

Religion and Law in the USA

Ву

Elizabeth A. Clark

Brett G. Scharffs

Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient resource provides systematic information on how the USA deals with the role religion plays or can play in society, the legal status of religious communities and institutions, and the legal interaction among religion, culture, education, and media.

After a general introduction describing the social and historical background, the book goes on to explain the legal framework in which religion is approached. Coverage proceeds from the principle of religious freedom through the rights and contractual obligations of religious communities; international, transnational, and regional law effects; and the legal parameters affecting the influence of religion in politics and public life. Also covered are legal positions on religion in such specific fields as church financing, labour and employment, and matrimonial and family law. A clear and comprehensive overview of relevant legislation

and legal doctrine make the book an invaluable reference source and very useful guide.

Succinct and practical, this book will prove to be of great value to practitioners in the myriad instances where a law-related religious interest arises in the USA. Academics and researchers will appreciate its value as a thorough but concise treatment of the legal aspects of diversity and multiculturalism in which religion plays such an important part.



Table of Contents

The Authors

List of Abbreviations

Preface

General Introduction

Part I. Legal Framework and Sources

Chapter 1. Constitutional Position of Religion

Chapter 2. Other Legislation with Regard to Religion

Chapter 3. Typology of the System

Part II. Religious Freedom in General

Chapter 1. Individual Religious Freedom

Chapter 2. Collective Religious Freedom

Chapter 3. Organizational Religious Freedom

Part III. Legal Status of Religious Communities

Chapter 1. Formal Status of Religious Communities

Chapter 2. Autonomy of Religious Communities

Chapter 3. Fundamental Rights and Religious Communities

Chapter 4. Contractual Religious Freedom

Part IV. International, Transnational, Regional Effects on Religious Communities

Chapter 1. International Law Effects on Religious Communities

Chapter 2. Transnational Law Effects on Religious Communities

Chapter 3. Regional Law Effects on Religious Communities

Part V. Religion and Politics

Chapter 1. Religious Influence in Politics

Chapter 2. Political Influence in Religion

Chapter 3. Interaction between Religion and State on a Political and Legal Level

Part VI. Labor Law within Religious Communities

Chapter 1. Scope of Application of Labor Law

Chapter 2. Religious Ministers and Labor Law

Chapter 3. Other Church Employees and Labor Law

Part VII. Religious Communities and Protections of the Individual

Chapter 1. Protection of Privacy

Chapter 2. Freedom to Marry

Chapter 3. Freedom of Expression

Chapter 4. Due Process Norms and Religious Groups

Chapter 5. Professional Secrecy

Chapter 6. Medical Deontology

Chapter 7. Non-discrimination

Chapter 8. Penal Law and Religion

Part VIII. Church Financing

Chapter 1. Direct Financing of Religious Communities

Chapter 2. Indirect Financing of Religious Communities

Part IX. Education

Chapter 1. Religious Education in Public and Private Schools

Chapter 2. Religious Schools

Part X. Matrimonial and Family Law

Chapter 1. Legal Position of Religious Marriage

Chapter 2. Legal Position of Religious Family Law

Part XI. Religion and Culture

Chapter 1. Religion and Art

Chapter 2. Religion and Media

Chapter 3. Religion and Civil Society

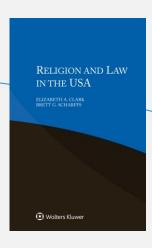
Chapter 4. Religion and Public Debate

Table of Statutes

Table of Cases

Selected Bibliography

Index



Religion and Law in the USA

Ву

Elizabeth A. Clark

Brett G. Scharffs

2016, 376pp, PaperbackISBN: 978-90-411-6764-4
© Kluwer Law International

