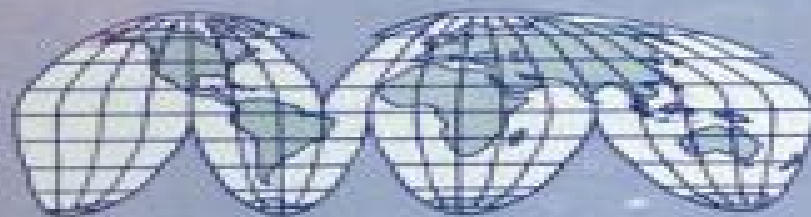


# RELIGION AND THE STATE

Essays in Honor of Leo Pfeffer



EDITED BY  
**James E. Wood, Jr.**

# Religion And The State Essays In Honor Of Leo Pfeffer

**John Witte, M. Christian Green**



## **Religion And The State Essays In Honor Of Leo Pfeffer:**

*Religion and the State* James Edward Wood, 1985 These essays examine major themes affecting religion and the state in a free society and the interaction of religion and world order While concern is given to the historical and judicial context of the Establishment and Free Exercise Clauses of the First Amendment special attention is given to contemporary church state problems in American life In addition the volume analyzes alternatives to church state relations outside the United States and freedom of religion in the international advance of human rights Religion and the state : essays in honor of Leo Pfeffer James E. Wood (Jr), 1985 Encyclopedia of American Religion and Politics Paul A. Djupe, Laura R. Olson, 2014-07 Presents an encyclopedia of religion and politics in America including short biographies of important political and religious figures like Ralph Abernathy civil rights leader and Ralph Waldo Emerson writer and synopses of religious entities like the Branch Davidians and the Episcopal church as well as important court cases of relevancy like *Epperson et al v Arkansas* having to do with evolution Religion and the State Natalie Goldstein, 2010 Presents a guide to the issues related to religion and the state including definitions primary sources important documents research tools organizations and notable persons **The Palgrave Handbook of Religion and State Volume I** Shannon Holzer, 2023-10-11 The Palgrave Handbook of Religion and State Volume I Theoretical Perspective deals with the relationship between Religion and its long history that has played out throughout time and across the globe Countries in Africa the Middle East and Europe approach the subject of religion and the state in various ways While the word religion to westerners usually brings Christianity to mind in Japan it is Shintoism and Buddhism Volume II offers chapters on the relationship of both Shintoism and Buddhism to the Japanese state It is very easy to see how the deeply traditional Japanese citizens may come into conflict with the strictly secular Japanese state It also contains chapters about mosque and state as well as synagogue and state Religious Liberty in America Louis Fisher, 2002 It is often assumed that the judiciary especially the Supreme Court provides the best protection of our religious freedom Louis Fisher however argues that only on occasion does the Court lead the charge for minority rights More likely it is seen pulling up the rear By contrast Congress frequently acts to protect religious groups by exempting them from general laws on taxation social security military service labor and countless other statutes Indeed legislative action on behalf of religious freedom is an American success story but one that renowned constitutional authority Fisher argues has been poorly understood by most of us Taking in the full span of American history Fisher demonstrates that over the course of two centuries of American government Congress has often been in the forefront of establishing and protecting rights that have been neglected denied or unrecognized by the Court and that statutory provisions far outstrip in both number and importance the court cases that have expanded religious rights In this concise and insightful book Fisher presents a series of important case studies that explain how Supreme Court rulings on religious liberty have been challenged and countermanded by public pressures legislation and independent state action He tells how religious groups interested in securing the rights of

conscientious objectors received satisfaction by taking their cases to Congress not the courts how public uproar over a 1940 Supreme Court ruling sustaining compulsory flag salutes resulted in a court reversal and how Congress intervened in a 1986 ruling upholding a military prohibition of skullcaps for Jews By describing other controversies such as school prayer Indian religious freedom the religious use of peyote and statutory exemptions for religious organizations Fisher convincingly demonstrates that we must understand the political and not just the judicial context for the safeguards that protect religious minorities As this book shows the origin and growth of an individual's right to believe or not believe and the securing of that right has occurred almost entirely outside the courtroom *Religious Liberty in America* persuasively challenges judicial supremacists on church state issues and provides a highly readable introduction for all students and citizens concerned with their right to believe as they wish

Thomas Jefferson and the Wall of Separation Between Church and State Daniel Dreisbach, 2003-10 No phrase in American letters than Thomas Jefferson's phrase wall of separation between church and state has had a more profound influence on church state law policy and discourse and few metaphors have provoked more passionate debate Introduced in an 1802 letter to the Danbury Connecticut Baptist Association Jefferson's wall is accepted by many Americans as a concise description of the U S Constitution's church state arrangement and conceived as a virtual rule of constitutional law Dreisbach offers an in depth examination of the origins controversial uses and competing interpretations of this powerful metaphor in law and public policy from publisher information

*Religious Human Rights in Global Perspective* John Witte, Johan D. van der Vyver, 2023-07-24 In this Dickensian century of human rights the world has cultivated the best of religious rights protections but witnessed the worst of religious rights abuses In this volume Jimmy Carter John T Noonan Jr and a score of leading jurists assess critically and comparatively the religious rights laws and practices of the international community and of selected states in the Atlantic continents This volume and its companion *Religious Human Rights in Global Perspective Religious Perspectives* are products of an ongoing project on religion human rights and democracy undertaken by the Law and Religion Program at Emory University

*Separation of Church and State* Philip HAMBURGER, 2009-06-30 In a powerful challenge to conventional wisdom Philip Hamburger argues that the separation of church and state has no historical foundation in the First Amendment The detailed evidence assembled here shows that eighteenth century Americans almost never invoked this principle Although Thomas Jefferson and others retrospectively claimed that the First Amendment separated church and state separation became part of American constitutional law only much later Hamburger shows that separation became a constitutional freedom largely through fear and prejudice Jefferson supported separation out of hostility to the Federalist clergy of New England Nativist Protestants ranging from nineteenth century Know Nothings to twentieth century members of the K K K adopted the principle of separation to restrict the role of Catholics in public life Gradually these Protestants were joined by theologically liberal anti Christian secularists who hoped that separation would limit Christianity and all other distinct religions Eventually a wide

range of men and women called for separation. Almost all of these Americans feared ecclesiastical authority particularly that of the Catholic Church and in response to their fears they increasingly perceived religious liberty to require a separation of church from state. American religious liberty was thus redefined and even transformed. In the process the First Amendment was often used as an instrument of intolerance and discrimination.

**Religion and the Continental Congress, 1774-1789** Derek H. Davis, 2000-05-04 How did the constitutional framers envision the role of religion in American public life? Did they think that the government had the right to advance or support religion and religious activities? Or did they believe that the two realms should remain forever separate? Throughout American history scholars, Supreme Court justices and members of the American public have debated these questions. The debate continues to have significance in the present day especially in regard to public schools, government aid to sectarian education and the use of public property for religious symbols. In this book Derek Hamilton Davis offers the first comprehensive examination of the role of religion in the proceedings, theories, ideas and goals of the Continental Congress. Those who argue that the United States was founded as a Christian Nation have made much of the religiosity of the founders particularly as it was manifested in the ritual invocations of a clearly Christian God as well as in the adoption of practices such as government sanctioned days of fasting and thanksgiving prayers and preaching before legislative bodies and the appointments of chaplains to the Army. Davis looks at the fifteen year experience of the Continental Congress 1774-1789 and arrives at a contrary conclusion namely that the revolutionaries did not seek to entrench religion in the federal state. Congress's religious activities he shows expressed a genuine but often unreflective popular piety. Indeed the whole point of the revolution was to distinguish society, the people in its sovereign majesty from its government. A religious people would jealously guard its own sovereignty and the sovereignty of God by preventing republican rulers from pretending to any authority over religion. The idea that a modern nation could be premised on expressly theological foundations Davis argues was utterly antithetical to the thinking of most revolutionaries.

**The Praeger Handbook of Religion and Education in the United States** James C. Carper, Thomas C. Hunt, 2009-03-05 Ten Commandments displays prayer at football games. Bible in the curriculum. Vouchers for tuition at religious schools. Pledge of Allegiance. Wall of separation between church and state. Among other hot button issues at the intersection of religion and education generate a great deal of heat but often light is sorely lacking. The Praeger Handbook of Religion and Education in the United States provides a unique source of light to educators, religious leaders, journalists, policy makers, parents and the general public as well as a useful resource for scholars interested in the impact of religion on the origins, development and current shape of the American educational landscape. Following an introductory essay that surveys the relationship of religion to elementary and secondary education from the 1600s to the present, this set offers 175 entries written by more than 40 scholars with national reputations that cover a wide range of topics related to religion and education both in the past and the present. These jargon free entries are cross referenced and provide suggestions for further reading.

Readers who want to know what is behind the heat in current debates will find entries on United States Supreme Court decisions on religion and education current controversies regarding religion in the public schools religious legal and educational associations involved in these controversies religion and the curriculum religious schools individuals and movements that have affected the role of religion in education and religion and education developments in the eighteenth and nineteenth centuries This one of a kind set also includes a convenient table summarizing all of the religious liberty decisions of the Supreme Court from 1815 to the present

**This Earthly Frame** David Sehat, 2022-02-22 An award winning scholar s sweeping history of American secularism from Jefferson to Trump An essential book for understanding today s culture wars Sehat s clear eyed and elegant narrative will change how you think about our supposedly secular age Molly Worthen University of North Carolina at Chapel Hill In *This Earthly Frame* David Sehat narrates the making of American secularism through its most prominent proponents and most significant detractors He shows how its foundations were laid in the U S Constitution and how it fully emerged only in the twentieth century Religious and nonreligious Jews liberal Protestants apocalyptic sects like the Jehovah s Witnesses and antireligious activists all used the courts and the constitutional language of the First Amendment to create the secular order Then over the past fifty years many religious conservatives turned against that order emphasizing their religious freedom Avoiding both polemic and lament Sehat offers a powerful reinterpretation of American secularism and a clear framework for understanding the religiously infused conflict of the present

*American Hour* Os Guinness, 1993-05-30 Os Guinness examines the ways in which the current crisis of cultural authority strikes at the heart of American identity As he shows this crisis has occurred because America s beliefs traditions and ideals civic as well as religious are losing their power to shape the private and public lives of countless Americans He first charts this growing crisis in America s moral and cultural order tracing its roots early in this century to the first open phase of conflict which began to build in the fifties and climaxed in the cultural revolution of the sixties He goes on to examine the subsequent conservative counter revolution focusing throughout on the impact of this crisis on three areas vital to the health of the republic on American identity as in the currently contested notion of what it means to be an American American public philosophy including the now controversial relationship of religion and public life and American republican character including our distinctive emphasis on the importance of the habits of the heart Guinness also examines the historical role of religion in American society and its integral function in American public life He explores how religion came to lose its power as a vital shaping force of America s moral and cultural order and he considers the consequences of this loss He then establishes four scenarios that range from the continued decline of religion in public life to a resurgence of faith showing how each possible outcome could affect American society in the upcoming century Examining closely the recent controversies over religion and politics Guinness concludes by setting forth a vision of how we can move beyond these struggles and provide America s diverse faiths with a revitalized and constructive role in public life From publisher s

description     Magna Carta, Religion and the Rule of Law Robin Griffith-Jones, Mark Hill, 2015-04-23 Jurists historians and theologians from five faiths and three continents examine the importance of Magna Carta's religious foundations

*Humanism and the Rhetoric of Toleration* Gary Remer, 2010-11-01 Religious toleration is much discussed these days But where did the Western notion of toleration come from In this thought provoking book Gary Remer traces arguments for religious toleration back to the Renaissance demonstrating how humanist thinkers initiated an intellectual tradition that has persisted even to our present day Although toleration has long been recognized as an important theme in Renaissance humanist thinking many scholars have mistakenly portrayed the humanists as proto Enlightenment rationalists and nascent liberals Remer however offers the surprising conclusion that humanist thinking on toleration was actually founded on the classical tradition of rhetoric It was the rhetorician's commitment to decorum the ability to argue both sides of an issue and the search for an acceptable epistemological standard in probability and consensus that grounded humanist arguments for toleration Remer also finds that the primary humanist model for a full fledged theory of toleration was the Ciceronian rhetorical category of sermo conversation The historical scope of this book is wide ranging Remer begins by focusing on the works of four humanists Desiderius Erasmus Jacobus Acontius William Chillingworth and Jean Bodin Then he considers the challenge posed to the humanist defense of toleration by Thomas Hobbes and Pierre Bayle Finally he shows how humanist ideas have continued to influence arguments for toleration even after the passing of humanism from John Locke to

contemporary American discussions of freedom of speech     **Legislating Morality** Lucinda J. Peach, 2002 A recurring issues in American political life is the role that religion plays in public lawmaking In this book Lucinda Peach sheds new light on this discussion by proposing a fresh and pragmatic alternative

**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 New Encyclopedia of Unbelief Tom Flynn, 2007-04-30 Successor to the highly acclaimed Encyclopedia of Unbelief 1985 edited by the late Gordon Stein the New Encyclopedia of Unbelief is a comprehensive reference work on the history beliefs and thinking of America's fastest growing minority those who live without religion All new articles by the field's foremost scholars describe and explain every aspect of atheism agnosticism secular humanism secularism and religious skepticism Topics include morality without religion unbelief in the historicity of Jesus critiques of intelligent design theory unbelief and sexual values and summaries of the state of unbelief around the world In addition to covering developments since the publication of the original edition the New Encyclopedia of Unbelief includes a larger number of biographical entries and much expanded coverage of the linkages between unbelief and social reform movements of the 19th and 20th centuries including the labor movement woman suffrage anarchism sex radicalism and second wave feminism More than 130 respected scholars and activists worldwide served on the editorial board and over 100 authoritative contributors have written in excess of 500 entries The distinguished advisors and contributors philosophers scientists scholars and Nobel Prize laureates include Joe Barnhart David Berman Sir Hermann Bondi Vern L Bullough Daniel Dennett Taner Edis the late Paul Edwards Antony Flew Annie Laurie Gaylor Peter Hare Van Harvey R Joseph Hoffmann Susan Jacoby Paul Kurtz Gerd L demann Michael Martin Kai Nielsen Robert M Price Peter Singer Victor Stenger Ibn Warraq George A Wells David Tribe Sherwin Wine and many others With a foreword by evolutionary biologist and best selling author Richard Dawkins this unparalleled reference work provides comprehensive knowledge about unbelief in its many varieties and manifestations

**Essays on Religion and Human Rights** David Little, 2015-03-26 This collection of essays by David Little addresses human rights in relation to the historical settings in which its language was drafted and adopted Featuring five original essays Little articulates his view that fascist practices before and during World War II vivified the wrongfulness of deliberately inflicting severe pain injury and destruction for self serving purposes and that the human rights corpus developed in response was designed to outlaw all practices of arbitrary force He contends that while there must be an accountable human rights standard it should guarantee latitude for the expression and practice of beliefs consistent with outlawing arbitrary force Little details the theoretical grounds of the relationship between religion and human rights and concludes with essays on US policy and the restraint of force in regard to terrorism With a foreword by John Kelsay this book is a capstone of the work of this influential writer on religion philosophy and law

*Religion and Politics in the Early Republic* Daniel Dreisbach, 2021-12-14 The church state debate currently alive in our courts and legislatures is strikingly similar to that of the 1830s A secular drift in American culture and the role of religion in a pluralistic society were concerns that dominated the controversy then as now In *Religion and Politics in the Early Republic* Daniel L Dreisbach compellingly

argues that the issues in our current debate were framed in earlier centuries by documents crucial to an understanding of church state relations the First Amendment and our present concern with the constitutional role of religion in American public life Reflection on this national discussion of more than 150 years ago casts light on both past and future relations between church and state in America In an 1833 sermon *The Relation of Christianity to Civil Government in the United States* the Reverend Jasper Adams of Charleston South Carolina an eminent educator and moral philosopher offered valuable insight into the social and political forces that shaped church state relations in his time Adams argued that the Christian religion is indispensable to social order and national prosperity Although he opposed the establishment of a state church he believed that a Christian ethic should inform all civil legal and political institutions Adams's remarkably prescient discourse anticipated the emergence of a dominant secular culture and its inevitable conflict with the formerly ascendant religious establishment His treatise was the first major work from the embattled religious traditionalists controverting Thomas Jefferson's vision of a secular polity and strict church state separation Eager to confirm his analysis Adams sent copies of the sermon to scores of leading intellectuals and public figures of his day In this volume Dreisbach brings together for the first time Adams's sermon a critical review of the treatise and transcripts of previously unpublished letters written in response to it by James Madison John Marshall Joseph Story and J S Richardson These letters provide a rare glimpse into the minds of several influential statesmen and jurists who were central in shaping the republic and its institutions The Story and Madison letters are among their authors' final and most perceptive pronouncements on church state relations The documents that Dreisbach has assembled in this edition provide a vivid portrait of early nineteenth century thought on the constitutional role of religion in public life Our ongoing national discussion of this topic is illuminated by the debate encapsulated in these pages

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