

AALS SECTION ON LAW AND RELIGION
2019 Newsletter

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I. Law and Religion Section Program, AALS Annual Meeting: *The Future of the Establishment Clause, and the Court’s Shadow Docket (Jan. 5, 2020)*

What is the Supreme Court's trajectory on Establishment Clause issues, particularly in light of its recent decision in *American Legion v. American Humanist Association*? This panel explores that important question, as well as what other clues can be gleaned from the Court’s shadow docket about looming law and religion issues.

Panelists:

Steven K. Green (Willamette University College of Law)
Audra Savage (Emory University School of Law)
Nomi M. Stolzenberg (University of Southern California Gould School of Law)

Mark Storslee (Penn State Law)
Asma Uddin (Berkley Center for Religion, Peace & World Affairs)

Moderator:

Stephanie Barclay (Brigham Young University, J. Reuben Clark Law School)

II. Annual Harold Berman Award for Excellence in Scholarship

The Harold Berman Prize is awarded for an outstanding scholarly contribution to the field of law and religion. The members of the prize committee selected Mark Storslee's article *Religious Accommodation, the Establishment Clause, and Third-Party Harm*, 86 U. CHI. L. REV. 871 (2019).

III. Upcoming Law and Religion Events and Conferences

The Religion Clauses, Washington University School of Law (Jan. 24, 2020)
<https://www.jinazu.com/law-and-religion-conference>.

The Religion Clauses is an interdisciplinary conference convened by John Inazu to explore current and future trends in the First Amendment's free exercise and establishment clauses. It is cosponsored by Washington University School of Law, the Washington University Law Review, and the John C. Danforth Center on Religion and Politics.

Conference for the contributors to the Oxford Handbook of Jewish Law, DePaul University (June 2-3, 2020) <https://law.depaul.edu/about/centers-and-institutes/center-for-jewish-law-and-judaic-studies/Pages/default.aspx>

DePaul University College of Law and DePaul's Center for Jewish Law and Judaic Studies is hosting a conference for the contributors to The Oxford Handbook of Jewish Law. Co-editors of the handbook are Roberta Kwall, Zev Eleff, and Chaim Saiman.

IV. Recent Law and Religion Events and Conferences

Religious Liberty & the Culture War Over LGBT Rights: Can University Students Make a Difference?, Case Western Reserve University School of Law (Mar. 27, 2019)
<https://www.acslaw.org/event/religious-liberty-the-culture-war-over-lgbt-rights-can-university-students-make-a-difference/>

The Tolerance Means Dialogues are about working together to move forward, not about relitigating the past. The Dialogue draws on your insights about more constructive ways to live together with our differences. Dialogue catalysts: Shannon Minter, Legal Director for the National Center for Lesbian Rights, and Robin Fretwell Wilson, Roger and Stephany Joslin Professor of Law and Director of Tolerance Means Dialogue. Moderated by: Jessie Hill, Associate Dean for Academic Affairs, Judge Ben C. Green Professor of Law; and Jonathan

Adler, Johan Verheij Memorial Professor of Law, Director, Center for Business Law and Regulation. Co-sponsored by: the American Constitution Society, the Federalist Society, the 1st Amendment Partnership, and the Templeton Religion Trust.

The Inclusive Midwest Initiative, Chicago, Illinois (Aug. 22, 2019)

<https://www.fairnessforallinitiative.com/midwest-initiative>

A Dialogue to distill insights from lawmakers and stakeholders themselves who have found bipartisan solutions at the juncture between LGBT rights and religious freedom. Co-Conveners: Andrew Koppelman, John Paul Stevens Professor of Law at Northwestern University, and Robin Fretwell Wilson, Associate Dean for Public Engagement and the Roger and Stephany Joslin Professor of Law at the University of Illinois College of Law.

Annual International Law and Religion Symposium: Human Dignity and Religious Freedom: Preventing and Responding to Persecution, BYU Law School (Oct. 6-8, 2019)

<https://www.iclrs.org/annual-international-law-and-religion-symposium/26th-annual-international-law-and-religion-symposium/>.

This student-run symposium, under the jurisdiction of Elizabeth Clark, was held in Provo, Utah. The 2019 Annual International Law and Religion Symposium focused a light on persecution, with a particular emphasis on how implementing the concepts of human dignity and religious freedom can help prevent and respond to persecution worldwide.

Family Law Symposium, DePaul University College of Law (Nov. 7, 2019)

https://events.depaul.edu/event/family_law_symposium_the_new_american_family#.XffjD IKi Uk

DePaul's Schiller DuCanto & Fleck Family Law Center presented a full day symposium on the 'New American Family'. Professor Roberta Kwall presented on *Female Personhood and Consent in Jewish Marriage*.

New Books in Jewish Law, NYU School of Law (Dec. 4, 2019)

<https://its.law.nyu.edu/eventcalendar/index.cfm?fuseaction=main.detail&id=76582>

An evening introducing "New Books in Jewish Law", a joint presentation of NYU Law School, the Jewish Review of Books, and the Jewish Law Association. The event was held under auspices of the Caroline and Joseph S. Gruss Program of the NYU School of Law. This event featured three new and important books in the field of Jewish law: broadly constructed--Benjamin Sommer's award-winning *Revelation & Authority*, Roberta Kwall's forthcoming *Remix Judaism*, and Chaim Saiman's *Halakhah: The Rabbinic Idea of Law*. This event featured three presenters introducing these books and the authors themselves responding to the presentation: Professors Lawrence Kaplan, McGill University, Phil Lieberman, Vanderbilt University, and JHH Weiler, NYU School of Law.

V. Law and Religion Bibliography

Below we have compiled a law and religion bibliography that includes selected books and articles published in 2019 as well as publications from the end of 2018. Also identified below are certain specialty journals focusing on law and religion. While we have tried to collect as much of the relevant literature as possible, we recognize that we have likely omitted important work for the current listing. If you have additional publications you believe should be included in this bibliography, please contact Pepperdine Caruso School of Law research librarians Donald Buffaloe (donald.buffaloe@pepperdine.edu) or Kerstin Leistner (kerstin.leistner@pepperdine.edu) who have expended extraordinary efforts to put this bibliography together.

BOOKS:

RICHARD ALBERT, *CONSTITUTIONAL AMENDMENTS: MAKING, BREAKING, AND CHANGING CONSTITUTIONS* (Oxford Univ. Press 2019).

RICHARD ALBERT & BERTIL EMRAH ODERAN, *UNAMENDABLE CONSTITUTION? UNAMENDABILITY IN CONSTITUTIONAL DEMOCRACIES* (Cham Springer Int'l Pub. 2018).

JEFFREY A BRAUCH, *A HIGHER LAW: READINGS ON THE INFLUENCE OF CHRISTIAN THOUGHT IN ANGLO-AMERICAN LAW* (William S. Hein & Co., Inc., 3rd ed. 2019).

RAFAEL DOMINGO, *GREAT CHRISTIAN JURISTS IN FRENCH HISTORY* (Cambridge Univ. Press 2019).

JAMES DWYER & SHAWN F. PETERS, *HOMESCHOOLING: THE HISTORY AND PHILOSOPHY OF A CONTROVERSIAL PRACTICE* (UNIV. OF CHICAGO PRESS 2019).

STEVEN K. GREEN, *THE THIRD DISESTABLISHMENT: CHURCH, STATE, AND AMERICAN CULTURE, 1940-1975* (Oxford Univ. Press 2019).

HAIDER ALA HAMOUDI, *ISLAMIC LAW IN A NUTSHELL* (West Acad. Pub. 2019).

R. H. HELMHOLZ, *THE PROFESSION OF ECCLESIASTICAL LAWYERS: AN HISTORICAL INTRODUCTION* (Cambridge Univ. Press 2019).

ROBERTA ROSENTHAL KWALL, *REMIXING JUDAISM: PRESERVING TRADITION IN A DIVERSE WORLD* (Rowman & Littlefield Pub. forthcoming 2020).

JOSHUA NEOH, *LAW, LOVE AND FREEDOM: FROM THE SACRED TO THE SECULAR* (Cambridge Univ. Press 2019).

MICAH SCHWARTZMAN, ET AL., *CONSTITUTIONAL LAW AND RELIGION* (West Publ'g. Co. forthcoming).

AZIN TADJINI, *CONSTITUTIONAL LAW, RELIGION AND EQUAL LIBERTY : THE IMPACT OF DESECULARIZATION* (Routledge 2019).

JAY WEXLER, *OUR NON-CHRISTIAN NATION: HOW ATHEISTS, SATANISTS, PAGANS, AND OTHERS ARE DEMANDING THEIR RIGHTFUL PLACE IN PUBLIC LIFE* (Stanford Univ. Press/Redwood Press 2019).

JOHN WITTE, JR., *CHURCH, STATE, AND FAMILY: RECONCILING TRADITIONAL TEACHINGS AND MODERN LIBERTIES* (Cambridge Univ. Press 2019).

EDITED BOOKS:

CARE FOR THE WORLD: LAUDATO SI' AND CATHOLIC SOCIAL THOUGHT IN AN ERA OF CLIMATE CRISIS, (Frank Pasquale ed., Cambridge Univ. Press 2019).

Amanda Jaret & Frank Pasquale, *Introduction: The Ethical, Legal, and Political Significance of Laudato Si*,

Anthony Annett, *Our Common Responsibility for Our Common Home: The Activist Vision of Laudato Si*,

Eduardo M. Peñalver, *Carbon Trading and the Morality of Markets in Laudato Si*,

Massimiliano Montini & Francesca Volpe, *The Need for an "Integral Ecology" in Connection with the UN Sustainable Development Goals*,

Vincent Ialenti, *Alter-Ecologies: Envisioning Papal and Ecomodernist Nuclear Energy Policy Futures*,

Mark Shiffman, *The Other Seamless Garment: Laudato Si' on the Human Relationship to Created Nature*,

Zachary Loeb, *Towards a Bright Mountain: Laudato Si' and the Critique of Technology*,

Frank Pasquale, *A Critique of Mastery and an Ethics of Attunement: From Spe Salvi to Laudato Si*,

Nathan Schneider, *"Truly, Much Can Be Done!": Cooperative Economics from the Book of Acts to Pope Francis*,

Amanda Jaret & David L. Gregory, *Toward an Ethic of "Civic and Political Love" in the Workplace*,

Alessandro Spina, *Laudato Si' and Augmented Reality: In Search of an "Integral Ecology" for the Digital Age*,

CATHOLIC SOCIAL TEACHING: A VOLUME OF SCHOLARLY ESSAYS, (Gerard V. Bradley & E. Christian Brugger eds., Cambridge Univ. Press 2019).

Gerard V. Bradley & E. Christian Brugger, *Contingency, Continuity, Development, and Change in Modern Catholic Social Teaching*,

John Finnis, *Aquinas as a Primary Source of Catholic Social Teaching*,

Thomas C. Behr, *The Nineteenth-Century Historical and Intellectual Context of Catholic Social Teaching*,

Joseph Boyle, *Rerum novarum (1891)*,

Samuel Gregg, *Quadragesimo anno (1931)*,

Ronald J. Rychlak, *Pope Pius XII on Social Issues*,

V. Bradley Lewis, *Development in Catholic Social Teaching: John XXIII to Paul VI*,

Patrick Lee, *Social Teaching in Pope John Paul II*,

J. Brian Benestad, *Pope Benedict XVI on the Political and Social Order*,

Daniel J. Mahoney, *The Social Teaching of Pope Francis*,

V. Bradley Lewis, *Catholic Social Teaching on the Common Good*,

Cristóbal Orrego, *The Universal Destination of the World's Resources*,

Christopher Tollefsen, *The Apostolate of the Laity*,

John Finnis, *Globalization*,

Christopher Wolfe, *Are Some Men Angels? Modern Catholic Social Thought and Trust in Government*,

Kevin L. Flannery, SJ, *The Moral Principles Governing the Immigration Policies of Polities*,

Robert G. Kennedy, *International Finance and Catholic Social Teaching*,

Maria Catherine Cahill, *Subsidiarity*,

Catherine Ruth Pakaluk, *Socialism and Capitalism in Catholic Social Thought*,

Martin Schlag, *The Preferential Option for the Poor and Catholic Social Teaching*,

Russell Shaw, *Catholic Social Teaching and Living the Christian Life*,

CHRISTIANITY AND CONSCIENCE: AN INTRODUCTION (Jeffrey B. Hammond & Helen M. Alvaré, eds., Cambridge Univ. Press forthcoming 2020).

THE CONTESTED PLACE OF RELIGION IN FAMILY LAW (Robin Fretwell Wilson, ed., Cambridge Univ. Press 2018).

Elizabeth Sepper, *The Risky Business of RFRA's After Hobby Lobby*,

Michael A. Helfand, *Religion and the Family in the Wake of Hobby Lobby*,

Michele Goodwin, *Religious Exceptionalism and Religiously Motivated Harm*,

Mark L. Rienzi, *Contraceptive Access and Religious Liberty*,

Gregory M. Lipper, *The Contraceptive Coverage Cases and the Problem of Politicized Free Exercise Lawsuits*,

Michael A. Helfand, *The Substantial Burden Question: Secular Tools for Secular Courts*,

Eric Rassbach, *Coming Soon to a Court Near You*,

James G. Dwyer, *The Easiest Accommodation*,

Brian H. Bix, *Marriage Agreements and Religious Family Life*,

Margaret F. Brinig, *Religious Parents Who Divorce*,

Merle H. Weiner, *Regulating the Relationship Between Parents*,

Paul A. Offit, *Bad Faith*,

Robin Fretwell Wilson & Shaakirrah R. Sanders, *By Faith Alone*,

Kari E. Hong, *After Obergefell*,

Robin Bradley Kar, *Transformational Marriage*,

Robin Fretwell Wilson, *Divorcing Marriage and the State Post-Obergefell*,

John Witte, *Why No Polygamy*,

Maura Irene Strassberg, *Scrutinizing Polygamy Under Religious Freedom Restoration Acts*,

Richard L. Kaplan, *Religion and Advance Medical Directives*,

Naomi Cahn & Amy Zietlow, *Personal Religious Identity at the End of Life*,

J. Stuart Adams, *Taking Colliding Trains Off a Collision Path*,

Anthony Michael Kreis, *Family Law and Civil Rights Movements*,

William N. Eskridge, *Latter-Day Constitutionalism*,

Patrick N. Parkinson, *The Future of Marriage in Secular Societies*,

Arianne Renan Barzilay & Karin Carmit Yefet, *A Tale of Fragmentation and Intertwinement*,

Asma T. Uddin, *Religious Modesty for Women and Girls*,

DISESTABLISHMENT AND RELIGIOUS DISSENT: CHURCH-STATE RELATIONS IN THE NEW AMERICAN STATES, 1176 TO 1833 (Carl H. Esbeck & Jonathan J. Den Hartog eds., Univ. of Mo. Press 2019).

Carl H. Esbeck & Jonathan J. Den Hartog, *The Task, Methodology, and Findings*,

John Fea, *Disestablishment in New Jersey*,

Evan Haefeli, *Delaware: Religious Borderland*,
James S. Kabala, *Church and State in Rhode Island*,
David Little, *The Pennsylvania Experiment with Freedom of Conscience and Church-State Relations*,
Nicholas P. Miller, *North Carolina: Early Toleration and Disestablishment*,
Kyle T. Bulthuis, *Religious Disestablishment in the State of New York*,
Carl H. Esbeck, *Disestablishment in Virginia, 1776–1802*,
Miles Smith IV, *South Carolina*,
Keith Harper, *Disestablishment in Kentucky*,
Edward R. Crowther, *Disestablishment in Tennessee*,
Joel A. Nichols, *Georgia: The Thirteenth Colony*,
Michael S. Ariens, *Church and State in Ohio, 1785–1833*,
Kevin Pybas, *Disestablishment in the Louisiana and Missouri Territories*,
Shelby M. Balik, *In the Interests of True Religion: Disestablishment in Vermont*,
Michael D. Breidenbach, *Church and State in Maryland: Religious Liberty, Religious Tests, and Church Disestablishment*,
Robert J. Imholt, *Connecticut: A Land of Steady Habits*,
Brian Franklin, *Towns and Toleration: Disestablishment in New Hampshire*,
Marc M. Arkin, *Maine*,
Nathan A. Adams IV, *Florida*,
John Witte Jr. & Justin Latterell, *The Last American Establishment: Massachusetts, 1780–1833*,

LAW, RELIGION, AND TRADITION (Jessica Giles, Andrea Pin & Frank S. Ravitch eds., Cambridge Univ. Press 2018).

Luca Pietro Vanoni, et al., *From the Secularisation Theory to the Pluralistic Approach: Reconciling Religious Traditions and Modernity in Italian Case-Law*,
Muhammad Ahsan Qureshi, *The Blasphemy Laws of Pakistan: Experimenting with History and Tradition*,
Marziyeh Bakhshizadeh, *An Analysis of Possibility of Fulfilling Gender Equality Within the Legal System of the Islamic Republic of Iran (IRI)*,

Frank S. Ravitch, *Tradition's Edge: Interactions Between Religious Tradition and Sexual Freedom*,

Ryszard Bobrowicz, *The Inverted Relationship: Constitutive Theory of Law and the Enforcement of Orthodoxy in Book XVI of the Theodosian Code*,

Hugh McFaul, *Freedom of Religion and the Invention of Tradition*,

Zachary R. Calo, *Law and Religion in a Detraditionalized Europe*,

Jessica Giles, *Tradition as a Peacebuilding Tool*,

PATENTS ON LIFE: RELIGIOUS, MORAL, AND SOCIAL JUSTICE ASPECTS OF BIOTECHNOLOGY AND INTELLECTUAL PROPERTY (Thomas C. Berg, et al. eds., Cambridge Univ. Press 2019).

Roman Cholij, *An Introduction to Religious and Political Discourse on Life Patents*,

Kathleen Liddell and Simon Ravenscroft, *Morality, Religion, and Patents*,

Joshua D. Sarnoff, *Religious and Moral Grounds for Patent-Eligible Subject Matter Exclusions*,

Christopher Rennie-Smith, *Life-Form Patents: Proceedings in the European Patent Office and the Role of Non-commercial Parties*,

Monsignor Osvaldo Neves de Almeida, *Intellectual Property Rights and the Fundamental Right to the Commons in the Light of Catholic Social Teaching*,

Stephen M. Colecchi, *Human Rights and Life Patents: Lessons from the Church's Social Teaching and Engagement in the United States*,

Michael J. Broyde and Steven S. Weiner, *Intellectual Property and Genetic Sequences: A Jewish Law Perspective*,

Mohammed El Said, *Intellectual Property, Islamic Values, and the Patenting of Genes*,

Paul J. Heald, *Christian Libertarianism and the Curious Lack of Religious Objections to the Patenting of Life Forms in the United States*,

Paul J. Wojda, *From Chakrabarty to Myriad and Beyond: Catholic Contributions to the Gene Patenting Debate*,

Margo A. Bagley, *"Thou Shalt Not Steal": The Morality of Compulsory Licensing of Pharmaceutical Patents*,

Roman Cholij, *Genetic Resources and Patents: In Search of Ethical Solutions to Global IP Discord*,

Michael A. Kock, *Patents for Life: Toward an Ethical Use of Patents on Plant Innovations*,

Katerina Sideri, *Germline Modification of Human Embryos, Patents and the Limits of Markets: Rethinking Equality, Human Diversity and the Question of Innovation Funding*,

Ingrid Schneider, *Patent Governance, Ethics and Democracy: How Transparency and Accountability Norms Are Challenged by Patents on Stem Cells, Gametes and Genome Editing (CRISPR) in Europe*,

Thomas C. Berg, *Life Patents, Religion, and Justice: A Summary of Themes*,

RELIGION DURING THE RUSSIAN-UKRAINIAN CONFLICT (Elizabeth A. Clark & Dmytro Vovk eds., Routledge 2019).

Elizabeth A. Clark, *Civil Religion and Religious Freedom in the Russian-Ukrainian Conflict*,

Dmytro Vovk, *Dynamics of Church-state Relations in Ukraine and the Military Conflict with Russia: Political and Legal Aspects*,

Elizaveta Gaufman, *Come All Ye Faithful to the Russian World: Governmental and Grass-roots Spiritual Discourse in the battle over Ukraine*,

Stanislav Panin, *Alternative Spiritualities in Russia During the Conflict in Ukraine*,

Robert C. Blitt, *The United States International Religious Freedom Act, Nonstate Actors, and the Donbas Crisis*,

Viktor Stepanenko, *Ukrainian Churches and Civil Society in the Euromaidan and the Russian-Ukrainian Conflict: A Sociological Analysis*,

Tymofiy Brik & Stanislav Korolkov, *A Spatial Analysis of Religious Diversity and Freedom in Ukraine after the Euromaidan*,

Roman Lunkin, *Changes to Religious Life in Crimea since 2014*,

Jerry G. Pankhurst, *History, Ecclesiology, Canonicity, and Power: Ukrainian and Russian Orthodoxy after the Euromaidan*,

Cyril Hovorun, *The Cause of Ukrainian Autocephaly*,

Andriy Fert, *Equivocal Memory: What Does the Ukrainian Orthodox Church of the Moscow Patriarchate Remember?*,

"The Orthodox Identification of Militants is an Element of their Understanding of the Russkiy Mir": Interview with Dr. Ihor Kozlovsky,

"The Militants Used the Bibles to Keep Fires Going and to Cook Food": Interview with Rev. Dr. Vitaly Sorokun,

Persecutions of Jehovah's Witnesses in Russia: Interview with Maria Kravchenko,

RELIGION, PLURALISM, AND RECONCILING DIFFERENCE (W Cole Durham & Donlu D Thayer, eds., Routledge 2019).

Russell Sandberg & Sharon Thompson, *The Paradox of Pluralism: Towards a Relational Approach to Religious Freedom,*

H. Victor Condé, *Human Rights and the Protection of Religious Expression: Manifestation of Religion as Lex Specialis of Freedom of Expression,*

Iain T. Benson, *The Search for Pluralism in Islam, Roman Catholicism, and Judaism,*

Asher Maoz, *Religious Freedom and Pluralism: A Judaic Perspective,*

Hans-Martien ten Napel, *Western 'Civic Totalism', Sovereignty of the People, and the Need for Limited Government,*

Mohamed Saeed M. Eltayeb, *From Rabat to Istanbul: Combating Advocacy of Religious Hatred that Constitutes Incitement to Discrimination, Hostility, or Violence,*

Jeroen Temperman, *The Prohibition of Advocacy of Religious Hatred that Constitutes Incitement to Discrimination, Hostility, or Violence: A Taxonomy,*

Norberto Padilla, *Religious Pluralism: The Argentine Experience,*

Mary-Anne Platjies-van Huffel, *The Quest for Religious Pluralism in Post-Apartheid South Africa,*

Enyinna S. Nwauche, *National Human Rights Institutions and the Accommodation of Religious Diversity in Africa,*

Piotr Stanisiz, *The Status of Religious Organizations in Poland: Equal Rights and Differentiation,*

Javier Martínez-Torrón, *State Neutrality and Religious Plurality in Europe,*

W. Cole Durham, Jr. & Donlu Thayer, *Religious Pluralism: Peace or Poison?,*

RELIGIOUS FREEDOM AND THE LAW : EMERGING CONTEXTS FOR FREEDOM FOR AND FROM RELIGION, (Brett G. Scharffs, Asher Maoz & Ashley Isaacson Woolley, eds., Routledge 2019).

Brett G. Scharffs, Asher Maoz, & Ashley Isaacson Woolley, *Introduction : Freedom of/for/from/Within Religion : Conceptually Inseparable Rights,*

Richard W. Garnett, *Freedom 'For' Religion : (Yet) Another View of the Cathedral,*

Thomas F. Farr, *The Ministerial Exception : An Inquiry into the Status of Religious Freedom in the United States and Abroad,*

Pamela Slotte, *The Ministerial Exception : Theological and Legal Perspectives from Finland and Europe*,

Frances Raday, *Freedom from Religion in International Human Rights Law*,

David Pollock, *Is There a Right to Freedom from Religion?*,

Pierre C. Noël, *Immigration as an Experience of Fundamental Rights and Religious Freedom*,

Renée Mirkes, *Health-Care Conscience and Competing Sexual Liberty Claims*,

Clemens Steinhilber, *Preventing Religious Fundamentalism Through Higher Education of Faith Leaders*,

Maria Luisa Lo Giacco, *Religious Freedom and Places of Worship : Religious Buildings in Europe and the United States*,

Sarah Hayes, *The Religious Precinct : The Inequalities of Equality Law in Religious Property*,

Jeroen Temperman, *Freedom of/for/from/Within Religion in Prison: A Taxonomy of the Strasbourg Jurisprudence*,

Ahmed Salisu Garba, *Islamic Preaching Board Laws of Kano, Borno, and Niger States: A Constitutional and Human Rights Assessment*,

Piotr Szymaniec, *Freedom of Religious Beliefs or Religious Freedom?: The Recent Case Law of the Polish Constitutional Tribunal*,

Armin Langer, *Christonormativity as Religious Neutrality: A Critique of the Concept of State Religious Neutrality In Germany*,

Li-Ann Thio, *Freedom of Religious Conscience and Persuasion: International Law, Domestic Practice, and Perspectives from Asia*,

Oscar Díaz Muñoz, *Religious Equality in the Peruvian Constitution*,

RELIGIOUS FREEDOM, LGBT RIGHTS, AND THE PROSPECTS FOR COMMON GROUND (William N. Eskridge, Jr. & Robin Fretwell Wilson eds., Cambridge Univ. Press 2018).

William N. Eskridge, & Robin Fretwell Wilson, *Prospects for Common Ground: Introduction*,

Alan Brownstein, *Choosing among Non-Negotiated Surrender, Negotiated Protection of Liberty and Equality, or Learning and Earning Empathy*,

Douglas Laycock, *Liberty and Justice for All*,

Shannon Price Minter, *Belief and Belonging: Reconciling Legal Protections for Religious Liberty and LGBT Youth*,

Dennis P. Hollinger, *Religious Freedom, Civil Rights, and Sexuality: A Christian Ethics Perspective*,

Douglas NeJaime & Reva B. Siegel, *Religious Accommodation, and Its Limits, in a Pluralist Society*,

Ronald J. Krotoszynski, “*The Devil Is in the Details*”: *On the Central Importance of Distinguishing the Truly Public from the Truly Private in Reconciling Equality and Religious Liberty*,

Kent Greenawalt, *Mutual Tolerance and Sensible Exemptions*,

Andrew Koppelman, *The Joys of Mutual Contempt*,

Jeannine Gramick, *From Conflict to Coexistence: The Catholic Response to the LGBT Community*,

Michael A. Helfand, *Implied-Consent Religious Institutionalism: Applications and Limits*,

Leith Anderson, *Christian Identity and Religious Liberty*,

William E. Lori, *The “Demands” of Faith*,

Von G. Keetch, *Toward Collaboration: A Perspective from The Church of Jesus Christ of Latter-day Saints*,

Intisar A. Rabb, *Conscience Claims in Islamic Law: A Case Study*,

Jason R. Moyer, *Should an Amish Baker Sell a Cake for a Same-Sex Wedding?: A Letter on Toleration of LGBT Rights from Anabaptists to Evangelicals*,

Linda C. McClain, *The Rhetoric of Bigotry and Conscience in Battles over “Religious Liberty v. LGBT Rights,”*

Steven D. Smith, *Against “Civil Rights” Simplism: How Not to Accommodate Competing Legal Commitments*,

Louise Melling, *Heterosexuals Only: Signs of the Times?*,

Michael J. Perry, *Conscience v. Access and the Morality of Human Rights, with Particular Reference to Same-Sex Marriage*,

Marc O. DeGirolami, *On the Uses of Anti-Christian Identity Politics*,

William N. Eskridge, *Marriage Equality, Traditionalist Churches, and Tax Exemptions*,

Holly Hollman, *Why Money Matters: LGBT Rights and Religious Freedom, in Religious Freedom*,

Thomas C. Berg, *Freedom to Serve: Religious Organizational Freedom, LGBT Rights, and the Common Good*,

Shirley V. Hoogstra, Shapri D. LoMaglio & Brad Crofford, *Two Paths: Finding a Way Forward at Covenantal Universities*,

B. Jessie Hill, *God and Man and Religious Exemptions in the Modern University*,

Ryan T. Anderson, *Challenges to True Fairness for All: How SOGI Laws Are Unlike Civil Liberties and Other Nondiscrimination Laws and How to Craft Better Policy and Get Nondiscrimination Laws Right*,

Michael W. McConnell, *Dressmakers, Bakers, and the Equality of Rights*,

Jennifer C. Pizer, *It's Not About the Cake: Against "Altering" the Public Marketplace*,

Robin Fretwell Wilson, *Bathrooms and Bakers: How Sharing the Public Square Is the Key to a Truce in the Culture Wars*,

Sarah Warbelow, *Sound Nondiscrimination Models and the Need to Protect LGBTQ People in Federal Law*,

J. Stuart Adams, *Cultivating Common Ground: Lessons from Utah for Living with Our Differences*,

Michael O. Leavitt, *Shared Spaces and Brave Gambles*,

David N. Saperstein, *Masterpiece Cakeshop: Impact on the Search for Common Ground*,

RESEARCH HANDBOOK ON LAW AND RELIGION (Rex Ahdar ed., Edward Elgar Pub. 2018).

Rex Ahdar, *Navigating Law and Religion: Familiar Waterways, Rivers Less Traveled and Uncharted Seas*,

Russell Sandberg, *The Sociological Dimension of Law and Religion*,

Steve D. Smith, *Equality, Religion, and Nihilism*,

Jonathan Burnside, *Jeremy Bentham and the Problem of the Authority of Biblical Law*,

Joel Harrison, *Dworkin's Religion and the End of Religious Liberty*,

Andrew Koppelman, *What Kind of Human Right is Religious Liberty?*,

Perry Dane, *Establishment and Encounter*,

Richard Albert & Yaniv Roznai, *Religion, Secularism and Limitations on Constitutional Amendment*,

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VI. Additional Professional Updates from Section Members

Kathleen Brady will be a McDonald Distinguished Fellow for the next 5 years at Emory University's Center for the Study of Law and Religion.

Mark Storslee joined the faculty at Penn State Law as an assistant professor

Jay Wexler appeared as a church/state law expert in a documentary about the Satanic Temple called "Hail Satan?" and on an episode of A&E's Emmy award nominated program "Leah Remini: Scientology and the Aftermath."

Robin Fretwell Wilson has a new website, <https://www.tolerancemeans.com/>, describing her work on the Tolerance Means Dialogues which are public discussions designed to bring together students and thought leaders to find more constructive approaches to living together in a pluralistic society.