

Bibliography: Force of Laws

Compiled by:

Amy Fisher, Shari Golberg, and Paul Nahme under the supervision of Pamela Klassen

University of Toronto

- Abeysekara, Ananda. 2002. *Colors of the robe : religion, identity, and difference*. Columbia, S.C.: University of South Carolina Press.
- . 2008a. "Thinking the 'Question' of Religion: Aporia of Buddhism and its Democratic Heritage in Sri Lanka." *Religion* 38: 174-180.
- . 2008b. *The politics of postsecular religion : mourning secular futures*. New York: Columbia University Press.
- . 2010. "The Im-possibility of Secular Critique: The Future of Religion's Memory." *Culture and Religion* 11(3): 213-246.
- Acorn, Annalise E. 2004. *Compulsory compassion : a critique of restorative justice*. Vancouver: UBC Press.
- Adams, Robert Merrihew. 1999. *Finite and Infinite Goods: A Framework for Ethics*. New York: Oxford University Press.
- Adelman, Howard, and Anctil, Pierre, eds. 2011. *Religion, culture, and the state : reflections on the Bouchard-Taylor report*. Toronto: University of Toronto Press.
- Adelman, Howard., John H. Simpson, Halbert Centre for Canadian Studies, Halbert Exchange Program, and Israel Association for Canadian Studies, eds. 1996. *Multiculturalism, Jews, and identities in Canada*. Jerusalem: Magnes Press.
- Adler, Rachel. 1998. *Engendering Judaism: an inclusive theology and ethics*. Philadelphia: Jewish Publication Society.
- Ajrouch, Kristine. 2007. "Racial and religious contexts: Situational identities among lebanese and somali muslim immigrants." *Ethnic and Racial Studies* 30: 72-94.
- al-Hibri, Azizah. 1997. "Islam, Law and Custom: Redefining Muslim Women's Rights." *American University Journal of International Law and Policy* 12: 1-44.
- Ali, Kecia. 2006. *Sexual ethics and Islam : feminist reflections on Qur'an, Hadith, and jurisprudence*. Oxford: Oneworld.
- Alley, Robert S. 1996. *Without a prayer : religious expression in public schools*. Amherst, NY: Prometheus Books.
- Alter, Karen. 2008. "Agent or trustee: international courts in their political context." *European Journal of International Relations* 14(1): 33-63.

- Arneil, Barbara. ed. 2007. *Sexual justice/cultural justice : critical perspectives in political theory and practice*. New York: Routledge.
- Arribas, S. 2009. "Religious Symbols in Spain: A Legal Perspective." *Ecclesiastical Law Journal* 11(2): 181.
- Arthur, James, Liam Gearon, and Alan Sears. 2010. *Education, Politics, and Religion: Reconciling the Civil and the Sacred in Education*. New York: Routledge.
- Asad, Talal. 2003. *Formations of the secular : Christianity, Islam, modernity*. Stanford, Calif.: Stanford University Press.
- Asad, Talal, Brown, Wendy, Butler, Judith, and Mahmood, Saba, eds. 2009. *Is critique secular?: blasphemy, injury, and free speech*. Berkeley: Distributed by University of California Press.
- Audi, Robert. 2000. *Religious commitment and secular reason*. New York: Cambridge University Press.
- . 2001. "Religiously grounded morality and the integration of religious and political conduct." *Wake Forest Law Review* 36(2): 251.
- Audi, Robert, and Nicholas Wolterstorff. 1997. *Religion in the Public Square: The Place of Religious Convictions in Political Debate*. Lanham, Md.: Rowman & Littlefield.
- Balibar, Etienne. 1994. "Subjection and Subjectivation." In *Supposing the subject*, edited by Joan Copjec, 1-15. New York: Verso.
- Bauman, Richard W., and David Schneiderman. 1996. "The Constitutional Context of Religious Practices in Saskatchewan Public Schools: God Was in the Details." *Saskatchewan Law Review* 60:265.
- Baynes, Kenneth. 1992. *The Normative Grounds of Social Criticism: Kant, Rawls, and Habermas*. Albany: State University of New York Press.
- Beaman, Lori. 2005. "Religion and rights: The illusion of freedom and the reality of control." In "Religion, Law and Human Rights," edited by Winnifred Sullivan and Rosalind Hackett, special issue, *Culture and Religion* 6(1):17-29.
- Becci, Irene. 2006. "Religious normality and otherness in prison. Muslim inmates in Italy's prisons." *ISIM Review*.
- . 2007 "Penser le pouvoir pastoral dans les prisons actuelles." In *Les sphères du pénal avec Michel Foucault*, edited by Marco Cicchini & Michel Porret, 237-250. Lausanne: Antipodes.
- Becci, Irene, and Claude Bovay. 2007. "Les représentations sociales autour de la pluralisation religieuse en Suisse." *Social Compass* 54(2):145-159.
- Beidler, Philip. 2007. "Antidisestablishmentarianism." *Dalhousie Review* 87(1): 25.
- Beiner, Ronald. 2011. *Civil religion: a dialogue in the history of political philosophy*. New York: Cambridge University Press.

- Belge, Ceren. 2006. "Friends of the court: the republican alliance and selective activism of the constitutional court of Turkey." *Law and Society Review* 40(3): 653-692.
- Bender, Courtney, and Klassen, Pamela, eds. 2010. *After pluralism : reimagining religious engagement*. New York: Columbia University Press.
- Berger, Benjamin L. 2003. "Using the Charter to Cure Health Care: Panacea or Placebo?" *Review of Constitutional Studies* 8(1): 20-41.
- . 2004. "A Choice Among Values: Theoretical and Historical Perspectives on the Defence of Necessity." *Alberta Law Review* 39(4): 848-863.
- . 2005a. "Criminal Appeals as Jury Control: An Anglo-Canadian Historical Perspective on the Rise of Criminal Appeals." *Canadian Criminal Law Review* 10(1): 1-41.
- . 2005b. "Rule in Hodge's Case: Rumours of its Death are Greatly Exaggerated." *Canadian Bar Review* 84: 47-74.
- . 2006a. "Understanding Law and Religion as Culture: Making Room for Meaning in the Public Sphere." *Constitutional Forum* 5(1):15-22.
- . 2006b. "Emotions and the Veil of Voluntarism: The Loss of Judgment in Canadian Criminal Law." *McGill Law Journal* 5:99-128.
- . 2006c. "Our Evolving Judicature: Security Certificates, Detention Review, and the Federal Courts." *U.B.C. Law Review* 39(1):101-137.
- . 2007. "Law's Religion: Rendering Culture." *Osgoode Hall Law Journal* 45(2): 277.
- . 2008. "On the Book of Job, Justice, and the Precariousness of the Criminal Law." *Law, Culture and the Humanities* 4(1): 98-118.
- Berman, Harold Joseph. 2000. *Faith and order: the reconciliation of law and religion*. Grand Rapids, MI: W.B. Eerdmans.
- Berns McGown, Rima. 1999. *Muslims in the diaspora : the Somali communities of London and Toronto*. Toronto: University of Toronto Press.
- Biale, Rachel. 1995. *Women and Jewish law : the essential texts, their history, and their relevance for today*. New York: Distributed by Pantheon Books.
- Bodemann, Y. Michal, and Gökçe. Yurdakul, eds. 2006. *Migration, citizenship, ethnos*. New York: Palgrave Macmillan.
- Borrows, John. 2002. *Recovering Canada: the resurgence of Indigenous law*. Toronto: University of Toronto Press.
- . 2010. *Drawing out law : a spirit's guide*. Toronto: University of Toronto Press.
- Bouchard, Gérard, and Charles Taylor. 2008. *Building the future, a time for reconciliation: report*. [Québec]: Commission de consultation sur les pratiques d'accomodement reliées aux différences culturelles.

- Bromley, Chan Kathryn. 2005. "Duelling Narratives of Religious Freedom: A Comment on *Syndicat Northcrest v. Amselem*." *Alberta Law Review* 43(2): 451.
- Brook, Timothy. 1993. *Praying for power : Buddhism and the formation of gentry society in late-Ming China*. Cambridge, MA: Distributed by Harvard University Press.
- Brookman, Justin. 1998. "The constitutionality of the Good Friday holiday." *New York University Law Review* 73(1): 193.
- Brown, David M. 2005. "Where can I Pray? Sacred Space in a Secular Land." *National Journal of Constitutional Law* 16(1): 121.
- Brown, Josie Fohrenbach. 2009. "Representative Tension: Student Religious Speech and the Public School's Institutional Mission." *Journal of Law and Education* 38(1): 1.
- Bsoul, Labeeb Ahmed. 2008. "Historical Evolution of Islamic Law of Nations/Siyar: Between Memory and Desire." *Domes* 17(1): 48.
- Buss, Andreas. 2004. "Dual legal systems and the basic structure doctrine of constitutions: the case of India." *Canadian Journal of Law and Society* 19(2): 23.
- Calo, Zachary. 2011. "Secularism and the European Court of Human Rights." *Journal of Religion and Law* 26:1:261-280.
- Carter, Stephen L. 1994. *The culture of disbelief: how American law and politics trivialize religious devotion*. 1st ed. New York: Anchor Books.
- Cerne, Kathleen M. 1993. "Honor thy creditors?: The religious debtor's constitutional." *Commercial Law Journal* 98(2): 257.
- Chambers, Simone. 2007. "How Religion Speaks to the Agnostic: Habermas on the Persistent Value of Religion." *Constellations* 14(2): 210-223.
- . 2007. "It is Not in Heaven! Adjudicating Hard Cases." In *Multiculturalism and law: a critical debate*, edited by Omid Paymore Shabani, chapt. 6. Cardiff, Wales: University of Wales Press.
- Chettiar, Inimai M. 2002. "Contraceptive coverage laws: Eliminating gender discrimination or infringing on religious liberties?" *The University of Chicago Law Review* 69(4): 1867-1899.
- Clart, Philip., and Charles B. Jones, eds. 2003. *Religion in modern Taiwan : tradition and innovation in a changing society*. Honolulu: University of Hawai'i Press.
- Cloud, Matthew W. 2004. "'One Nation, Under God': Tolerable Acknowledgement of Religion or Unconstitutional Cold War Propaganda Cloaked in American Civil Religion?" *Journal of Church and State* 46(2): 311.
- Coleman, Elizabeth Burns. 2005. *Aboriginal art, identity and appropriation*. Burlington, VT: Ashgate.
- Cookson, Catharine. 2001. *Regulating religion : the courts and the free exercise clause*. New York: Oxford University Press.
- Corbin, Caroline Mala. 2010. "Ceremonial Deism and the Reasonable Religious Outsider." *UCLA Law Review* 57(6): 1545-1599.

- Cott, Nancy F. 2000. *Public vows: a history of marriage and the nation*. Cambridge, MA: Harvard University Press.
- Cover, Robert. 1983. "The Supreme Court – 1982 Term. Forward: Nomos and Narrative." *Harvard Law Review* 97: 4-68.
- Davis, Donald R. 2010. *The Spirit of Hindu Law*. New York: Cambridge University Press.
- Dezalay, Yves. 1996. *Dealing in virtue : international commercial arbitration and the construction of a transnational legal order*. Chicago: The University of Chicago.
- . 2002. *The internationalization of palace wars : lawyers, economists, and the contest to transform Latin American states*. Chicago: University of Chicago Press.
- Dezalay, Yves and Garth Bryant. 2006. "From the Cold War to Kosovo: The Rise and Renewal of the Field of International Human Rights." *Annual Review of Law and Social Science* 2: 231-255.
- Eberle, Christopher J. 2001. "What respect requires - and what it does not." *Wake Forest Law Review* 36(2): 305.
- Eisenberg, Avigail. 1995. *Reconstructing political pluralism*. New York: State University of New York Press.
- . 2006a. *Diversity and equality: the changing framework of freedom in Canada*. Vancouver: UBC Press.
- . 2006b. "Pluralism and the Politics of Diversity." In *Pluralism: Developments in the Theory and Practice of Democracy*, edited by Rainer Eisfeld, 59-80. Germany: Barbara Burdich.
- . 2009. *Reasons of identity: a normative guide to the political and legal assessment of identity claims*. Oxford: Oxford University Press.
- Eisenberg, Avigail. and Jeff Spinner-Halev, ed. 2005. *Minorities within minorities: equality, rights and diversity*. Cambridge: Cambridge University Press.
- El-Or, Tamar. 2002. *Next year I will know more : literacy and identity among young Orthodox women in Israel*. Detroit: Wayne State University Press.
- Emon, Anver. 2006. "Conceiving Islamic Law in a Pluralist Society: History, Politics and Multicultural Jurisprudence." *Singapore Journal of Legal Studies* December:331-355.
- . 2009. "Islamic Law and the Canadian Mosaic: Politics, Jurisprudence, and Multicultural Accommodation." *Canadian Bar Review* 87(2): 391-425.
- Engel, David M. 1978. *Code and custom in a Thai provincial court : the interaction of formal and informal systems of justice*. Tucson: Published for the Association for Asian Studies by the University of Arizona Press.
- Epp, Charles R. 1998. *The rights revolution : lawyers, activists, and supreme courts in comparative perspective*. Chicago: University of Chicago Press.
- Esau, Alvin. 2000. "Islands of Exclusivity": Religious Organizations and Employment Discrimination" *U.B.C. Law Review* 33(7): 19-827.

- . 2003. "The Judicial Resolution of Church Property Disputes." *Alberta Law Review* 40: 767-816.
- . 2004. *The courts and the colonies : the litigation of Hutterite Church disputes*. Vancouver: UBC Press.
- . 2004. "The Establishment and Preservation of Hutterite Communalism in North America: 1870-1925." In *Despotic Dominion: Property Rights in British Settler Societies*, edited by McLaren, John, A R Buck, and Nancy Wright, 207-221. Vancouver: UBC Press.
- . 2005. "The Establishment, Preservation and Legality of Mennonite Semi-Communalism in Manitoba." *Manitoba Law Journal* 31: 81-110.
- Evans, Bette Novit. 1997. *Interpreting the free exercise of religion : the Constitution and American pluralism*. Chapel Hill: University of North Carolina Press.
- Evans, Carolyn. 2010-2011. "Individual and Group Religious Freedom in the European Court of Human Rights: Cracks in the Intellectual Architecture." *Journal of Religion and Law* 26(1): 321-344.
- Evans, Malcolm. 2010-2011. "From Cartoons to Crucifixes: Current Controversies Concerning the Freedom of Religion and the Freedom of Expression before the European Court of Human Rights." *Journal of Religion and Law* 26(1): 345-370.
- Fatton, Robert, and Ramazani, R.K., eds. 2009. *Religion, state, and society : Jefferson's wall of separation in comparative perspective*. New York: Palgrave Macmillan.
- Feldman, Stephen M. 2000. *Law and Religion: A Critical Anthology*. New York: New York University Press.
- Fernandes, Deepali Ann. 2003. "Protection of Religious Communities by Blasphemy and Religious Hatred Laws: A Comparison of English and Indian Laws." *Journal of Church and State* 45(4): 669.
- Fikentscher, Wolfgang. 1995a. *Modes of thought : a study in the anthropology of law and religion*. Tübingen, Germany: J.C.B. Mohr (Paul Siebeck).
- Finlayson, James Gordon, and Fabian Freyenhagen. 2010. *Habermas and Rawls: Disputing the Political*. New York: Routledge.
- Fish, Stanley. 1997. "Mission Impossible: Settling the Just Bounds between Church and State." *Columbia law review* 97(8): 2255-2333.
- Fishbayn, Lisa. 2008. "Gender, Multiculturalism and Dialogue: The Case of Jewish Divorce." *The Canadian Journal of Law and Jurisprudence* 21(1): 71-96.
- Fishbayn, Lisa, and Sylvia Neil, eds. 2011. *Untying the Knots: Theorizing Conflicts between Women's Rights and Religious Laws*. Boston: Brandeis University Press.
- Fournier, Pascale. 2001. "The Erasure of Islamic Difference in Canadian and American Family Law Adjudication." *Journal of Law and Policy* 10:51-95.

- . 2002a. “The Ghettoization of Difference in Canada: ‘Rape by Culture’ or the Danger of a Cultural Defence in Criminal Law Trials.” *Manitoba Law Journal* 29:81-113.
- . 2002b. “Bargaining in the Shadow of Muslim Identity in Canada and the U.S.” LL.M. Paper (LL.M. Degree waived), Harvard Law School
- . 2005. “The Reception of Muslim Family Laws in Western Liberal States.” *Women Living Under Muslim Laws, Dossier 27*: 65-79.
- . 2006. “In the (Canadian) Shadow of Islamic Law: Translating Mahr as a Bargaining Endowment.” *Osgoode Hall Law Journal* 44: 649-677.
- . 2007a. “Islamic Marriage in Western Liberal Courts: Beyond Recognition, Equality and Fairness.” PhD Diss (S.J.D.), Harvard Law School.
- . 2007b. “La femme musulmane au Canada: profane ou sacrée?” *Journal of Women and the Law* 19(2): 227-242.
- . 2009. “Transit and Translation: Islamic Legal Transplants in North America and Western Europe.” *The Journal of Comparative Law* 4(1):1-38.
- . 2010a. *Muslim marriage in Western courts : lost in transplantation*. Burlington, VT: Ashgate.
- . 2010b “Flirting with God in Western Secular Courts: Mahr in the West.” *The International Journal of Law, Policy and the Family* 24(1):1-28.
- . 2011a. “*Halacha*, the ‘Jewish State’ and the Canadian *Agunah*: Comparative Law at the Intersection of Religious and Secular Orders.” *Journal of Legal Pluralism* (forthcoming)
- . 2011b. “Borders and Crossroads: Comparative Perspectives on Minorities and Conflicts of Laws.” *Emory International Law Review* (forthcoming).
- . 2012. “Calculating Claims: Jewish and Muslim Women Navigating Religion, Economics and Law in Canada.” *International Journal of Law in Canada* (forthcoming).
- Freeman, Lauren D. 1998. “The child’s best interests vs. the parent’s free exercise of religion.” *Columbia Journal of Law and Social Problems* 32(1): 73.
- French, Rebecca R. 1994. “The Cosmology of Law in Buddhist Tibet.” *Journal of the International Association of Buddhist Studies* 18(1):97-116.
- . 1995. *The Golden Yoke: the legal cosmology of Buddhist Tibet*. Ithaca: Cornell University Press.
- . 2004. “Law and Buddhism.” In *Encyclopedia of Buddhism*, edited by Robert E. Buswell, Jr., 5347-5351. New York: Macmillan.
- Fry, Bertrand. 1993. “Breeding constitutional doctrine: The provenance and progeny of the ‘hybrid situation’ in current free exercise jurisprudence.” *Texas Law Review* 71(4): 833-864.
- Garlicki, Leszek Lech. 2001. “Perspectives on freedom of conscience and religion in the jurisprudence of Constitutional courts.” *Brigham Young University Law Review* (2): 467-501.

- Garry, Patrick M. 2004. "Inequality among Equals: Disparities in the Judicial Treatment of Free Speech and Religious Exercise Claims." *Wake Forest Law Review* 39(2): 361-393.
- Garver, Eugene. 2001. "Why should anybody listen? The rhetoric of religious argument in democracy." *Wake Forest Law Review* 36(2): 353-400.
- Gedicks, Frederick Mark. 2003. "The 'Embarrassing' Section 134." *Brigham Young University Law Review* (3): 959-972.
- . 2006. "Religious Exemptions, Formal Neutrality, and Laïcité." *Indiana Journal of Global Legal Studies* 13(2): 473-492.
- Geoffrey, Garrett. 1995. "The politics of legal integration in the European Union." *International Organization* 49: 171-181.
- Gerhard, Robbers. 2010-2011. "Church Autonomy in the European Court of Human Rights—Recent Developments in Germany." *Journal of Law and Religion* 26(1): 281-320.
- Gibson, D. 2010. "Towers, Bridges and Basements: The Constitutional and Legal Architecture of Independent Schooling." *Education Law Journal* 19(3): 155-168.
- Gildin, Gary S. 2000. "A blessing in disguise: Protecting minority faiths through state religious freedom non-restoration acts." *Harvard Journal of Law and Public Policy* 23 (2): 411-486.
- Gill, Anthony James. 2008. *The political origins of religious liberty*. Cambridge: Cambridge University Press.
- Gilman, Sander L. 2006. *Multiculturalism and the Jews*. New York: Routledge.
- Ginsburg, Tom. 2003. *Judicial review in new democracies: constitutional courts in Asian cases*. New York: Cambridge University Press.
- Gombrich, Richard. 1975. "Buddhist Karma and Social Control." *Comparative Studies in Society and History* 17(2): 212-220.
- Gordon, Sarah Barringer. 2010. *The spirit of the law : religious voices and the Constitution in modern America*. Cambridge, MA: Belknap Press of Harvard University Press.
- Graff, Ariel. 2005. "Calibrating the Balance of Free Exercise, Religious Establishment, and Land use Regulation: is Rluipa an Unconstitutional Response to an Overstated Problem?" *UCLA Law Review* 53(2): 485-522.
- Greenawalt, Kent. 2001. "Religion and American political judgments." *Wake Forest Law Review* 36(2): 401-422.
- . 2004. "Religion and the Rehnquist Court." *Northwestern University Law Review* 99(1): 145-175.
- Gregory, Eric. 2008. *Politics and the Order of Love: An Augustinian Ethic of Democratic Citizenship*. Chicago: University of Chicago Press.
- Gunn, T. Jeremy. 2004. "Religious Freedom and Laïcité: A Comparison of the United States and France." *Brigham Young University Law Review* (2): 419-506.

- Gyatso, Janet. 2003. "One Plus One Makes Three: Buddhist Gender, Monasticism, and the Law of the Non-Excluded Middle." *History of Religion* 43(2): 89-115.
- Habermas, Jurgen. 2001. *The Postnational Constellation: Political Essays*. Cambridge: Polity.
- . 2008. *Between Naturalism and Religion: Philosophical Essays*. Cambridge: Polity.
- Habermas, Jurgen and Joseph Ratzinger. 2006. *The Dialectics of Secularization: On Reason and Religion*. San Francisco: Ignatius Press.
- Hamburger, Philip. 2004. "More is Less." *Virginia Law Review* 90(3): 835.
- Hamid, A. 2009. "Implementing Islamic Law within a Modern Constitutional Framework: Challenges and Problems in Contemporary Malaysia." *Islamic Studies* 48(2): 157.
- Hardacre, Helen. 1997. *Marketing the menacing fetus in Japan*. Berkeley, CA: University of California Press.
- Hartenstein, John M. 1992. "A Christmas Issue: Christian Holiday Celebration in the Public Elementary Schools Is an Establishment of Religion." *California law review* 80(4): 981-1026.
- Haupt, C. 2007. "Free Exercise of Religion and Animal Protection: a Comparative Perspective on Ritual Slaughter." *The George Washington International Law Review* 39(4): 839-886.
- Hedrick, Todd. 2010. *Rawls and Habermas: Reason, Pluralism, and the Claims of Political Philosophy*. Stanford: Stanford University Press.
- Herbert, David. 2003. *Religion and Civil Society: Rethinking Public Religion in the Contemporary World*. Aldershot, UK: Ashgate.
- Hill, B. Jessie. 2005. "Putting Religious Symbolism in Context: a Linguistic Critique of the Endorsement Test." *Michigan Law Review* 104(3): 491-546.
- Hirschl, R. 2010. "Holy Glocalization: Constitutions and Sacred Texts in the 'Non-Secular' World." *Harvard International Review* 32(2): 38-42.
- Hirschl, Ran. 2004. *Towards juristocracy: the origins and consequences of the new constitutionalism*. Cambridge, MA: Harvard University Press.
- . 2008 "The judicialization of mega-politics and the rise of political courts." *Annual Review of Political Science* 11: 93-118.
- . 2010. *Constitutional theocracy*. Cambridge, MA: Harvard University Press.
- Hofri-Winogradow, Adam. 2010. "A Plurality of Discontent: Legal Pluralism, Religious Adjudication and the State." *Journal of Law and Religion* 26: 101-133.
- Holcomb, J. David. 2006. "Financing Faith and Learning: Assessing the Constitutional Implications of Integrating Faith and Learning at the Church-Related College." *Journal of Church and State* 48(4): 831-850.
- Hopkins, Steven. 1995. "Is God a preferred creditor? Tithing as an avoidable transfer in Chapter 7 bankruptcies." *The University of Chicago Law Review* 62(3): 1139-1160.

- Hosen, Nadirsyah. 2007. "Human Rights Provisions in the Second Amendment to the Indonesian Constitution from Shari'ah Perspective." *The Muslim World* 97(2): 200-224.
- Huxley, Andrew. 2002. "Buddhist Law as a Religious System?" In *Religion, Law and Tradition: Comparative Studies in Religious Law*, edited by Andrew Huxley, 127-148. London: Routledge Curzon.
- Idleman, Scott C. 1997. "Religion in Public Life: A Dilemma for Democracy." *Constitutional Commentary* 14(1): 214.
- Juergensmeyer, Mark, ed. 2005. *Religion in Global Civil Society*. Oxford: Oxford University Press.
- Katznelson, Ira, and Gareth Stedman Jones, eds. 2010. *Religion and the political imagination*. New York: Cambridge University Press.
- Kaveny, M. Cathleen. 2001. "Religious claims and the dynamics of argument." *Wake Forest Law Review* 36(2): 423-448.
- Keyes, Charles F. 1983. Introduction: The Study of Popular Ideas of Karma. In *Karma: An Anthropological Inquiry*, edited by Charles F. Keyes and E. Valentine Daniel, 1-24. Berkeley: University of California Press.
- Kobayashi, Hiroaki. 2005. "Religion in the Public Sphere: Challenges and Opportunities in Japan." *Brigham Young University Law Review* (3): 683-710.
- Koenig, Matthias. 2008. "Institutional change in the world polity – international human rights and the construction of collective identities." *International Sociology* 23: 95-114.
- Kogacioglu, Dicle. 2003. "Dissolution of political parties by the constitutional court in Turkey – Judicial delimitation of the political domain." *International Sociology* 18: 258-276.
- Komp, Kathryn Elizabeth. 2005. "Unincorporated, Unprotected: Religion in an Established State." *Vanderbilt Law Review* 58(1): 301-337.
- Kurien, Prema Ann. 2006. "Multiculturalism and 'American' Religion: The Case of Hindu Indian Americans." *Social Forces* 85: 723-742.
- . 2007. *A place at the multicultural table: the development of an American Hinduism*. New Brunswick, N.J.: Rutgers University Press.
- Kymlicka, Will. 1995. *Multicultural citizenship: a liberal theory of minority rights*. Oxford: Clarendon.
- . 2007. *Multicultural odysseys: navigating the new international politics of diversity*. Oxford: Oxford University Press.
- LaFleur, William R. 1999. "Abortion, Ambiguity and Exorcism: A Review Essay Based on Helen Hardacre's Marketing the Menacing Fetus in Japan." *Journal of American Academy of Religion* 67: 797-808.
- Laliberte, André. 2004. "Democratic Transition and Cultural Diversity: Buddhist Organizations and Identity Construction in Taiwan." In *Democratization and Identity: Regimes and Ethnicity in East and Southeast Asia*, edited by Susan Henders, 153-173. Lanham, Maryland: Lexington Book: 153-173.

- . 2005. "Buddhism for the human realm and Taiwanese Democracy," In *Religious Organizations and Democracy*, edited by Cheng Tun-ren and Deborah Brown, 55-82. New York: M.E. Sharpe.
- . 2009. "The management of religious diversity in Taiwan: from state control to laissez-faire." *China Aktuell—Journal of Chinese Current Affairs* 38(2): 53-83.
- Lam, Linda D. 2003. "Silence of the lambs: Are states attempting to establish religion in public schools?" *Vanderbilt Law Review* 56(3): 911-937.
- Lechliter, Michael E. 2005. "The Free Exercise of Religion and Public Schools: The Implications of Hybrid Rights on the Religious Upbringing of Children." *Michigan Law Review* 103(8): 2209-2242.
- Li-ann, T. 2009. "Between Eden and Armageddon: Navigating 'Religion' and 'Politics' in Singapore." *Singapore Journal of Legal Studies* (December): 365-405.
- Lichterman, Paul. 2008. "Religion and the Construction of Civic Identity." *American Sociological Review* 73(1): 83-104.
- Lichterman, Paul, and C. Brady Potts. 2009. *The Civic Life of American Religion*. Stanford: Stanford University Press.
- Lindenberg, Joanna. 2010. "(Un)Chained Wives: Understanding the Bruker v. Marcovitz Decision and Possible Alternative Legal Claims for Women who are Denied the Get." *Dalhousie Journal of Legal Studies Online Supplement* 1: 1-25.
- Lupu, Ira C., and Robert W. Tuttle. 2006. "Federalism and Faith." *Emory Law Journal* 56(1): 19-106.
- MacDougall, Bruce. 2006. "Refusing to Officiate at Same-Sex Civil Marriages." *Saskatchewan Law Review* 69 (2): 351-374.
- Madsen, Richard. 2007. *Democracy's dharma : religious renaissance and political development in Taiwan*. Berkeley: University of California Press.
- Magarian, Gregory P. 2001. "How to apply the Religious Freedom Restoration Act to federal law without violating the Constitution." *Michigan Law Review* 99(8): 1903-1998.
- Mahmood, Cynthia Keppley. 2000. *The Guru's gift : an ethnography exploring gender equality with North American Sikh women*. Mountain View, CA: Mayfield Pub.
- Mahmood, Saba. 2005. *Politics of piety : the Islamic revival and the feminist subject*. Princeton, N.J.: Princeton University Press.
- March, Andrew F. 2009. *Islam and liberal citizenship : the search for an overlapping consensus*. New York: Oxford University Press.
- . 2011a. "Law as a Vanishing Mediator in the Theological Ethics of Tariq Ramadan." *European Journal of Political Theory* 10: 177-201.
- . 2011b. "Theocrats Living under Secular Law: An External Engagement with Islamic Legal Theory." *Journal of Political Philosophy* 19(1): 28-51.

- . 2011c. "Is There a Right to Polygamy? Marriage, Equality and Subsidizing Families in Liberal Public Justification." *Journal of Moral Philosophy* 8(2): 244-270.
- Mason, Caleb. 2010-2011. "What is Truth: Setting the Bounds of Justiciability in Religiously-Inflected Fact Disputes." *Journal of Law and Religion* 26(1): 91-140
- McBride, James. 1995. "Capital punishment as the unconstitutional establishment of religion: A Girardian reading of the death penalty." *Journal of Church and State* 37(2): 263-288.
- McConnell, Al. 1991. "Abolishing 'Separate But (Un)Equal' Status for Religious Universities." *Virginia Law Review* 77(6): 1231-1259.
- McConnell, Michael W. 1992. "Religious Freedom at a Crossroads." *The University of Chicago Law Review* 59 (1): 115-194.
- . 2010. "Religion and Its Relation to Limited Government." *Harvard Journal of Law & Public Policy* 33: 943-952.
- McGraw, Bryan T. 2010. *Faith in Politics: Religion and Liberal Democracy*. New York: Cambridge University Press.
- Merry, Sally Engle. "Community: Approaches to Violence Against Women in the Context of Globalization." *Law and Society Review* 35: 39-88.
- Milne, Cheryl. 2009. "Religious Freedom: at what Age?" *National Journal of Constitutional Law* 25: 71-81.
- Minow, Martha. 2007. "Religion and the Burden of Proof: Posner's Economics and Pragmatism in *Metzl V. Leininger*." *Harvard Law Review* 120(5): 1175-1186.
- Mitnick, Eric J. 2006. *Rights, groups, and self-invention : group-differentiated rights in liberal theory*. Burlington, VT.: Ashgate.
- Moghissi, Haideh. 2006. *Muslim diaspora : gender, culture and identity*. London: Routledge.
- Montesquieu, Charles de Secondat. 1899. *The Spirit of laws*. Rev. ed. New York: The Colonial Press.
- Moon, Richard. 2004. "From Liberty to Equal Respect: Religious Freedom under the Canadian Charter of Rights and Freedom." In *Theoretical Foundations of Human Rights* edited by M. Habibi, 325-335. Mofid, Qom Iran: University Publications.
- . 2005. "Religious Commitment and Identity: *Syndicat Northcrest v. Amselem*," *Supreme Court Law Review* 29: 201-220.
- . 2008a. "Divorce and the Marriage of Law and Religion: Comment on *Bruker v. Marcovitz*." *Supreme Court Law Review* 42: 37-62.
- , ed. 2008b. *Law and Religious Pluralism in Canada*. Vancouver: UBC Press.
- Motilla, Augustín. 2004. "Religious Pluralism in Spain: Striking the Balance Between Religious Freedom and Constitutional Rights." *Brigham Young University Law Review* (2): 575-606.
- Nichols, Andrew C. 2004. "The Constitutionality of the Religious Land Use and Institutionalized Persons Act Under the Establishment Clause." *Journal of Church and State* 46(2): 281-310.

- Nmehielle, Vincent O. 2004. "Sharia Law in the Northern States of Nigeria: To Implement or Not to Implement, the Constitutionality is the Question." *Human Rights Quarterly* 26(3): 730-759.
- Paterson, Don. 2003. "New impulses in the interaction of law and religion: A South Pacific perspective." *Brigham Young University Law Review* (2): 593-624.
- Paulsen, Michael Stokes. 2006. "Is St. Paul Unconstitutional?" *Constitutional Commentary* 23(1): 1-5.
- Peach, Lucinda J. 2002. *Legislating morality : pluralism and religious identity in lawmaking*. New York: Oxford University Press.
- Perry, Michael J. 2001. "Why political reliance on religiously grounded morality is not illegitimate in a liberal democracy." *Wake Forest Law Review* 36(2): 217-249.
- Phillips, Jim. 2003. *Murdering holiness : the trials of Franz Creffield and George Mitchell*. Vancouver: UBC Press.
- Plessis, Lourens du. 2001. "Freedom of or freedom from religion? An overview of issues pertinent to the Constitutional protection of religious rights and freedom in 'the new South Africa'." *Brigham Young University Law Review* (2): 439-466.
- Prothero, Stephen, ed. 2006. *A nation of religions : the politics of pluralism in multireligious America*. Chapel Hill, NC: University of North Carolina Press.
- Pryor, W. Jr. 2008. "Moral Duty and the Rule of Law." *Harvard Journal of Law and Public Policy* 31 (1): 153-170.
- Quraishi, Asifa. 2009. "On Fallibility and Finality: Why Thinking Like a Qadi Helps Me Understand American Constitutional Law." *Michigan State Law Review* 2: 339-360.
- Quraishi, Asifa. 2011. "What if Sharia Weren't the Enemy: Re-Thinking International Women's Rights Activism and Islamic Law." *Columbia Journal of Gender & the Law* 20. In Press.
- Radan, Peter, Denise Meyerson, and Rosalind F. Croucher. 2005. *Law and Religion: God, the State and the Common Law*. New York: Routledge.
- Rasor, Paul and Richard E. Bond, eds. 2011. *From Jamestown to Jefferson : the evolution of religious freedom in Virginia*. Charlottesville: University of Virginia Press.
- Rayside, David M. And Clyde Wilcox. ed. 2011. *Faith, politics, and sexual diversity in Canada and the United States*. Vancouver: UBC Press.
- Reiss, Jonathan, and Michael Broyde. 2005. "Prenuptial Agreements in Talmudic, Medieval and Modern Jewish Thought." In *Marriage, Sex and Family in Judaism*, edited by Michael Broyde and Michael Ausub, 192-213. Lanham, MD: Rowman Littlefield Publishers Inc.
- Reynolds, Frank. 1994. "Dhamma in Dispute: The Interactions of Religion and Law in Thailand." *Law & Society Review* 28(3): 433-451.
- Roald, Anne Sofie. 2001. *Women in Islam : the Western experience*. New York: Routledge.
- Robbers, Gerhard. 2001. "Religious freedom in Germany." *Brigham Young University Law Review* (2): 643-668.

- Saccopoulos, A. 2008. "Analysis: the Religious Viewpoints Antidiscrimination Act." *Texas Journal on Civil Liberties & Civil Rights* 14(1): 127-141.
- Sachs, Albie, and Gita Honwana Welch. 1990. *Liberating the Law: Creating Popular Justice in Mozambique*. London: Zed Books.
- Safi, Omid, ed. 2003. *Progressive Muslims : on justice, gender and pluralism*. Oxford: Oneworld.
- Sajó, András. 2007. *Censorial sensitivities: free speech and religion in a fundamentalist world*. The Hague, Netherlands: Eleven International Publishing.
- Sakaria, Anjali. 2002. "Worshipping substantive equality over formal neutrality: Applying the endorsement test to sect-specific legislative accommodations." *Harvard Civil Rights - Civil Liberties Law Review* 37(2): 483-502.
- Sandel, Michael J. 1996. *Democracy's Discontent: America in Search of a Public Philosophy*. Cambridge, MA: Belknap Press of Harvard University Press.
- . 2005. *Public Philosophy: Essays on Morality in Politics*. Cambridge, MA: Harvard University Press.
- Sarat, Austin, and Stuart A. Scheingold, eds. 2001. *Cause lawyering and the state in a global era*. Oxford: Oxford University Press.
- Scaperlanda, Michael A., and Collett, Teresa Standon, eds. 2007. *Recovering self-evident truths : Catholic perspectives on American law*. Washington, D.C.: Catholic University of America Press.
- Scharffs, Brett G. 2010-2011. "Symposium Introduction: The Freedom of Religion and Belief Jurisprudence of the European Court of Human Rights: Legal, Moral, Political and Religious Perspectives." *Journal of Religion and Law* 26(1): 249-260 .
- Scheppele, Kim Lane. 2003. "Constitutional negotiations: political contexts of judicial activism in post-Soviet Europe." *International Sociology* 18(1): 219-238.
- Schneiderman, D., and R W Bauman. 1996. "The Constitutional Context of Religious Instruction and the Lord's Prayer in Saskatchewan Public Schools: God was in the Details" *Saskatchewan Law Review* 60: 265-294.
- Schragger, Richard C. 2004. "The Role of the Local in the Doctrine and Discourse of Religious Liberty." *Harvard Law Review* 117(6): 1810-182.
- . 2011. "The Relative Irrelevance of the Establishment Clause." *Texas Law Review* 89(3): 583-651.
- Seeger, Steven C. 1997. "Restoring rights to rites: The religious motivation test and the Religious Freedom Restoration Act." *Michigan Law Review* 95(5): 1472-1513.
- Seymour, Michel, ed. 2010. *The Plural States of Recognition*. Houndmills, UK: Palgrave Macmillan.
- Shachar, Ayelet. 2001. *Multicultural Jurisdictions: Cultural Differences and Women's Rights*. Cambridge: Cambridge University Press.

- . 2010. "Freedom of the Dress: Religion and Women's Rights in Secular States." *Harvard International Review* 32: 53-59.
- Shaffir, Elichai. 2006. "Dancing Like It's 1867: How Can Religious Intolerance Be Supreme Law in 2006?" *Education Law Journal* 16(1): 1-87.
- Shameem, Shaista. 2003. "New impulses in the interaction of law and religion: The Fiji Human Rights Commission in context." *Brigham Young University Law Review* (2): 661-668.
- Shapiro, Ian, and Hacker-Cordon, Casiano, eds. 1999. *Democracy's edges*. Cambridge: Cambridge University Press.
- Smith, Christian, ed. 2003. *The Secular Revolution: Power, Interests, and Conflict in the Secularization of American Public Life*. Berkeley: University of California Press.
- Smith, Steven D. 2001. "The 'secular,' the 'religious,' and the 'moral': What are we talking about?" *Wake Forest Law Review* 36 (2): 487-501.
- . 2004. "The Pluralist Predicament: Contemporary Theorizing in the Law of Religious Freedom" *Legal Theory* 10(2): 51-76.
- Smith, Steven B. 1997. *Spinoza, Liberalism, and the Question of Jewish Identity*. New Haven: Yale University Press.
- Sólyom, László. 2003. "The role of constitutional courts in the transition to democracy, with special reference to Hungary." *International Sociology* 18(1): 133-161.
- Spivak, Gayatri Chakravorty. 1999. *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present*. Harvard University Press.
- . 2007. "Religion, Politics, Theology: A Conversation with Achille Mbembe." *Boundary* 34(2): 149-170.
- Stewart, Charles, and Rosalind Shaw, eds. 1994. *Syncretism/anti-syncretism: the politics of religious synthesis*. New York: Routledge.
- Stone, Suzanne. 1993. "In Pursuit of the Counter-text: The Turn to the Jewish Legal Model in Contemporary American Legal Theory." *Harvard Law Review* 106(4): 813-893.
- Stout, Jeffrey. 2004. *Democracy and Tradition*. Princeton, N.J.: Princeton University Press.
- Šturm, Lovro. 2004. "Church-State Relations and the Legal Status of Religious Communities in Slovenia." *Brigham Young University Law Review* (2): 607-650.
- Suhr, Daniel R. 2009. "On the Freedom of a Congregation: Legal Considerations when Lutherans Look to Change Denominational Affiliation." *Texas Review of Law & Politics* 13(2): 365-400.
- Sullivan, Winnifred Fallers. 2000. "Indifferentism Redux: Reflections on Catholic Lobbying in the Supreme Court of the United States." *Notre Dame Law Review* 76(3): 993-1018.
- . 2002. "Neutralizing religion; or, what is the opposite of 'faith-based'?" *History of Religions* 41(4): 369-390.

- . 2009. *Prison religion: faith-based reform and the constitution*. Princeton: Princeton University Press.
- Tebbe, Nelson. 2008. "Excluding Religion." *University of Pennsylvania Law Review* 156(5): 1263-1339.
- Tezcür, Günes Murat. "Judicial activism in perilous times: the Turkish case." *Law and Society Review* 43(2): 305-336.
- Thapa, Kanak Bikram. 2010. "Religion and Law in Nepal." *Brigham Young University Law Review* (3): 921-930.
- Thomas, George M. 2004. "Constructing world civil society through contentions over religious rights." *Journal of Human Rights* 3(2): 239-251.
- Thompson, John E. 2003. "What's the big deal? The unconstitutionality of God in the Pledge of Allegiance." *Harvard Civil Rights - Civil Liberties Law Review* 38 (2): 563-597.
- Uzoma, Rose C. 2004. "Religious Pluralism, Cultural Differences, and Social Stability in Nigeria." *Brigham Young University Law Review* (2): 651-664.
- Valverde, Mariana. 2008. "The ethic of urban diversity: Urban law and local norms." *Law and Social Inquiry* 33(4): 895-923.
- . 2010. "Practices of criminalization and scales of citizenship." *New Criminal Law Review* 14(3): 486-494.
- Van Praagh, Shauna. 1994. "The Youngest Members -- Harm to Children and the Role of Religious Communities." In *The public nature of private violence: the discovery of domestic abuse*, edited by Martha Albertson Fineman and Roxanne Mykitiuk, 148-165. New York: Routledge.
- . 1997. "Religion, Custody and a Child's Identities." *Osgoode Hall Law Journal* 35: 309-378.
- . 1998. "Changing the Lens: Locating Religious Communities Within U.S. and Canadian Families and Constitutions." *Arizona Journal of International and Comparative Law*. 15(1): 125-141.
- . 1999a. "Faith, Belonging and the Protection of 'Our' Children." *Windsor Yearbook of Access to Justice* 17: 154-203.
- . 1999b. "The Education of Religious Children: Families, Communities and Constitutions." *Buffalo Law Review* 47(3): 1343-1396.
- . 2006. "Hijab et kirpan: une histoire de cape et d'épée." *Collection Verbatim* 36: 1-50.
- Wallace, J. Clifford. 2005. "Challenges and Opportunities Facing Religious Freedom in the Public Square." *Brigham Young University Law Review* (3): 597-610.
- Way, Frank, and Barbara Burt. 1983. "Religious marginality and the free exercise clause." *American Political Science Review* 77(3): 652-665.

- Weinrib, Lorraine, 2001. "Ensuring Equality: The Role of the Community." *In From Immigration to Integration: The Canadian Jewish Experience*, edited by Ruth Klein and Frank Dimont, chap. 5. Toronto: Malcolm Lester.
- . 2003. "'Do Justice to Us': Jews and the Constitution of Canada." In *Not Written in Stone: Jews, Constitutions and Constitutionalism*, edited by Daniel J. Elazar, Michael Brown and Ira Robinson, 33-68. Ottawa: University of Ottawa Press.
- Weithman, Paul. 2001. "Religious reasons and the duties of membership." *Wake Forest Law Review* 36(2): 511-534.
- Wolf, Benjamin. 2009. "Note: Resolving the Conflict Between Jewish and Secular Estate Law." *Hofstra Law Review* 37: 1171-1201.
- Wolterstorff, Nicholas. 1984. *Reason within the Bounds of Religion*. 2nd ed. Grand Rapids: Eerdmans.
- . 1996. *John Locke and the Ethics of Belief*. New York: Cambridge University Press.
- . 2001. "A religious argument for the civil right to freedom of religious experience, drawn from American history." *Wake Forest Law Review* 36(2): 535.
- Women Living Under Muslim Laws. 2003. *Knowing our rights: women, family, laws and customs in the Muslim world*. London: Women Living Under Muslim Laws.
- Woodiwiss, Ashley. 2001. "Ecclesial profiling." *Wake Forest Law Review* 36(2): 557-570.
- Woods, K. 2008. "Religious Freedom in Kosovo: Prenatal Care to a New Nation." *Brigham Young University Law Review* (3): 1009-1056.
- Wybraniec, John, and Roger Finke. 2001. "Religious regulation and the courts. The judiciary's changing role in protecting minority religions from majoritarian rule." *Journal for the Scientific Study of Religion* 40(3): 427-444.
- Xie, Zhibin. 2006. *Religious Diversity and Public Religion in China*. Aldershot, UK: Ashgate Pub Co.
- Yelle, Robert. 2001. "Rhetorics of Law and Ritual: A Semiotic Comparison of the Law of Talion and Sympathetic Magic." *Journal of the American Academy of Religion* 69(3): 627-647.
- . 2003. *Explaining mantras: ritual, rhetoric, and the dream of a natural language in Hindu tantra*. New York: Routledge.
- . 2005. "Bentham's Fictions: Canon and Idolatry in the Genealogy of Law." *Yale Journal of Law & the Humanities* 17(2): 151-180.
- Zornberg, Lisa. 1995. "Beyond the Constitution: Is the New York Get Legislation Good Law." *Pace Law Review* 15: 703-784.
- Zucker, James E. 2007. "Better a Catholic than a Communist: Reexamining *Mccollum V. Board of Education* and *Zorach V. Clauson*." *Virginia Law Review* 93(8): 2069-2118.