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Religion and the Constitution

A Reinterpretation

**By
Peter J. Ferrara**

Religion And The Constitution A Reinterpretation

Franklin I. Gamwell



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Religion and the Constitution Peter J. Ferrara, 1983-01-02 To find more information on Rowman Littlefield titles please visit us at www.rowmanlittlefield.com *Voluntary School Prayer Constitutional Amendment* United States. Congress.

Senate. Committee on the Judiciary. Subcommittee on the Constitution, 1984 **Constitutional Law, Religion and Equal Liberty** Azin Tadjdini, 2019-09-19 During the 20th century many countries embarked on a process of constitutional secularization by which the role of religion gradually became limited Yet by the late 20th century and increasingly following the end of the Cold War this development began to be challenged This book examines the return of religion in constitutions through the concept of constitutional de secularization It places this phenomenon in the context of the constitutional memory of the countries in which it has taken place and critically examines it against the development and standards of constitutionalism as the prevailing constitutional legal and political theory Central to this analysis is the impact of constitutional de secularization on the regulation of equality in liberty that is both the regulation of constitutional rights and the scope for equality of those who are granted such rights The book argues that equal liberty forms an essential part of constitutionalism as a theory and that constitutionalism therefore entails a continuous development towards expanding it The first and second part of the book presents a conceptual framework for the study of constitutional de secularization The third part presents and analyses three cases of constitutional de secularization in Afghanistan Iran and Iraq The book will be of interest to researchers and policy makers interested in constitutional history and theory and the role of religion in law and its compatibility with human rights **Politics in a Religious World** Eric Patterson, 2011-09-29 *Politics in a Religious World* examines why US diplomacy often misunderstands if not ignores the role of religion in international conflicts After the Cold War it became evident that religion was a key factor in many conflicts including Bosnia Rwanda and Afghanistan However the US failed to correctly appreciate this role for example predicting the failure of the Iranian theocrats in 1979 Today most of the security and foreign relations challenges faced by the US are infused with religious factors from its relations with Iran to the Iraq war and jihadist terrorists Religion however can also play a transnational role when it comes to human rights conflict resolution and political mobilization Written by an expert in the field the book analyzes why the US deliberately avoids the religious dimension of international affairs and proposes a comprehensive approach to a religiously literate US foreign policy *Politics in a Religious World* addresses a needed area and will appeal to anyone studying US foreign policy as well as the interaction of religion and international affairs *Research Handbook on the Politics of Constitutional Law* Mark Tushnet, Dmitry Kochenov, 2023-11-03 This *Research Handbook* deals with the politics of constitutional law around the world using both comparative and political analysis delivering global treatment of the politics of constitutional law across issues regions and legal systems Offering an innovative critical approach to an array of key concepts and topics this book will be a key resource for legal scholars and political science scholars Students with interests in law and politics constitutions legal

theory and public policy will also find this a beneficial companion Regent University law review ,1999 **Populist Challenges to Constitutional Interpretation in Europe and Beyond** Fruzsina Gárdos-Orosz,Zoltán Szente,2021-05-03 This book explores the relationship between populism or populist regimes and constitutional interpretation used in those regimes The volume discusses the question of whether contemporary populist governments and movements have developed or encouraged new and specific constitutional theories doctrines and methods of interpretation or whether their constitutional and other high courts continue to use the old traditional interpretative tools in constitutional adjudication The book is divided into four parts Part I contains three chapters elaborating the theoretical basis for the discussion Part II examines the topic from a comparative perspective representing those European countries where populism is most prevalent including Austria Croatia the Czech Republic Greece Hungary Italy Poland Romania Spain and the United Kingdom Part III extends the focus to the United States reflecting how American jurisprudence and academia have produced the most important contributions to the theory of constitutional interpretation and how recent political developments in that country might challenge the traditional understanding of judicial review This section also includes a general overview on Latin America where there are also some populist governments and strong populist movements Finally the editors closing study analyses the outcomes of the comparative research summarizing the conclusions of the book Written by renowned national constitutional scholars the book will be essential reading for students academics and researchers working in Constitutional Law and Politics Chapter 1 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4 0 license **Religion among We the People** Franklin I. Gamwell,2015-10-07 Explores democracy with religious freedom and its dependence on theism Franklin I Gamwell holds that democracy with religious freedom is dependent on metaphysical theism Democratic politics can be neutral to all religious convictions only if its constitution establishes a full and free discourse about the ultimate terms of justice and their application to decisions of the state and the divine good is the true ground of justice Notably Gamwell s view challenges virtually all current accounts of democracy with religious freedom This uncommon position emerges through a series of essays in which Gamwell engages a variety of conversation partners including Thomas Jefferson David Strauss Abraham Lincoln Jürgen Habermas Alfred North Whitehead Reinhold Niebuhr and Iris Murdoch Discussions of Jefferson Lincoln and the US Constitution illustrate the promise of neoclassical metaphysics as a context for interpreting US history Gamwell then defends his metaphysics against both modern refusals of metaphysics and accounts of ultimate reality offered by Niebuhr and Murdoch *The U.S. Supreme Court and New Federalism* Christopher P. Banks,John C. Blakeman,2012-07-30 Constitutional scholars Christopher P Banks and John C Blakeman offer the most current and the first book length study of the U S Supreme Court s new federalism begun by the Rehnquist Court and now flourishing under Chief Justice John Roberts While the Rehnquist Court reinvigorated new federalism by protecting state sovereignty and set new

constitutional limits on federal power Banks and Blakeman show that in the Roberts Court new federalism continues to evolve in a docket increasingly attentive to statutory construction preemption and business litigation **Brigham Young University Law Review** ,1986 *Yasukuni Fundamentalism* Mark R. Mullins,2021-07-31 Although religious fundamentalism is often thought to be confined to monotheistic religions of the book this study examines the emergence of a fundamentalism rooted in the Shinto tradition and considers its role in shaping postwar Japanese nationalism and politics Over the past half century the Liberal Democratic Party LDP and the National Association of Shrines NAS have been engaged in collaborative efforts to recover or restore what was destroyed by the process of imperialist secularization during the Allied Occupation of Japan Since the disaster years of 1995 and 2011 LDP Diet members and prime ministers have increased their support for a political agenda that aims to revive patriotic education renationalize Yasukuni Shrine and revise the constitution The contested nature of this agenda is evident in the critical responses of religious leaders and public intellectuals and in their efforts to preserve the postwar gains in democratic institutions and prevent the erosion of individual rights This timely treatment critically engages the contemporary debates surrounding secularization in light of postwar developments in Japanese religions and sheds new light on the role religion continues to play in the public sphere

Shari'a and the Constitution in Contemporary Legal Models Federico Lorenzo Ramaioli,2024-03-23 This comparative law book aims at formulating a new analytical approach to constitutional comparisons assuming as a starting point the different legal perspectives implied in the Sunni Islamic outlook on the juridical phenomena and the Western concept of law with particular reference to constitutionalism The volume adopts a wider and comprehensive viewpoint comparing the different ways in which the Islamic shar a and Western legal categories interact regardless of substantive contents of specific provisions thus avoiding conceptual biases that can sometime affect present literature on the matter The book explores the various dynamics subtended to the interactions between shar a and Western constitutionalism providing a new classification to the different contemporary models The philosophical and legal comparisons are analyzed in a dynamic way based on a wide range of contemporary constitutional systems virtually encompassing all the States in which Sunni Islam plays a major cultural role and taking also into consideration non State actors and non recognized actors Published in cooperation with gLAWcal Global Law Initiatives for Sustainable Development Hornchurch Essex United Kingdom **A Conference on Criminal Justice Reform** Patrick B. McGuigan,Teresa L. Donovan,1984 **Religion and Equality Law** Nelson Tebbe,2017-07-05 The essays selected for this volume address topics at the intersection of religion and equality law including discrimination against religion discrimination by religious actors and discrimination in favor of religious groups and traditions The introduction provides a conceptual guide to these types of inequality which are often misunderstood or conflated and it offers an analysis of different species of discrimination within each broad category Each section of the volume contains both theoretical essays which set out frameworks for thinking about the relevant type of inequality and

essays that examine real world disputes For example the articles address the conflicts over headscarf laws in France and Turkey the place of so called traditional religions in Africa the display of Roman Catholic crucifixes in Italian classrooms and the ability of American religious organizations to be free of employment laws in their treatment of clergy This volume brings together classic articles which are otherwise difficult to access enables students to study key articles side by side and provides instructors with a valuable teaching resource *Civil Religion in Political Thought* Ronald L. Weed, John von Heyking, 2010-03 The essays in this volume blend historical and philosophical reflection with concern for contemporary political problems They show that the causes and motivations of civil religion are a permanent fixture of the human condition though some of its manifestations and proximate causes have shifted in an age of multiculturalism religious toleration and secularization Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues, 1789-2015 John R. Vile, 2015-07-20 Now in its fourth edition and completely updated this is the most comprehensive book on constitutional amendments and proposed amendments available Although only 27 amendments have ever been added to the U S Constitution the last one having been ratified in 1992 throughout American history members of Congress have introduced more than 11 000 amendments and countless individuals outside of Congress have advanced their own proposals to revise the Constitution the wellspring of America s legal political and cultural foundations At a time when calls for a new constitutional convention are on the rise it is essential for students of political science and history as well as American citizens to understand proposed alternatives This updated edition of the established standard for high school and college libraries as well as public and law libraries serves as the go to reference for learning about existing constitutional amendments proposed amendments and the issues related to them An alphabetically arranged two volume set it contains more than 500 entries that discuss amendments that have been proposed in Congress from 1789 to the present It also discusses prominent proposals for extensive constitutional changes introduced outside Congress as well as discussions of major amending issues **The Catholic School** Harold A. Buetow, 1988 **The Oxford Handbook of Comparative Constitutional Law** Michel Rosenfeld, András Sajó, 2012-05-17 A comprehensive reference resource on comparative constitutional law this title examines the history and development of the discipline its core concepts institutions rights and emerging trends Kentucky Law Journal , 1988 **Educational Freedom** , 1989

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