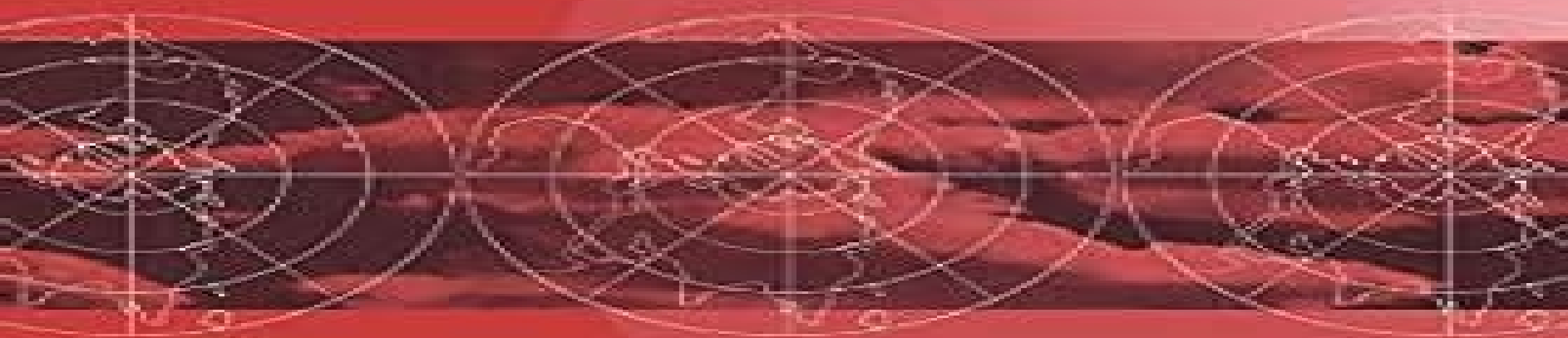




CAMBRIDGE STUDIES IN INTERNATIONAL AND COMPARATIVE LAW

Religious Liberty and International Law in Europe



MALCOLM D. EVANS

Religious Liberty And International Law In Europe

Grace Davie, Lucian Leuştean



Religious Liberty And International Law In Europe:

Religious Liberty and International Law in Europe Malcolm Evans, Malcolm D. Evans, 1997-07-24 The Ancient Near East
Review W. Cole Durham (Jr.), 2001 *Law and Religion in Europe* Norman Doe, 2011-08-04 A comparative introduction for students on the national laws governing religion in Europe this book examines national laws particularly as they affect the attitudes of states towards religion religious freedom and discrimination and the legal position and autonomy of religious organizations *The Oxford Handbook of Religion and Europe* Grace Davie, Lucian Leuştean, 2022 Features contributions from leading scholars providing crucial insight into the role of religious ideas structures and institutions in the making of Europe Introduces the building blocks of Europe's religious and the part that they played in the formation of the continent Explores the relationship between religious communities and ideologies in the twentieth century connections that play out very differently in East and West Europe Examines the role of religion in the construction of the European Union from the end of the Second World War until the present day Assesses the relationship between the major world religions and the idea of Europe Book jacket A Foucauldian Approach to International Law Leonard M. Hammer, 2016-03-23 Foucault's challenging view of power and knowledge as the basis for interpreting the international system forms the central themes of this book As the application of international law expands and develops this book considers how Foucault's approach may create a viable framework that is not beset by ontological issues With International law essentially stuck within an older framework of outmoded statist approaches and overly broad understanding of the significance of external actors such as international organizations current interpretations are either rooted in a narrow attempt to demonstrate a functioning normative structure or interpret developments as reflective of some emerging and somewhat unwieldy ethical order This book therefore aims to ameliorate the approaches of a number of different schools within the disciplines of international law and international relations without being wedded to a single concept Current scholarship in international law tends to favour an unresolved critique a utopian vision or to refer to other disciplines like international relations without fully explaining the significance or importance of taking such a step This book analyses a variety of problems and issues that have surfaced within the international system and provides a framework for consideration of these issues with a view towards accounting for ongoing developments in the international arena *The Oxford Handbook of Christianity and Law* John Witte (Jr.), Rafael Domingo, 2024 This volume tells the story of the interaction between Christianity and law historically and today in the traditional heartlands of Christianity and around the globe Sixty new chapters by leading scholars provide authoritative and accessible accounts of foundational Christian teachings on law and legal thought over the past two millennia the current interaction and contestation of law and Christianity on all continents how Christianity shaped and was shaped by core public private penal and procedural laws various old and new forms of Christian canon law natural law theory and religious freedom norms Christian teachings on fundamental principles of law and legal order and Christian contributions to controversial legal

issues Together the chapters make clear that Christianity and law have had a perennial and permanent influence on each other over time and across cultures albeit with varying levels of intensity and effectiveness This volume defines Christianity broadly to include Catholic Protestant and Orthodox traditions and various denominations and schools of thought within them It draws on Christian ideas and institutions norms and practices texts and titans to tell the story of Christianity s engagement with the world of law over the past two millennia The volume also defines law broadly as the normative order of justice power and freedom The chapters address natural laws of conscience reason and the Bible and positive laws enacted by states churches and voluntary associations Several chapters focus on Christian engagement with specific types of law canon law family law education law constitutional law criminal law procedural law and laws governing labor tax contracts torts property and beyond Other chapters take up cutting edge legal issues of racial justice environmental care migration euthanasia and bio technology as well as fundamental legal principles of liberty dignity equality justice equity judgment and solidarity

Freedom of Religion and Belief Rinaldo Cristofori, Silvio Ferrari, 2016-12-05 The essays and articles selected for this volume analyze what is generally understood by freedom of religion and belief in today s world The different aspects of this fundamental right are considered from the contents of freedom of religion to the possible limitations of this freedom and from the freedom of or freedom from conundrum to the question of the collective or individual right This volume reflects legal philosophical and international perspectives addresses numerous unanswered questions and offers an effective overview of the current literature and debate in this aspect of the discipline of law and religion

Human Rights, the UN and the Bahá'ís in Iran Nazila Ghanea-Hercock, 2021-10-25 This book provides the first comprehensive assessment of the contribution of the United Nations to the human rights situation of the Bah s in Iran It does this by examining the theoretical legal institutional and political dimensions of this issue in detail The situation of the Bah community in Iran between 1979 and 2002 provides a particularly good test case for the international community due to its clarity By giving attention to a singular case within a discrete time frame this book is able to effectively examine the impact of UN human rights protection Attention is given in this study to the clash between religion and human rights the protection of freedom of religion or belief in international law the workings of UN human rights charter based and treaty bodies and their various mechanisms and recommendations for the resolution of the Bah human rights situation in Iran

The Oxford Handbook of Church and State in the United States Derek Davis, 2010-11-18 21 essays present a scholarly look at the intricacies and past and current debates that frame the American system of church and state within 5 main areas history politics sociology theology philosophy and law

Freedom of Religion or Belief in the European Convention on Human Rights Caroline K. Roberts, 2023-11-23 It challenges the classic scholarly approach to ECHR Article 9 and related ECtHR jurisprudence and offers an alternative interpretation

Religion and Law Dr Peter W Edge, 2013-05-28 Discussion of the way in which law engages with religious difference often takes place within the context of a single jurisdiction Religion and Law An

Introduction presents a comprehensive text for students drawing on examples from across key Anglophone jurisdictions the United Kingdom the United States Canada New Zealand Australia and South Africa as well as international law to explore a broad range of issues Aimed at a non legal readership this book introduces the use of legal sources and focuses on factual situations as much as legal doctrine Key issues arising from interaction of the religious individual and the State are discussed as well as the religious organisation or community and the State The interaction is explored through case studies of areas as diverse as the legal regulation of religious drug use sacred spaces and sacred places and claims of clergy misconduct Taking a broad non jurisdictional approach to the key issues in particular providing insights differing from the dominant US experiences and paradigms this student friendly textbook includes a clearly structured bibliography and clear guidance on how to approach relevant legal materials

The European Court of Human Rights and the Freedom of Religion or Belief

Jeroen Temperman,T. Jeremy Gunn,Malcolm D. Evans,2019-01-04 As the tensions involving religion and society increase the European Court of Human Rights and the Freedom of Religion or Belief is the first systematic analysis of the first twenty five years of the European Court s religion jurisprudence The Court is one of the most significant institutions confronting the interactions among states religious groups minorities and dissenters In the 25 years since its first religion case *Kokkinakis v Greece* the Court has inserted itself squarely into the international human rights debate regarding the freedom of religion or belief The authors demonstrate the positive contributions and the significant flaws of the Court s jurisprudence involving religion society and secularism

The Changing Nature of Religious Rights under International Law
Malcolm Evans,Peter Petkoff,Julian Rivers,2015-03-19 The Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief as proclaimed by the United Nations General Assembly in 1981 is the only universal human rights instrument specifically focusing on religious intolerance and discrimination However recent years have seen increasing controversy surrounding this right in both political and legal contexts The European Court of Human Rights has experienced a vast expansion in the number of cases it has had brought before it concerning religious freedom and politically the boundaries of the right have been much disputed This book provides a systematic analysis of the different approaches to religious rights which exist in public international law The book explores how particular institutional perspectives emerge in the context of these differing approaches It examines and challenges these institutional perspectives It identifies new directions for approaching religious rights through international law by examining existing legal tools and assesses their achievements and shortcomings It studies religious organisations support for international human rights protection as well as religious critique of international human rights and the development of an alternative religious Bills of Rights It investigates whether expressions of members belonging to religious minorities can be considered under the minority right to culture rather than the right to religion and discusses the benefits and shortcomings of such a route It analyses the reach and limits of the provisions in the 1981 Declaration identifies ways in which the right is being eroded as a

concept and suggests new ways in which the right can be reinforced and protected Religion and Human Rights John Witte, M. Christian Green, 2012 The relationship between religion and human rights is both complex and inextricable While most of the world's religions have supported violence repression and prejudice each has also played a crucial role in the modern struggle for universal human rights Most importantly religions provide the essential sources and scales of dignity and responsibility shame and respect restraint and regret restitution and reconciliation that a human rights regime needs to survive and flourish in any culture This volume provides authoritative examinations of the contributions to human rights of Judaism Christianity Islam Hinduism Confucianism Buddhism and indigenous religions Each chapter grapples with the concept and origins of human rights and offers insight into the major human rights issues that confront religious individuals and communities These include core issues of freedom of religious conscience choice exercise expression association morality and self determination They also include analysis of the roles of religious ideas and institutions in the cultivation and abridgement of rights of women children and minorities and rights to peace orderly development and protection of nature and the environment With contributions by a score of leading experts Religion and Human Rights provides authoritative and accessible assessments of the contributions of Judaism Christianity Islam Hinduism Confucianism Buddhism and Indigenous religions to the development of the ideas and institutions of human rights It also probes the major human rights issues that confront religious individuals and communities around the world today and the main challenges that the world's religions will pose to the human rights regime in the future The UN Convention on the Rights of the Child John Tobin, 2019-03-28 The

United Nations Convention on the Rights of the Child is the most extensive and widely ratified international human rights treaty This Commentary offers a comprehensive analysis of each of the substantive provisions in the Convention and its Optional Protocols on Children and Armed Conflict and the Sale of Children Child Prostitution and Pornography It provides a detailed insight into the drafting history of these instruments the scope and nature of the rights accorded to children and the obligations imposed on states to secure the implementation of these rights In doing so it draws on the work of the Committee on the Rights of the Child international regional and domestic courts academic and interdisciplinary scholarly analyses It is of relevance to anyone working on matters affecting children including government officials policy makers judicial officers lawyers educators social workers health professionals academics aid and humanitarian workers and members of civil society

Rebellions and Civil Wars Patrick Dumberry, 2021-11-18 This book analyses all relevant questions of State responsibility and attribution arising from the conduct of rebels and governments in the context of civil wars and rebellions aiming at the establishment of a new government or the creation of a new State Based on a comprehensive analysis of both old and recent State practice and case law including investment awards as well as the works of scholars and the International Law Commission the book identifies ten basic rules which can be used by States and international tribunals It explains the history content and scope of application of the specific solutions adopted in Article 10 of the International Law Commission Articles

on State responsibility to address particular problems The book also critically revisits some of the solutions that have been put forward by tribunals and scholars and examines a number of questions which have never been addressed by them before

Defaming the Freedom of Religion or Belief BM van Schaik, 2025-05-29 This book explores the intricate terrain of international religious freedom discourse It examines the evolution and controversies surrounding the formulation and interpretation of the freedom of religion or belief as a universal right within the United Nations From legal and philosophical standpoints to the political dimensions of the subject the book navigates through the complex terrain shedding light on challenges to the universality and non discriminatory implementation of this fundamental freedom Beyond theoretical and legal debates the study reveals how actors within the United Nations have defamed the freedom of religion or belief reshaping its interpretation away from its original 1948 objectives The book explores the dynamic interplay of postmodern views legal intricacies and political perspectives contributing to a potential diminishment of the normative force of related legal provisions It addresses critical topics including religious tolerance blasphemy defamation of religion and apostasy offering a comprehensive understanding of the evolving landscape of international human rights discourse This is an indispensable resource for scholars policymakers and anyone seeking a profound insight into the challenges and transformations shaping the global pursuit of religious freedom

Islamic State Practices, International Law and the Threat from Terrorism Javaid Rehman, 2005-05-31 In the post 9 11 legal and political environment Islam and Muslims have been associated with terrorism Islamic civilization has increasingly been characterized as backward insular stagnant and unable to deal with the demands of the twenty first century and differences and schisms between Islam and the west are being perceived as monumental and insurmountable 9 11 terrorist attacks have unfortunately provided vital ammunition to the critics of Islam and those who champion a clash of civilizations In this original and incisive study the author investigates the relationship between Islamic law States practices and International terrorism It presents a detailed analysis of the sources of Islamic law and reviews the concepts of Jihad religious freedom and minority rights within Sharia and Siyar In eradicating existing misconceptions the book provides a thorough commentary of the contributions made by Islamic States in the development of international law including norms on the prohibition of terrorism It presents a lucid debate on such key issues within classical and modern Islamic State practices as diplomatic immunities prohibitions on hostage taking aerial and maritime terrorism and the financing of terrorism The book surveys the unfairness and injustices within international law a legal system dominated and operated at the behest of a select band of powerful States It forewarns that unilateralism and the undermining of human rights values in the name of the war on terrorism is producing powerful reactions within Muslim States the new world order presents a dangerous prognosis of the self fulfilling prophecy of an inevitable clash of civilizations between the Islamic world and the west

Facilitating Freedom of Religion or Belief: A Deskbook W. Cole Durham, Tore Sam Lindholm, Bahia Tahzib-Lie, NA Oslo Coalition on Freedom of Religion or Belief, NA Norway, NA Norsk senter for

menneskerettigheter, NA Brigham Young University, 2013-12-11 As the world enters the 21st Century the challenges in implementing freedom of religion or belief grow more complex and more acute How can the internationally recognized norms regarding freedom of religion or belief be meaningful for all women and men majorities and minorities established religions and new religious movements parents and children How can tolerance mutual respect and understanding be globally expanded How does freedom of religion or belief relate to other human rights Launched by the Oslo Coalition on Freedom of Religion or Belief this deskbook anthology is designed as a single volume resource for all who are concerned with facilitating improved global compliance with international standards in this vital area The varied and diverse topics addressed by over fifty global experts in the field provide a rich weave of many threads The book addresses historical and philosophical background on religious human rights applicable international norms and the international procedural mechanisms for safeguarding these norms It surveys central areas of controversy including registration of religious and belief organizations emerging debates on religion and gender parental and children s rights new religious movements proselytism and conscientious objection Other chapters describe practical approaches to promoting tolerance and understanding through education inter religious dialogue joint religious efforts addressing shared social problems and conflict resolution initiatives The volume also provides practical information regarding networking and other background issues that can help translate understanding of the applicable norms and procedures into action Appendices provide texts of major international instruments on freedom of religion or belief

Religion and Equality W. Cole Durham, Jr., Donlu D Thayer, 2016-05-26 This volume presents an analysis of controversial events and issues shaping a rapidly changing international legal political and social landscape Leading scholars and experts in law religious studies and international relations thoughtfully consider issues and tensions arising in contemporary debates over religion and equality in many parts of the world The book is in two parts The first section focuses on the anti discrimination dimension of religious freedom norms examining the developing law on equality and human rights and how it operates at international and national levels The second section provides a series of case studies exploring the contemporary issue of same sex marriage and how it affects religious groups and believers This collection will be of interest to academics and scholars of law religious studies political science and sociology as well as policymakers and legal practitioners

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