aims to fill the gap between short term ecological modernization and the politically infeasible longer term utopian approaches Redefining Prosperity Isabelle Cassiers,2014-08-27 Society today faces a difficult contradiction we know exactly how the physical limits of our planet are being reached and exactly why we cannot go on as we have before and yet

collectively we seem unable to reach crucial decisions for our future in a timely way This book argues that our definition of prosperity which we have long assimilated with the idea of material wealth may be preventing us from imagining a future that meets essential human aspirations without straining our planet to the breaking point In other words redefining prosperity is a necessary and urgent task This book is the fruit of a long debate among 15 scholars from diverse fields who worked together to bring the depth and nuance of their respective fields to questions that affect us all The result is a rich transdisciplinary work that illuminates the philosophical and historical origins of our current definition of prosperity identifies the complex processes that gave rise to the problems we face today elucidates the ways in which our contemporary environmental social nutritional economic political and cultural crises are interconnected and explores why a half century of economic growth has neither increased life satisfaction in the West nor vanquished world poverty Approaching these broad ranging questions from the specific standpoints of their disciplines each of the authors offers thoughts for the future considering possible escape routes and proposing changes to the way we live behave and organise society and public action changes that actually respond in an equitable way to our deepest aspirations Ultimately in laying the groundwork for a public debate on this subject this book poses a question to its readers what is your definition of prosperity and what can be done to promote it

Redefining Russian Literary Diaspora, 1920-2020 Maria Rubins, 2021-03-11 Over the century that has passed since the start of the massive post revolutionary exodus Russian literature has thrived in multiple locations around the globe What happens to cultural vocabularies politics of identity literary canon and language when writers transcend the metropolitan and national boundaries and begin to negotiate new experience gained in the process of migration Redefining Russian Literary Diaspora 1920 2020 sets a new agenda for the study of Russian diaspora writing countering its conventional reception as a subsidiary branch of national literature and reorienting the field from an excessive emphasis on the homeland and origins to an analysis of transnational circulations that shape extraterritorial cultural practices Integrating a variety of conceptual perspectives ranging from diaspora and postcolonial studies to the theories of translation and self translation World Literature and evolutionary literary criticism the contributors argue for a distinct nature of diasporic literary expression predicated on hybridity ambivalence and a sense of multiple belonging As the complementary case studies demonstrate diaspora narratives consistently recode historical memory contest the mainstream discourses of Russianness rewrite received cultural tropes and explore topics that have remained marginal or taboo in the homeland These diverse discussions are framed by a focused examination of diaspora as a methodological perspective and its relevance for the modern human condition

Rethinking Positive and Negative Liberty Maria Dimova-Cookson, 2019-09-04 This book argues that the distinction between positive and negative freedom remains highly pertinent today despite having fallen out of fashion in the late twentieth century It proposes a new reading of this distinction for the twenty first century building on the work of Constant Green and Berlin who led the historical development of these ideas The author defends the idea that

freedom is a dynamic interaction between two inseparable yet sometimes fundamentally opposed positive and negative concepts the yin and yang of freedom Positive freedom is achieved when one succeeds in doing what is right while negative freedom is achieved when one is able to advance one's wellbeing In an environment of culture wars resurging populism and challenge to progressive liberal values recognising the duality of freedom can help us better understand the political dilemmas we face and point the way forward The book analyses the duality of freedom in more philosophical depth than previous studies and places it within the context of both historical and contemporary political thinking It will be of interest to students and scholars of liberalism and political theory

Corporate Risk and National Security Redefined Karen Lund Petersen, 2012-02-06 Contemporary security policy is no longer a matter of protecting borders or fighting an identified foreign enemy With counterterrorism high on the security agenda private citizens and companies have all come to be seen as central to the aim of providing security Situated within the debate on terrorism risk and security *Corporate Risk and National Security Redefined* offers a detailed analysis of the role of private companies in American and Danish counter terrorism policies The book shows that a responsabilization strategy is central to both the American and Danish security policy a strategy which tends to portray security as a duty rather than the right that it traditionally has been considered as The study however finds that such strategies have been received very differently in the business communities of the two countries The book brings the corporate understandings of the relation between corporate risk and national security to the fore and let the reader in on a constant conceptual battle and negotiation on the meaning of national security and corporate risk *Corporate Risk and National Security Redefined* will be of interest to students and scholars of international relations critical security business and terrorism

Redefining Russian Society And Polity Mary E.a. Buckley, 1993-10-31 Offering a reflection of the complexities of the situation in Russia today this book aims to show how glasnost provided citizens with an initially intoxicating freedom and glut of information yet in a context of failed economic reform also brought some extreme reactions

Rethinking the Future of Europe Stefan Schepers, 2014-10-08 *Rethinking the Future of Europe* has brought together three contrasting collections of contributions the incrementalist perspective concerning the step by step development of Europe the more radical reform restructuring approach to the future of Europe and a view of Europe from the outside

Redefining Home Carrie Hudson, Carrie Anne Hudson, 2012 *Redefining Home* follows a couple's struggles as comfortable Americans moving into the chaotic streets of urban China They discover that the space between the two cultures defines their family

Religious Rhetoric in US Right-Wing Politics Chiara M. Migliori, 2022-04-13 This book seeks to understand white conservative Christians support for Donald Trump using their own words Drawing on the triangular relationship between the 45th president and his voters and religious organizations this work investigates the creation of the tale of Trump as the protector and enhancer of Christian values The first part of the book discusses in detail the white conservative Christian constituency in the United States and the development of feelings of displacement and resentment fostered by

intergroup threat and nationalism The central part focuses on the actor known as the Religious Right through the rhetoric of one of their most representative organizations in the twenty first century The final part focuses on the character of Donald Trump and his peculiar relationship with religious discourse The book demonstrates that while such discourse is expected of Trump as a Republican candidate his approach to it is characterized by detachment and sloganized exploitation of Christian symbols Ultimately the book highlights the cultural tools that are crucial in the reproduction of structures of inequality and the ways they have been used by conservative politicians and groups to accumulate power

Redefining Gender in American Impressionist Studio Paintings Kirstin Ringelberg, 2017-07-05 Were late nineteenth century gender boundaries as restrictive as is generally held In *Redefining Gender in American Impressionist Studio Paintings* Work Place Domestic Space Kirstin Ringelberg argues that it is time to bring the current re evaluation of the notion of separate spheres to these images Focusing on studio paintings by American artists William Merritt Chase and Mary Fairchild MacMonnies Low she explores how the home based painting studio existed outside of entrenched gendered divisions of public and private space and argues that representations of these studios are at odds with standard perceptions of the images their creators and the concept of gender in the nineteenth century Unlike most of their bourgeois contemporaries Gilded Age artists whether male or female often melded the worlds of work and home Through analysis of both paintings and literature of the time Ringelberg reveals how art history continues to support a false dichotomy that in fact paintings that show women negotiating a complex combination of professionalism and domesticity are still overlooked in favor of those that emphasize women as decorative objects *Redefining Gender in American Impressionist Studio Paintings* challenges the dominant interpretation of American and European Impressionism and considers both men and women artists as active performers of multivalent identities

Civil Liberties Charles P. Cozic, 1994 Presents opposing viewpoints on issues relating to civil liberties including privacy freedom of the press and censorship

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