

RELIGIOUS
LIBERTY
AND THE
SECULAR
STATE

THE CONSTITUTIONAL CONTEXT

JOHN M. SWOMLEY

Religious Liberty And The Secular State

Angus J. L. Menuge



Religious Liberty And The Secular State:

Religious Liberty and the Secular State John M. Swomley, 1987 This book examines the political and religious context in which the Constitution and The Bill of Rights were adopted Swomley reasons that those who wrote and adopted the Constitution and First Amendment intended a strict separation of church and state a government that would neither aid nor impede religion Religious Liberty and the Secular State refutes Chief Justice Rehnquist's position that the framers of the Constitution did not intend to ban all religious aid only preferential aid Swomley also refutes Rehnquist's claim that the Establishment Clause in the First Amendment was intended to prevent the establishment of a single national church Swomley concludes that the Constitution was intended to prevent the federal government from establishing one or more churches and to prevent the tax support of churches on any basis This book exposes the Supreme Court's erosion of the Establishment Clause while emphasizing the Free Exercise Clause Swomley also explores civil religion secular humanism and the current counter revolution against separation of church and state led by some religious and political conservatives who would profit from government aid He also lists the benefits churches would realize under a secular government

Religious Freedom in Secular States Md. Jahid Hossain Bhuiyan, Ann Black, 2022-08-29 What constitutes the core values tenets cultural historic and ideological parameters of secularism in international contexts In twelve chapters this edited work examines current tensions in liberal secular states where myriad rights and freedoms compete regarding education healthcare end of life choices clothing sexual orientation reproduction and minority interests It explores the legal complexity of defining a religion through judicial decisions and scrutinises Christianity Hinduism and Islam's relative success in accommodating religious pluralism Part One explores the religious practice and persecution nexus COVID 19's effect on religious freedom religious education burqas headscarves and religious culture in civil law Part Two explores the constitutional principle of secularism in Member States of the Council of Europe US Religious Clauses and religious freedom in South Africa UK Australia and India

Religious Liberty and the Law Angus J. L. Menzies, 2017-07-20 Questions of religious liberty have become flashpoints of controversy in virtually every area of life around the world Despite the protection of religious liberty at both national and supranational levels there is an increasing number of conflicts concerning the proper way to recognize it both in modern secular states and in countries with an established religion or theocratic mode of government This book provides an analysis of the general concept of religious liberty along with a close study of important cases that can serve as test beds for conflict resolution proposals It combines the insights of both pure academics and experienced legal practitioners to take a fresh look at the nature scope and limits of religious liberty Divided into two parts the collection presents a blend of legal and philosophical approaches and draws on cases from a wide range of jurisdictions including Brazil India Australia the USA the Netherlands and Canada Presenting a broad range of views this often provocative volume makes for fascinating reading for academics and researchers working in the areas of law and religion

legal philosophy and human rights Secular States and Religious Diversity Bruce J. Berman, 2013-10-25 Contemporary nation states have seen the rise of religious pluralism within their borders brought about by global migration and the challenge of radical religious movements *Secular States and Religious Diversity* explores the meaning of secularism and religious freedom in these new contexts The contributors chart the impact of globalization the varying forms of secularism in Western states and the different kinds of relations between states and religious institutions in the historical traditions and contemporary politics of Islamic Indic and Chinese societies They also examine the limitations and dilemmas of governmental responses to religious diversity and grapple with the question of how secular states deal and should deal with such pluralism This volume brings in perspectives from the non Western world and engages with viewpoints that might increase states capacities to accommodate religious diversity positively **India's Living Constitution** Zoya Hasan, Eswaran Sridharan, R. Sudarshan, 2005 India became independent in 1947 and after nearly three years of debate in the Constituent Assembly adopted a Constitution that came into effect on 26 January 1950 This Constitution has lasted until the present with its basic structure unaltered a remarkable achievement given that the generally accepted prerequisites for democratic stability did not exist and do not exist even today Half a century of constitutional democracy is something that political scientists and legal scholars need to analyze and explain This volume examines the career of constitutional political ideas implicitly of Western origin in the text of the Indian Constitution or implicit within it as well as in actual political practice in the country over the past half century *Indian Secularism and Religious Freedom* Aruthuckal Varughese John, 2024-11-07 The book intricately examines secularity in India presenting it as a complex tapestry of social struggles which introduces assumptions not shared by traditional Hindu culture These cross pressures influence both societal and legal realms affecting how secularism is implemented The work suggests that these pressures originate from the doctrines that shape India's social fabric and culture It investigates whether secularism inherently assumes specific theological or cultural doctrines thus affecting its cultural manifestation By focusing on the intersection of religious freedom with human rights and legislation concerning the contentious issue of religious conversions the book delves into these complexities The Ghent school attempts to address these tensions by advocating for a Hindu interpretation of religious freedom However acknowledging the truth claims of all religious beliefs offers a better approach to mediating between the constitution and Hindu tradition Additionally it highlights how Christian converts have developed adaptive mechanisms that blend their faith with traditional Hindu culture This synthesis of beliefs and practices or hybrid lifestyles may provide a potential path forward reflecting a response to the experienced cross pressures **The Future of Religious Freedom** Allen D. Hertzke, 2013 Based on a symposium held in Istanbul Turkey *The Routledge Companion to Christian Ethics* D. Stephen Long, Rebekah L. Miles, 2023-01-01 The *Routledge Companion to Christian Ethics* brings together two different but related disciplines the first is contemplative or theoretical asking what are the beliefs or doctrines that characterize Christianity whilst the second is practical asking what

are the ethical practices that attend its teachings The movement between the theoretical and practical aspects is not however one way as doctrine and life are mutually informing In this comprehensive volume leading scholars address key topics problems and debates in this hotly debated topic within a truly global context Comprising over 35 chapters by a team of international contributors the handbook is divided into three parts based on the three persons of the Trinity God the Father God the Son and God the Holy Spirit Within these sections cutting edge issues are examined including God and genetics War peace and violence White supremacy Creation and sexuality Digital ethics Transgender studies Climate change Immigration and refugees Adopting a practical approach that must consider new concerns that have arisen with recent social political and cultural shifts The Routledge Companion to Christian Ethics is essential reading for students and researchers in Christian ethics religious ethics and Christianity studies The handbook will also be very useful for those in related fields such as ethics and philosophy

Contesting Secularism Anders Berg-Sørensen, 2016-05-13 As we enter the twenty first century the role of religion within civic society has become an issue of central concern across the world The complex trends of secularism multiculturalism and the rise of religiously motivated violence raise fundamental questions about the relationship between political institutions civic culture and religious groups Contesting Secularism represents a major intervention into this debate Drawing together contributions from leading scholars from across the world it analyses how secularism functions as a political doctrine in different national contexts put under pressure by globalisation In doing so it presents different models for the relationship between political institutions and religious groups challenging the reader to be more aware of assumptions within their own cultural context and raises alternative possibilities for the structure of democratic multi faith societies Through its inter disciplinary and comparative approach Contesting Secularism sets a new agenda for thinking about the place of religion in the public sphere of twenty first century societies It is essential reading for policymakers as well as for scholars and students in political science law sociology and religious studies

Challenges to Religious Liberty in the Twenty-First Century Gerard V. Bradley, 2012-03-12 Almost everyone today affirms and applauds religious liberty But different and sometimes irreconcilable conceptions of religious liberty have emerged in our world often as responses to specific challenges for example globalization or Islamic immigration In this book scholars in law theology and political theory exchange views on five specific challenges to religious liberty in the twenty first century

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