The Center for the Study of Law and Religion is home to world-class scholars and forums on the religious foundations of law, politics, and society.
Dear Colleagues,

For more than 25 years, the Center for the Study of Law and Religion (CSLR) at Emory University has dedicated itself to studying the religious dimensions of law, the legal dimensions of religion, and the interaction of legal and religious ideas and institutions, norms and practices. We believe that in a most fundamental sense, religion gives law its spirit and inspires its adherence to ritual and justice. Law, in turn, gives religion its structure and encourages its devotion to order and organization. Law and religion share such ideas as fault, obligation, and covenant and such methods as ethics, rhetoric, and textual interpretation. Law and religion also balance each other by counterposing justice and mercy, rule and equity, discipline and love. This dialectical interaction gives these two disciplines and dimensions of life their vitality and their strength.

Working with 90-plus faculty at Emory, 1600 scholars from around the world, and thousands of students, readers, and conference participants, our Center has sought to build new bridges of dialogue, new forums for debate, and new libraries of knowledge that address the interaction of law and religion. We pursue our work through:

- three joint-degree programs
- 14 cross-listed courses
- public lectures, panels, and conferences
- a visiting scholars and fellows program
- two book series
- 300 plus published volumes
- eight major research projects

This booklet introduces some of the recently published and newly commissioned volumes produced by our research projects on “Christian, Jewish, and Islamic Legal Studies,” “Sex, Marriage, and Family,” “The Child in Law, Religion, and Society,” “Law, Religion, and Human Rights,” “The Pursuit of Happiness,” and “Affordable Housing and Community Development.” For a complete description of each of these projects and their publications, we invite you to view our Center website at http://cslr.law.emory.edu.

We have it on high authority that “of the writing of these books, there will be no end.” Our Center will certainly continue to do its part to ensure that this ancient prophecy remains fulfilled. We hope that these books will add to a richer understanding of some of the foundations and fundamentals of legal and religious life that we all must share and shape.

With warmest regards,

John Witte, Jr.
Jonas Robitscher Professor of Law
Alonzo L. McDonald Distinguished Professor
Director, CSLR
Emory University

Frank S. Alexander
Professor of Law
Founding Director, CSLR
Emory University
Publications Listed by Author

Land Bank Authorities: A Guide for the Creation and Operation of Local Land Banks, Frank S. Alexander; Fannie Mae Foundation/LISC, 2005
A roadmap for cities and counties rediscovering the value of urban land, this guidebook chronicles the development of the nation's first land banks, in St. Louis, Cleveland, Louisville, Atlanta, and Genesee County, Michigan, describing the conditions, history, and legal structures of each. • Affordable Housing and Community Development Project

According to the author, constitutionalism is succeeding in Africa incrementally through practice. The book examines the dynamic relationship of general principles of constitutionalism and experiences in realizing these principles in the local context of a range of African countries. It also explores the “contingent role of Islam,” that competing understandings of Islam can either be supportive of or detrimental to the development of constitutionalism in African Islamic societies, depending on a variety of factors. This thesis and analysis, as a specific example of the broader thesis of the book as a whole, are applied to the development of constitutionalism in Sudan, Nigeria, and Senegal. Sponsored by CSLR, the American Council of Learned Societies, and Emory University School of Law. • Islamic Legal Studies Project

This book presents an introduction to the subject and studies of inter-religious marriage by Muslims in India, Turkey, and Senegal. Based on interviews with married couples in all three locations, these studies, all done by local researchers, examine the incidence and consequences of inter-religious marriage and how it operates in families and communities. • Sex, Marriage, and Family Project

This book reflects the outcome of the Islam and Human Rights Fellowship Program, a three-year CSLR project. The program brought 10 scholars and activists together to explore the relationship between human rights and Islam, with the objective of helping people within Muslim societies promote and protect human rights from an Islamic perspective. The volume marks an innovative and original contribution to the discourses of human rights theory, practice, and advocacy; Islamic law; Islamic studies; women’s rights; gender studies; and fieldwork methodology. It is an invaluable resource for scholars, rights activists, NGOs, policy-makers, and anyone with an interest in issues of Islam and human rights. • Islamic Legal Studies Project

What should be the place of Shari‘a—Islamic religious law—in predominantly Muslim societies of the world? In this ambitious and topical book, a Muslim scholar and human rights activist envisions a positive and sustainable role for Shari‘a, based on a profound rethinking of the relationship between religion and the secular state in all societies. • Islamic Legal Studies Project

This meticulously researched book, third in a trilogy that David J. Bederman has written on law and antiquity, reveals that many of the essential aspects of the Constitution—including separation of powers among the branches of federal government, the two chambers of Congress, independent courts, and federalism—were informed by ancient political models. The book explores the classical predilections of the framing generation, the framer’s original intent in drafting various provisions of the Constitution, and a view of our country’s supreme document of law as a “classical Constitution.” • Law, Religion, and Human Rights Project
Marriage Proposals: Questioning a Legal Status, Anita Bernstein, ed.; New York University Press, 2005
When a man and a woman marry, or end a marriage, they acquire a new legal status. The law treats them differently with respect to their contracts, crimes, torts, property holdings, and financial entitlements. Society also treats people differently after marriage or divorce. American law has abandoned or weakened most status labels, such as slavery and race. The labels that survive—felon, corporation, dependent child, even family—relate more clearly to a discernible social goal, if not good. What is the reason for the status of legal marriage? Contributors bring to these questions their expertise in law, anthropology, sociology, queer theory, religion, and political science.
• Sex, Marriage, and Family Project

When Law and Religion Meet: The Point of Convergence, April L. Bogle and Ginger Pyron; Wm. B. Eerdmans, 2007
This coffee table-style volume explores the tough questions sparked by the intersection of law and religion. Commemorating the 25th anniversary of the Center for the Study of Law and Religion, this thought-provoking book traces what motivated the Center’s beginnings, what impelled its work over its first quarter century, and what fuels the contemporary trajectory of law and religion, both separately and together, as the two disciplines continue their much-needed, productive dialogue.

The Vocation of the Child, Patrick M. Brennan, ed.; Wm. B. Eerdmans, 2008
Rather than discussing their possible vocation, discussions of children tend to center on their rights or duties. Does God have intentions for their young lives—before they grow up and become “real” people? Distinguished jurist Patrick McKinley Brennan has gathered 16 authors to approach this idea in various ways, from historical to psychological to theological. The authors explore throughout whether it is possible for adults either to squander their children’s vocations or instead to help discover and embrace them.
• The Child in Law, Religion, and Society Project
• Religion, Marriage and Family Series

This volume consists of essays written by leading scholars on how the family traditions of the major American religions have coped with American-style modernization and democracy. There are chapters on Judaism, Roman Catholicism, various branches of Protestantism, Islam, Hinduism, Buddhism, Confucianism, the Latter-Day Saints, and African American traditions. Chapters on law and comparative religious ethics conclude the book.
• Sex, Marriage, and Family Project

Children and Childhood in American Religions, Don S. Browning and Bonnie Miller-McLemore, eds.; Rutgers University Press, 2009
Whether First Communion or bar mitzvah, religious traditions play a central role in the lives of many American children. In this collection of essays, leading scholars reveal for the first time how various religions interpret, reconstruct, and mediate their traditions to help guide children and their parents in navigating the opportunities and challenges of American life. The book examines 10 religions, among other topics: how the Catholic Church confronts the tension between its teachings about children and actual practice; the Oglala Lakota’s struggle to preserve their spiritual traditions; and the impact of modernity on Hinduism. Only by discussing the unique challenges faced by all religions, and their followers, can we take the first step toward a greater understanding for all of us.
• The Child in Law, Religion and Society Project

Children and Childhood in World Religions, Don S. Browning and Marcia J. Bunge, eds.; Rutgers University Press, 2009
While children figure prominently in religious traditions, few books have directly explored the complex relationships between children and religion. This is the first book to examine the theme of children in major religions of the world. Each of six chapters, edited by world-class scholars, focuses on one religious tradition and includes an introduction and a
selection of primary texts ranging from legal to liturgical and from the ancient to the contemporary. Through both the scholarly introductions and the primary sources, this comprehensive volume addresses a range of topics, from the sanctity of birth to a child’s relationship to evil, showing that issues regarding children are central to understanding world religions and raising significant questions about our own conceptions of children today.

• The Child in Law, Religion, and Society Project

**Christian Ethics and the Moral Psychologies, Don S. Browning; Wm. B. Eerdmans, 2006**

Interest in psychology permeates our culture, with psychological solutions advanced for a host of moral dilemmas. How should ethically minded Christians include insights from such disciplines as psychoanalysis, cognitive moral development, and neuroscience in their theological reflection? Browning offers a serious proposal for combining these disciplines with the best in ethical reflection from a Christian standpoint. Along the way, he introduces readers to the moral psychology work of Sigmund Freud, Carol Gilligan, Antonio Damasio, and others, opening up a dialogue between their work and the hermeneutics of Hans-Georg Gadamer and Paul Ricoeur. Browning also recognizes the potential limits of the conversation between Christian ethics and the moral psychologies, pointing out where they must diverge.

• The Child in Law, Religion, and Society Project

• Religion, Marriage and Family Series

**Equality and the Family: A Fundamental Practical Theology of Children, Mothers, and Fathers in Modern Societies, Don S. Browning; Wm. B. Eerdmans, 2006**

This volume brings together Don S. Browning’s contributions to both the rebirth of practical theology and his work on a theology of the family. It also demonstrates the field of family and marriage as a fruitful subject for the large-scale practical theological research program of the kind he directed from 1991–2003 at the University of Chicago.

• The Child in Law, Religion, and Society Project

• Religion, Marriage and Family Series

**Sex, Marriage, & Family in World Religions, Don S. Browning, M. Christian Green, and John Witte, Jr., eds.; Columbia University Press, 2005**

This volume provides an authoritative collection of freshly translated and annotated canonical and classic texts on sex, marriage, and family from Judaism, Christianity, Islam, Hinduism, Confucianism, and Buddhism. Designed to introduce the rich family teachings of the world religions in and on their own terms, the reader includes differing and enduring genres of text—legal, theological, poetic, and liturgical—from the founding eras of these traditions until early modern times. The texts for each tradition are selected and arranged with an eye to their usefulness for comparison with texts from other religions.

• Sex, Marriage, and Family Project

**Marriage, Sex, and Family in Judaism, Michael J. Broyde and Michael Ausubel, eds.; Rowman & Littlefield Publishers, 2005**

Family has re-emerged in a number of contemporary Jewish circles as a common trope to map and measure the spiritual dimensions of the Jewish tradition. This volume brings together jurists and theologians from the Jewish tradition in an effort to survey and examine the Jewish tradition of marriage and family.

• Jewish Legal Studies Project


A Jewish lawyer is bound to—and sometimes torn between—two disparate systems of law and ethics. What do you do when your religion conflicts with your obligations as a lawyer? For that matter, how do you know what your religious obligations are? Broyde takes a fearless inside look at the ethical and halakhic issues facing the Jewish lawyer and anyone caught up in the American legal system.

• Jewish Legal Studies Project

Order books by contacting the publisher noted within each book description.

For a complete listing of books from the Center for the Study of Law and Religion, go to [http://cslr.law.emory.edu](http://cslr.law.emory.edu).

Combining feminist legal theory with international human rights concepts, this book examines the presence, participation, and treatment of children in a variety of contexts. It compares legal developments in the United States with legal developments in countries where the views that children are separate from their families and potentially in need of state protection are more widely accepted. The authors address the role of religion in shaping attitudes about parental rights in the United States, with particular emphasis upon the fundamentalist belief in natural lines of familial authority. Such beliefs have provoked powerful resistance in the United States to human rights approaches that view the child as an independent rights holder and the state as obligated to provide services and protections that are distinctly child-centered. Calling for a rebalancing of relationships within the U.S. family, to become more consistent with emerging human rights norms, this collection contains both theoretical debates about and practical approaches to granting positive rights to children.

- The Child in Law, Religion and Society Project

Love and Marriage in Early African America, Frances Smith Foster, ed.; Northeastern University Press, 2007

This volume brings together a remarkable range of folk sayings, songs, poems, letters, lectures, sermons, short stories, memoirs, and autobiographies that spans more than 100 years. This collection contradicts or nuances established notions that slavery fractured families, devalued sexual morality, distorted gender roles, and set in motion forces that now produce dismal and dangerous domestic situations. Love and Marriage in Early African America also changes our ideas about the relationship between religion and politics in early African America by featuring texts from the Afro-Protestant press.

- Sex, Marriage, and Family Project

Order books by contacting the publisher noted within each book description.

For a complete listing of books from the Center for the Study of Law and Religion, go to http://cslr.law.emory.edu.
religious group rights, and the like—African nations face formidable issues of religion and human rights in a number of specific subject areas, including: proselytism, apostasy and blasphemy; citizenship/residency/cultural identity; education and charity; violence, warfare, refugees, and genocide; political participation and access; property rights for individuals (especially women and religious minorities); religious dress and ornamentation; concerns about sects and new religious movements; sex, marriage, and family; children and their exploitation and protection; environmental concerns; humanitarianism; private and public health, especially with AIDS and other epidemics.

- Law, Religion, and Human Rights Project


While some may argue that religion has and continues to influence U.S. foreign policy, others would argue that foreign policy has significantly influenced an “American National Religion" after 1947. Here, T. Jeremy Gunn shows that in the wake of World War II, Americans quickly returned to their traditional peacetime suspicion of the military and engaged in disputes over capitalism. When Churchill delivered his Iron Curtain speech in 1946, the American press and American politicians panned it. Only one year later, the United States began to identify itself in reaction to the Soviet Union and its growing power and influence on the world stage. If the U.S.S.R. promoted governmental affirmations of atheism, so the United States would respond with its public declarations of God. This was the origin of “under God” in the Pledge of Allegiance (1954), “In God We Trust” on paper money (1955), and other public declarations about God and religion. Tracing the development of this influence on American religion, Gunn reveals a new way of looking at how public faith has been transformed by world events and the United States’ reaction to them.

- Law, Religion, and Human Rights Project


This history of Christian clergy includes attention to the special role of priests and ministers in caring for children. From the colonial clergy of the 17th century, who related themselves to children especially through catechetical instruction, to the 19th-century Protestant ministers who oversaw Sunday schools and debated about the nature of the child, to the priests and ministers of the later 19th century, who added youth groups, age-graded instruction, and recreation to their ministries with the young, clergy have seen in the child a person requiring special care and attention. This book attempts to set their work with children within the larger context of the history of the profession.

- The Child in Law, Religion, and Society Project

The Morality of Adoption: Social-Psychological, Theological, and Legal Perspectives, Timothy P. Jackson, ed.; Wm. B. Eerdmans, 2005

Against the backdrop of increasingly divergent religious and secular criteria for proper sexual relations, the issue of adoption takes on added depth and significance. If the Catholic Church forbids artificial means of conception, why does it permit adoption? Correlatively, if traditional postnatal adoption is admirable, why not think of artificial insemination by a donor as very early prenatal adoption? Why should parent-child consanguinity be essential to “reproduction” here? Is there good reason to limit either procreation or adoption to a two-parent unit, and need this unit be made up of husband and wife? Why not self-adoption (cloning)? These are some of the questions discussed in this collection of essays by distinguished scholars of ethics, theology, law, history, sociology, and psychology.

- The Child in Law, Religion, and Society Project
- Religion, Marriage and Family Series


The essays in this anthology address three urgent and divisive questions: Do the canonical scriptures of Judaism, Christianity, or Islam offer any justification for blessing same-sex unions, whether as marriages or as some other form of erotic union? Could such justification be found in traditions of scriptural interpretation or religious law or liturgical practice? If not, can contemporary exegesis or theological critique legitimately construct justifications for offering those blessings to couples of the same sex? Ten authors bring diverse skills, from philology to conceptual reconstruction, but they agree that these questions should be addressed both rigorously and candidly.

- Sex, Marriage, and Family Project
Blessing Same-Sex Unions: The Perils of Queer Romance and the Confusions of Christian Marriage, Mark D. Jordan; University of Chicago Press, 2005

The author shows how carefully selected ideals of Christian marriage have come to dominate recent debates over same-sex unions. Opponents of gay marriage, he reveals, too often confuse simplified ideals of matrimony with historical facts. They suppose, for instance, that there has been a stable Christian tradition of marriage across millennia, when in reality Christians have quarreled among themselves for centuries about even the most basic elements of marital theology, authorizing experiments like polygamy and divorce. The author argues that no matter what the courts do, Christian churches will have to decide for themselves whether to bless same-sex unions.

The Mystery of the Child, Martin E. Marty; Wm. B. Eerdmans, 2007

This book is a criticism of efforts to treat the child as a problem over which an adult demands control, and stresses instead the promise of imagination, creativity, play, and freedom. It is emphatically not opposed to discipline—no “spoiled brats” are to issue from the approach—but it casts issues of nurture, upbringing, discipline, education, and spirituality in a different light. The author says that while the book is not an essay in biblical theology, its thesis can be summarized in a line from the gospels: “Unless you change and become like a little child, you shall not enter the kingdom.”

Suing for America’s Soul: John Whitehead, the Rutherford Institute, and Conservative Christians in the Courts, R. Jonathan Moore; Wm. B. Eerdmans, 2007

When John W. Whitehead founded The Rutherford Institute as a Christian legal advocacy group in 1982, he was interested primarily in the First Amendment’s religion clause, serving clients only when religious freedom was at stake. By the mid-1990s, however, religious rights were but one subset of all the freedoms that he saw threatened by an invasive government. In Suing for America’s Soul, R. Jonathan Moore examines the foundation and subsequent practices of The Rutherford Institute, helping to explain the rise of conservative Christian legal advocacy groups in recent decades. Moore exposes the effects—good and bad—that such legal activism has had on the evangelical Protestant community. Thought-provoking and astute, Suing for America’s Soul opens a revealing window onto evangelical Protestantism at large in late 20th-century America.


Why is revenge such a pervasive and destructive problem? How can we create a future in which revenge is less common and forgiveness is more common? Psychologist Michael McCullough argues that the key to a more forgiving, less vengeful world is to understand the evolutionary forces that gave rise to these intimately human instincts and the social forces that activate them in human minds today. Drawing on exciting breakthroughs from the social and biological sciences, McCullough dispenses surprising and practical advice for making the world a more forgiving place.


Editors Mary Elizabeth Moore and Almeda M. Wright address the harsh, challenging, and delicate realities of children and youth who live as spiritual beings within a beautiful yet destructive world. Providing a practical theological analysis of the spiritual yearnings, expressions, and challenges of children and youth in a world of rapid change, dislocation, violence, and competing loyalties, Children, Youth, and Spirituality in a Troubling World provides readers with a purposeful conversation on this important topic.

Mexican Immigration to the U.S. Southeast: Impact and Challenges, Mary E. Odem and Elaine Lacy, eds.; Instituto de Mexico, 2005

The volume consists of the published proceedings of a three-day conference held in conjunction with the Mexican Consulate for the southeastern United States. One of the symposium themes was the challenges migration poses to immigrant families. This is the first volume of essays on the subject of Mexican migration to the U.S. South.
Latino Immigrants and the Transformation of the U.S. South, Mary E. Odem and Elaine Lacy, eds.; The University of Georgia Press, 2009

The Latino population in the U.S. South has more than doubled over the past decade. The mass migration of Latin Americans to the South has led to profound changes in the social, economic, and cultural life of the region and inaugurated a new era in Southern history. This multi-disciplinary collection of essays, written by U.S. and Mexican scholars, explores these transformations in rural, urban, and suburban areas of the South. Using a range of different methodologies and approaches, the contributors present in-depth analyses of how immigration from Mexico and Central and South America is changing the South and how immigrants are adapting to the Southern context. Among the book's central themes are the social and economic impact of immigration, the resulting shifts in regional culture, new racial dynamics, immigrant incorporation and place-making, and diverse Southern responses to Latino newcomers. Various chapters explore ethnic and racial tensions among poultry workers in rural Mississippi and forestry workers in Alabama; the “Mexicanization” of the urban landscape in Dalton, Georgia; the costs and benefits of Latino labor in North Carolina; the challenges of living in transnational families; immigrant religious practice and community building in metropolitan Atlanta; and the creation of Latino spaces in rural and urban South Carolina and Georgia.

• The Child in Law, Religion, and Society Project


In recent years, as government agencies have encouraged faith-based organizations to help ensure social welfare, many black churches have received grants to provide services to their neighborhoods’ poorest residents. This collaboration, activist churches explain, is a way of enacting their faith and helping their neighborhoods. But as Michael Leo Owens demonstrates in God and Government in the Ghetto, this alliance also serves as a means for black clergy to reaffirm their political leadership and reposition moral authority in black civil society. Drawing on both survey data and fieldwork in New York City, Owens reveals that African American churches can use these newly forged connections with public agencies to influence policy and government responsiveness in a way that reaches beyond traditional electoral or protest politics. The churches and neighborhoods, Owens argues, can see a real benefit from that influence—but it may come at the expense of less involvement at the grassroots.

• Law, Religion, and Human Rights Project


Within these pages a younger generation of Orthodox scholars in America takes up the perennial task of transmitting the meaning of Christianity to a particular time and culture. This collection of 12 essays, as the title Thinking Through Faith implies, is the result of six years of reflective conversation and collaboration regarding core beliefs of the Orthodox faith, tenets that the authors present from fresh perspectives that appeal to reason and spiritual sensibilities alike.

• Christian Legal Studies Project

Antigone’s Answer: Death, Burial and Commemoration in Sophocles’ Athens, Cynthia B. Patterson, ed.; Helios Journal, 2006

Burial of one’s loved ones is an important window on the character of the Greek family and on the interactions of public and private religious life in ancient Greece. This volume uses Sophocles’ famous play “Antigone” as the focus of an investigation of the contested area of burial rules and rituals in classical Athens. Who is responsible for the burial of the dead, to whom does it bring honor or dishonor, and what interest do the gods have in treatment and care of the dead? Six leading classicists take up these questions with attention to the law, archeology, aesthetics, and dramatic presentation of burial rituals, and with special emphasis on the varying roles and responsibilities in burial rituals.

• Sex, Marriage, and Family Project

Constitutional Rights, Moral Controversy, and the Supreme Court, Michael J. Perry; Cambridge University Press, 2008

In this important book, Michael J. Perry examines three of the most disputed constitutional issues of our time: capital punishment, state laws banning abortion, and state policies denying the benefit of law to same-sex unions. The author, a leading
constitutional scholar, explains that if a majority of the justices of the Supreme Court believes that a law violates the Constitution, it does not necessarily follow that the Court should rule that the law is unconstitutional. In cases in which it is argued that a law violates the Constitution, the Supreme Court must decide which of two importantly different questions it should address: (1) Is the challenged law unconstitutional? (2) Is the lawmakers’ judgment that the challenged law is constitutional a reasonable judgment? (One can answer both questions in the affirmative.) By focusing on the death penalty, abortion, and same-sex unions, Perry provides illuminating new perspectives not only on moral controversies that implicate one or more constitutionally entrenched human rights, but also on the fundamental question of the Supreme Court’s proper role in adjudicating such controversies.

The Political Morality of Liberal Democracy, Michael J. Perry; Cambridge University Press, 2009
In this important new work in political and constitutional theory, Michael J. Perry elaborates and defends an account of the political morality of liberal democracy: the moral convictions and commitments that in a liberal democracy should govern decisions about what laws to enact and what policies to pursue. The fundamental questions addressed in this book concern (1) the grounding, (2) the content, (3) the implications for one or another moral controversy, and (4) the judicial enforcement of the political morality of liberal democracy. The particular issues discussed include whether government may ban pre-viability abortion; whether government may refuse to extend the benefit of law to same-sex couples; and what role religion should play in the politics and law of a liberal democracy. • Christian Legal Studies Project

To Have and to Hold: Marrying and its Documentation in Western Christendom, 400-1600, Philip L. Reynolds and John Witte, Jr., eds.; Cambridge University Press, 2007
This volume analyzes how, why, and when pre-modern Europeans documented their marriages—through property deeds, marital settlements, dotal charters, church court depositions, wedding liturgies, and other indicia of marital consent. The authors consider both the function of documentation in the process of marrying and what the surviving documents say about pre-modern marriage and how people in the day understood it. Drawing on archival evidence from classical Rome; medieval France, England, Iceland, and Ireland; and Renaissance Florence, Douai, and Geneva, the volume provides a rich interdisciplinary analysis of the range of marital customs, laws, and practices in Western Christendom. The chapters include freshly translated specimen documents that bring the reader closer to the actual practice of marrying than the normative literature of pre-modern theology and canon law. • Sex, Marriage, and Family Project

Extension Ministers: Mr. Wesley’s True Heirs, Russell E. Richey; United Methodist Church General Board of Higher Education and Ministry, 2008
Eminent United Methodist historian Russell E. Richey skillfully analyzes the evolving marginalization of “extension ministers”—United Methodist clergypersons serving the denomination in ministry settings beyond the local parish. Drawing on denominational history, theological argument, and practical experience, Richey offers trenchant insights for reintegrating this vital ministry into the United Methodist connectional covenant today. • Christian Legal Studies Project

Order books by contacting the publisher noted within each book description.

For a complete listing of books from the Center for the Study of Law and Religion, go to http://cslr.law.emory.edu.
United Methodism is often accused of having an incoherent theological center. By examining the history and salient features of the church, this book says that United Methodist theology is actually appropriated from its experience as a missional corporate body. This allows United Methodism to do theology in new ways and to better adapt to its multivalent contexts. • Christian Legal Studies Project

Liberty is a dangerous concept. It’s sure to be misused and, if left unchecked, will likely bring not social harmony and happiness but their opposites. Nonetheless, liberty is absolutely necessary: without it there can be no authentic community. People are not free to do the right thing unless they are free to do the wrong thing; if they can’t be wrong, they can’t be right. Thus does Glenn Tinder, in this provocative work, argue emphatically for “negative liberty”—the liberty that wants primarily to be left alone, with the authorities interfering as little as possible in the lives of people—and against “positive liberty”—a liberty that seeks to guide people into a “fulfilling” life. The substance of Tinder’s book lies at the intersection of several major themes—communication, human fallenness, the necessity of liberty, standing alone, and eschatology—each considered in light of learning what liberty truly is and how it will affect the world at large.

• Law, Religion, and Human Rights Project
• Emory University Studies in Law and Religion Series

Scholars from wide-ranging fields come together to create a multifaceted analysis of the current state of the American family. This volume situates current American debates over sex, marriage, and family within a global framework. Weighing mounting social science evidence that supports a continued need for the nuclear family while assessing the challenges posed by new advocacy for same-sex marriage and delegalized coupling, the authors argue that only by reintegrating the family into a just moral order of the larger community and society can we genuinely strengthen it. This means not simply upholding traditional family values but truly grasping the family’s growing diversity, sustaining its coherence, and protecting its fragility for our own sake and for the common good of society. • Sex, Marriage, and Family Project

This inquiry into the role of religion in the moral argument of public life begins by mapping its critical give-and-take through voices raised from the mainline Protestant churches over going to war in Iraq and doing good at home through faith-based initiatives. It shows how diverse public theologies contest the meaning of civil religion in America and how the coherence of their disagreement stems from a deeper ongoing cultural conflict inherent in the ambiguity of our polity as a liberal democracy that is also a civic republic.

• Law, Religion, and Human Rights Project

The idea of covenant was at the heart of early New England society. In this singular book Weir explores the origins and development of covenant thought in America by analyzing the town and church documents written and signed by 17th-century New Englanders. Unmatched in the breadth of its scope, this study takes into account all of the surviving covenants in all of the New England colonies. Weir’s comprehensive survey of 17th-century covenants leads to a more complex picture of early New England than what emerges from looking at only a few famous civil covenants like the Mayflower Compact. His work shows covenant theology being transformed into a covenantal vision for society but also reveals the stress and strains on church-state relationships that eventually led to more secularized colonial governments in 18th-century New England. He concludes that New England colonial society was much more “English” and much less “American” than has often been thought, and that the New England colonies substantially mirrored religious and social change in Old England. • Christian Legal Studies Project
• Emory University Studies in Law and Religion Series
This issue offers a comparative legal analysis of limitation clauses in international law and in selected countries in Europe and the Americas.
- Law, Religion, and Human Rights Project

This volume explores the main legal teachings of Western Christianity, set out in the texts and traditions of scripture and theology, philosophy and jurisprudence. It takes up the weightier matters of the law that Christianity has profoundly shaped—justice and mercy, rule and equity, discipline and love—as well as more technical topics of canon law, natural law, and state law. Some of these legal creations were wholly original to Christianity. Others were converted from Jewish and classical traditions. Still others were reformed by Renaissance humanists and Enlightenment philosophers. But whether original or reformed, these Christian teachings on law, politics and society have made and can continue to make fundamental contributions to modern law in the West and beyond.
- Christian Legal Studies Project

Covenant Marriage in Comparative Perspective, John Witte, Jr. and Eliza Ellison, eds.; Wm. B. Eerdmans, 2005
The doctrine of covenant has re-emerged in a number of contemporary Jewish, Christian, and Islamic circles as a common trope to map and measure the spiritual dimensions of the marital union. The doctrine of covenant has also re-emerged separately in a number of recent American states as a convenient means of strengthening marital formation and dissolution requirements. This volume brings together jurists and theologians from each of these religious traditions in an effort to integrate and elaborate this covenant theology and law of marriage.
- Sex, Marriage, and Family Project
- Religion, Marriage and Family Series

Leading scholars in theology, ethics, history, and law evaluate the scholarship of Don Browning and the Religion, Culture, and Family Project of the University of Chicago in terms of its substance and its methods of research, asking whether it is a model for future practical research on other topics vital to church and society.
- Sex, Marriage, and Family Project
- Religion, Marriage and Family Series

This issue offers a comprehensive comparative analysis of religious liberty in seven countries that share a common law heritage, if not Commonwealth connections. The collection is part of the 25th anniversary celebration of the United Nations Declaration on Religious Intolerance and Discrimination Based Upon Religion and Belief.
- Law, Religion, and Human Rights Project

This collection of essays by six leading family law scholars explores questions on the frontier of sex, marriage, and family life in America. In particular, it asks why has the family, especially the African-American family, suffered such a breakdown in the past four decades, and what remedies and reforms are needed to ameliorate it? What role can and should religious ideas and institutions play in the reformation of American marriage and family life, particularly given our cultural appetite, if not constitutional mandate, for separation of church and state? And what roles can and should law play in the governance of our domestic and private lives?
- The Child in Law, Religion, and Society Project
God’s Joust, God’s Justice: Law and Religion in the Western Tradition, John Witte, Jr.; Wm. B. Eerdmans, 2006

There are three things that people will die for: their faith, their freedom, and their family. This volume studies all three, and the interactions among them in Western history and today. Witte calls for a richer appreciation and understanding of history that features retrieval, reconstruction, and re-engagement of the enduring teachings of the Western tradition on the fundamentals of authority and liberty, law and order, rights and duties, marriage and family.

• Christian Legal Studies Project
• Emory University Studies in Law and Religion Series


On November 13, 2007, the world lost one of its great legal scholars, and a dear teacher, mentor, and friend to all of us at the CSLR—Harold J. Berman. For 60 years, Berman led the American legal academy and graced lecterns throughout the world. His 25 books and 400 articles set an enviable scholarly benchmark. Their translation into 20 foreign languages ensures his global influence. Berman’s 8,000-plus students will never forget him. Gathered on the pages in this volume are tributes from a few of Berman’s students, colleagues, and friends. Included as well are a couple of longer articles and a student comment on themes that were at the center of Berman’s scholarly interest.

• Law, Religion, and Human Rights Project


John Calvin developed arresting new teachings on rights and liberties, church and state, and religion and politics that shaped the law of Protestant lands. Calvin’s original teachings were periodically challenged by major crises—the French Wars of Religion, Dutch Revolt, the English Civil War, American colonization, and the American Revolution. In each such crisis moment, a major Calvinist figure emerged—Theodore Beza, Johannes Althusius, John Milton, John Winthrop, John Adams, and others—who modernized Calvin’s teachings and translated them into dramatic new legal and political reforms. This rendered early modern Calvinism one of the driving engines of Western constitutionalism. A number of basic Western laws on religious and political rights, social and confessional pluralism, federalism and constitutionalism, and more owe a great deal to this religious movement. This book is essential reading for scholars and students of history, law, religion, politics, ethics, human rights, and the Protestant Reformation.

• Law, Religion, and Human Rights Project

Religion and the American Constitutional Experiment, John Witte, Jr., 2nd ed., Westview Press, 2005

This volume offers a novel reading of the American constitutional experience in religious liberty. Lucid and engaging, it serves as a provocative primer for students and a pristine restatement for specialists in law, religion, history, sociology, politics, and American studies. Through a fresh reading of familiar sources and cases, and through the discovery and introduction of new cases and materials, the author reclaims the essential value, vigor, and vitality of America’s most essential and cherished religious rights and liberties.

• Law, Religion, and Human Rights Project

Sex, Marriage, and Family in John Calvin’s Geneva I: Courtship, Engagement, Marriage, John Witte, Jr. and Robert M. Kingdon; Wm. B. Eerdmans, 2005

This volume treats comprehensively the new theology and law of domestic life that John Calvin and his fellow reformers established in 16th-century Geneva. Calvin made sexual sin and crime, marital formation and dissolution, children’s nurture and welfare, and family cohesion and support essential concerns for both church and state. Many of the reforms that he and others introduced have made their way into common law and civil law traditions on both sides of the Atlantic. Witte and Kingdon trace the subtle historical forms and norms of sex, marriage, and family life that continue to shape us today.

• Sex, Marriage, and Family Project
• Religion, Marriage and Family Series
For two millennia, Western law has visited the sins of fathers and mothers upon their illegitimate children, subjecting them to systematic discrimination and deprivation. The graver the sins of their parents, the further these children fell in social standing and legal protection. While some reformers have sought to better the plight of illegitimate children, only in recent decades has illegitimacy lost its full legal sting. Yet the social, economic, and psychological costs of illegitimacy still remain high even in the liberal, affluent West. After analyzing the shifting laws and logics of illegitimacy in the Western tradition, John Witte offers a trenchant critique of this historical doctrine and its renewed expression among neo-conservatives in church and state. Illegitimacy doctrine, he argues, misinterprets several biblical texts and disregards cardinal Christian teachings of individual accountability and Christian community. Illegitimacy law also betrays the first axiom of any democratic order, that all persons are created equal in dignity and vested with inherent natural rights. There are no illegitimate children, only illegitimate parents, Witte concludes, and he presses for more responsible procreation of children and more comprehensive protection for all children, regardless of their birth status.

For a complete listing of books from the Center for the Study of Law and Religion, go to http://cslr.law.emory.edu.
Forthcoming

Frank S. Alexander, *Housing and Families: Mirrors of Law* • Affordable Housing Project

Julie E. Annas, *Practical Virtue*, Oxford University Press • The Pursuit of Happiness Project

Milner S. Ball, *Politics and Biblical Witness*, Oxford University Press • Christian Legal Studies Project

John R. Bowlin, *Virtue and Transcendence* • The Pursuit of Happiness Project


Don S. Browning and John Witte, Jr., *Christian Marriage and Modern Marriage Law*, Cambridge University Press • Christian Legal Studies Project

Michael J. Broyde, *Innovation and Jewish Law*, Urim Publications • The Pursuit of Happiness Project

Sidney Callahan, *Becoming Happy, Becoming Holy*, Orbis Press • The Pursuit of Happiness Project

Ellen T. Charry, *Choose Life: God and the Art of Happiness*, Wm. B. Eerdmans • The Pursuit of Happiness Project

Frances Smith Foster, “*Til Death or Distance Do Us Part*”: *Love, Marriage and Gender Matters in Antebellum African America* • Sex, Marriage, and Family Project


T. Jeremy Gunn, *Cultural Constraints and Historical Legacies: The Legal Regulation of Religion in Ten Countries* • Law, Religion, and Human Rights Project

Vigen Guroian, *Christian Marriage at Bay: An Orthodox Assessment* • Christian Legal Studies Project


Carol Rowland Hogue, *The Abortion / Contraception Paradox: How the Misuse of Politics, Law and Religion by Birth Control Opponents Conspires to Increase Abortions* • Sex, Marriage, and Family Project

Timothy P. Jackson, “*Heroism on an Empty Stomach*”: *Simone Weil and Etty Hillesum on Happiness amid the Holocaust* • The Pursuit of Happiness Project

Timothy P. Jackson, *Political Agape: A Defense of Prophetic Liberalism* • Christian Legal Studies Project

Timothy P. Jackson and Robert M. Franklin, eds., *Cambridge Companion to Martin Luther King, Jr.*, Cambridge University Press • Christian Legal Studies Project


Corey L.M. Keyes, *Flourishing and Positive Mental Health: An International Perspective*, Springer Publishing • The Pursuit of Happiness Project


Mary Elizabeth Moore, *Yearnings and Hopes: Eschatological Visions of Youth* • The Child in Law, Religion, and Society Project


M.H. Ogilvie, *Protestant Church Law and Discipline*, Cambridge University Press • Christian Legal Studies Project

Aristotle Papanikolaou, *Confronting the Byzantine Legacy: Orthodoxy, Democracy, and Community*, University of Notre Dame Press • Christian Legal Studies Project
Forthcoming, continued

Stephen J. Pope, Better to Give Than to Receive: Service, Virtue and Happiness in Christian Ethics
• The Pursuit of Happiness Project

Jean Porter, The Jurisprudence of the Church: Natural Justice and Positive Law in Theological Perspective, Wm. B. Eerdmans • Christian Legal Studies Project

Elizabeth H. Prodromou, Church-State Relations in Contemporary Greece: Orthodox Christianity and Democracy in the Era of Globalization, University of Notre Dame Press • Christian Legal Studies Project

Elizabeth H. Prodromou, V. Makrides and V. Roudometoff, eds., The Orthodox Church of Greece in the 21st Century: Religion, State, and Society in an Era of Transition, University of Notre Dame Press • Christian Legal Studies Project

Elizabeth H. Prodromou, ed., Religious Pluralism in 21st Century American Public Life: The Challenges and Opportunities for Orthodox Christianity, University of Notre Dame Press • Christian Legal Studies Project

Charles J. Reid, Jr., The Christian Foundations of the American Law of Marriage, Wm. B. Eerdmans • Christian Legal Studies Project

Philip L. Reynolds, The Great Sacrament: The Emergence of the Sacramental Theology of Marriage during the Central Middle Ages
• Sex, Marriage, and Family Project

Philip L. Reynolds, Thomas Aquinas and the Discovery of Bliss: A Study of Christian Eudaimonism
• The Pursuit of Happiness Project

Russell E. Richey, Methodist Connectionalism: Historical Perspectives
• Christian Legal Studies Project

• Sex, Marriage, and Family Project

Brent A. Strawn, ed., The Bible and the Pursuit of Happiness • The Pursuit of Happiness Project

Robert W. Tuttle and Ira C. Lupu, Toward Secular Government: Rethinking the Religion Clauses • Christian Legal Studies Project

• Christian Legal Studies Project


John Witte, Jr. and Frank S. Alexander, eds., Christianity and Human Rights: An Introduction, Cambridge University Press • Christian Legal Studies Project

John Witte, Jr. and M. Christian Green, Religion and Human Rights: An Introduction, Oxford University Press • Law, Religion, and Human Rights Project


John Witte, Jr. and Joel A. Nichols, Religion and the American Constitutional Experiment, 3rd ed., Westview Press • Christian Legal Studies Project

John Witte, Jr., A Dickensian Era of Law, Religion and Human Rights • Christian Legal Studies Project

John Witte, Jr., From Sacrament to Contract, 2nd ed., Westminster John Knox Press • Christian Legal Studies Project

Nicholas P. Wolterstorff, A Christian Theory of Governmental Authority, Cambridge University Press • Christian Legal Studies Project

Order books by contacting the publisher noted within each book description.

For a complete listing of books from the Center for the Study of Law and Religion, go to http://cslr.law.emory.edu.
Emory University Studies in Law and Religion Series

Published in collaboration with the William B. Eerdmans Publishing Company, this series is intended to foster exploration of the religious dimensions of law, the legal dimensions of religion, and the interaction of legal and religious ideas, institutions, and methods. Written by leading scholars of law, political science, and related fields, these volumes will help meet the growing demand for literature in the burgeoning interdisciplinary study of law and religion.

*Faith and Order: The Reconciliation of Law and Religion*
Harold J. Berman, 1993

*Religious Liberty in Western Thought*
W. Cole Durham, Jr. and Noel B. Reynolds, eds., 1996

*Rediscovering the Natural Law in Reformed Theological Ethics*
Stephen J. Grabill, 2006

*The Ten Commandments in History: Mosaic Paradigms for a Well-Ordered Society*
Paul Kuntz, 2004

*Suing for America's Soul: John Whitehead, The Rutherford Institute, and Conservative Christians in the Courts*
R. Jonathan Moore, 2007

*Theology of Law and Authority in the English Reformation*
Joan L. O'Donovan, 1991

*Power Over the Body, Equal Rights in the Family: Rights and Domestic Relations in Medieval Canon Law*
Charles J. Reid, Jr., 2004

*Political Order and the Plural Structure of Society*
James W. Skillen and Rockne M. McCarthy, eds., 1991

*The Idea of Natural Rights: Studies on Natural Rights, Natural Law, and Church Law 1150-1625*
Brian Tierney, 1997

*The Fabric of Hope: An Essay*
Glenn Tinder, 1999

*Liberty: Rethinking an Imperiled Ideal*
Glenn Tinder, 2007

*Religious Human Rights in Global Perspective: Legal Perspectives*
Johan D. van der Vyver and John Witte, Jr., eds., 1996

*Early New England: A Covenanted Society*
David A. Weir, 2005

*God's Joust, God's Justice: Law and Religion in the Western Tradition*
John Witte, Jr., 2006

*Religious Human Rights in Global Perspective: Religious Perspectives*
John Witte, Jr. and Johan D. van der Vyver, eds., 1996

Religion, Marriage and Family Series

Published in collaboration with William B. Eerdmans Publishing Company this series investigates marriage and family as major theological and cultural issues. Given that both society and the church have debated these topics intensely but have actually studied them very little, this series attempts to correct recent theological neglect of these important matters.

*Early Christian Families in Context*
David L. Balch and Carolyn Osiek, eds., 2003

*The Vocation of the Child*
Patrick M. Brennan, ed., 2008

*Christian Ethics and the Moral Psychologies*
Don S. Browning, 2006

*Does Christianity Teach Male Headship? The Equal-Regard Marriage and Its Critics*
Don S. Browning, David Blankenhorn and Mary Stewart Van Leeuwen, eds., 2004

*Equality and the Family: A Fundamental Practical Theology of Children, Mothers, and Fathers in Modern Societies*
Don S. Browning, 2006

*Marriage and Modernization: How Globalization Threatens Marriage and What to Do about It*
Don S. Browning, 2003

*Marriage - Just a Piece of Paper?*
Don S. Browning, Katherine Anderson and Brian Boyer, eds., 2002

*The Child in Christian Thought*
Marcia J. Bunge, ed., 2001

*The Morality of Adoption: Social-Psychological, Theological, and Legal Perspectives*
Timothy P. Jackson, ed., 2005

*The Book of Marriage: The Wisest Answers to the Toughest Questions*
Dana Mack and David Blankenhorn, eds., 2001

*The Mystery of the Child*
Martin E. Marty, 2007

*More Lasting Unions: Christianity, the Family, and Society*
Stephen G. Post, 2000

*Covenant Marriage in Comparative Perspective*
John Witte, Jr. and Eliza Ellison, eds., 2005

*The Equal-Regard Family and its Friendly Critics: Don Browning and the Practical Theological Ethics of the Family*
John Witte, Jr., M. Christian Green, and Amy Wheeler, eds., 2007

*Sex, Marriage, and Family in John Calvin's Geneva I: Courtship, Engagement, Marriage*
John Witte, Jr. and Robert Kingdon, 2005

*Order books at www.eerdmans.com.*