

Freedom of Religion and Belief

Volume II

Edited by

Silvio Ferrari

University of Milan, Italy

Rinaldo Cristofori

Emory University, USA and University of Milan, Italy

ASHGATE

Contents

Acknowledgements

vii

Introduction by Silvio Ferrari

ix

PART I THREE PERSPECTIVES ON FREEDOM OF RELIGION AND BELIEF

- 1 Christian Starck (1996), 'The Development of the Idea of Religious Freedom in Modern Times', in *La libertad Religiosa: Memoria del IX Congreso Internacional de Derecho Canónico*, Universidad Nacional Autónoma de México, pp. 3–17. 3
- 2 Veit Bader (2007), 'Religious Freedoms and Other Human Rights, Moral Conundrums and Hard Cases', in *Secularism or Democracy?*, Amsterdam: Amsterdam University Press, pp. 129–52, 320–23. 19
- 3 Heiner Bielefeldt (2012), 'Freedom of Religion or Belief – A Human Right under Pressure', *Oxford Journal of Law and Religion*, 1, pp. 15–35. 49

PART II CONTENTS AND PROTECTION OF THE FREEDOM OF RELIGION AND BELIEF

- 4 Kevin Boyle (2007), 'Freedom of Religion in International Law', in Javaid Rehman and Susan C. Breau, *Religion, Human Rights and International Law*, Leiden: Martinus Nijhoff Publishers, pp. 23–51. 73
- 5 Natan Lerner (2000), 'Regional Protection of Religious Human Rights', in *Religion, Beliefs, and International Human Rights*, Maryknoll, NY: Orbis Books, pp. 40–50. 103
- 6 Johan D. van der Vyver (2005), 'Limitations of Freedom of Religion or Belief: International Law Perspectives', *Emory International Law Review*, 19, pp. 499–537. 117
- 7 Rex Ahdar and Ian Leigh (2005), 'Limits to Religious Freedom', in *Religious Freedom in the Liberal State*, Oxford: Oxford University Press, pp. 155–89. 157
- 8 Paul M. Taylor (2005), 'Introduction', in *Freedom of Religion: UN and European Human Rights Law and Practice*, Cambridge: Cambridge University Press, pp. 1–18. 193
- 9 Javier Martínez-Torrón (2001), 'The European Court of Human Rights and Religion', in R. O'Dair and A. Lewis (eds), *Law and Religion: Current Legal Issues*, volume 4, Oxford: Oxford University Press, pp. 185–204. 211

PART III THE PROBLEMS OF FREEDOM OF RELIGION AND BELIEF

- 10 Rafael Palomino (2013), 'The Concept of Religion in the Law', Farnham: Ashgate, pp. 233–47. 233
- 11 T. Jeremy Gunn (2003), 'The Complexity of Religion and the Definition of "Religion" in International Law', *Harvard Human Rights Journal*, 16, pp. 189–215. 249
- 12 Michael J. Sandel (1989), 'Religious Liberty – Freedom of Conscience or Freedom of Choice?', *Utah Law Review*, pp. 597–615. 277
- 13 Rajaji Ramanadha Babu Gogineni and Lars Gule (2004), 'Humanism and Freedom from Religion', in T. Lindholm, W. Cole Durham, Jr and B.G. Tahzib-Lie (eds), *Facilitating Freedom of Religion or Belief*, Leiden: Martinus-Nijhoff Publishers, pp. 699–719. 297
- 14 Julian Rivers (2001), 'Religious Liberty as a Collective Right', in R. O'Dair and A. Lewis (eds), *Law and Religion: Current Legal Issues*, volume 4, Oxford: Oxford University Press, pp. 227–46. 319
- 15 Anat Scolnicov (2011), 'Why Is There a Right to Freedom of Religion?', in *The Right to Religious Freedom in International Law*, Abingdon: Routledge, pp. 23–34, 58–61. 339

PART IV FREEDOM OF RELIGION AND BELIEF AND OTHER HUMAN RIGHTS: TENSIONS

- 16 Christopher L. Eisgruber and Lawrence G. Sager (2007), 'Equal Liberty', in *Religious Freedom and the Constitution*, Cambridge, MA: Harvard University Press, pp. 51–77. 357
- 17 Martha C. Nussbaum (2008), 'The Struggle over Accommodation', in *Liberty of Conscience*, New York: Basic Books, pp. 115–20, 135–74. 389
- 18 Brian Barry (2000), 'Liberal States and Illiberal Religions', in *Culture and Equality*, Cambridge: Polity Press, pp. 155–93, 348–54. 441
- 19 Malcolm D. Evans (2009), 'The Freedom of Religion or Belief and the Freedom of Expression', *Religion and Human Rights*, 4, pp. 197–235. 487
- 20 Nazila Ghanea (2012), 'Religion, Equality, and Non-Discrimination', in John Witte, Jr and Christian Green (eds), *Religion and Human Rights*, Oxford: Oxford University Press, pp. 204–17. 527

Name Index

541