God, Caesar and the Constitution: The Court as referee of church-state confrontation

Pfeffer, Leo

Note: This is not the actual book cover

James C. Carper, Thomas C. Hunt

God. Caesar. and the Constitution Leo Pfeffer.1974 Church and State in America: A Bibliographical Guide Bloomsbury Publishing, 1987-08-14 The second in a two volume bibliography on church state relations in U S history this book contains eleven critical essays and accompanying bibliographical listings on periods or topics from the Civil War to the present day Each essay reviews the available relevant literature and the listings emphasize critical studies and documents published in the last quarter century This reference work will enable the reader to grasp the historiographic issues become acquainted with the resources available and move on to interpret current as well as past issues more knowledgebly and Franklin D. Roosevelt and the Transformation of the Supreme Court Stephen K. Shaw, William D. Pederson, Michael R Williams, 2015-04-08 Franklin D Roosevelt appointed 10 justices to the U S Supreme Court more than any president except Washington and during his presidency from 1933 to 1945 the Court gained more visibility underwent greater change and made more landmark decisions than it had in its previous 150 years of existence This collection examines FDR s influence on the Supreme Court and the Court s growing influence on American life The Columbia Guide to **Religion in American History** Paul Harvey, Edward Blum, 2012-02-14 Introduction major themes in American religious history Paul Harvey and Edward J Blum Colonial encounters Linford D Fisher Native American religions Suzanne Crawford O Brien Civil religion and national identity Andrew M Manis Theology Mark Noll Evangelicals in American history Douglas A Sweeney Religion and politics Jason C Bivins Religion and the law in American history Frank S Ravitch Religion war and peace Ira R Chernus Religion gender and sexuality Anthony Michael Petro Religion race and African American life Edward J Blum Religion ethnicity and the immigrant experience Roberto R Trevi o Asian American religions Timothy Tseng Alternative religious movements in American history Stephen J Stein Religion and the environment Lynn Ross Bryant Religion and popular culture Philip Goff Religious conservatism and fundamentalism Margaret Bendroth Catholicism in America Leslie Woodcock Tentler American Judaism Alan T Levenson The Church of Jesus Christ of Latter day Saints Mormons D Michael The Supreme Court and Religion in American Life, Vol. 2 James Hitchcock, 2009-01-10 Quinn Islam in America Jane Smith School vouchers The Pledge of Allegiance The ban on government grants for theology students The abundance of church and state issues brought before the Supreme Court in recent years underscores an incontrovertible truth in the American legal system the relationship between the state and religion in this country is still fluid and changing This the second of two volumes by historian and legal scholar James Hitchcock offers a complete analysis and interpretation of the Court's historical understanding of religion explaining the revolutionary change that occurred in the 1940s In Volume I The Odyssey of the Religion Clauses Princeton Hitchcock provides the first comprehensive survey of the court cases involving the Religion Clauses including a number that scholars have ignored Here Hitchcock examines how in the early history of our country a strict separation of church and state was sustained through the opinions of Jefferson and Madison even though their views

were those of the minority Despite the Founding Fathers ideas the American polity evolved on the assumption that religion was necessary to a healthy society and cooperation between religion and government was assumed This view was seldom questioned until the 1940s notes Hitchcock Then with the beginning of the New Deal and the appointment of justices who believed they had the freedom to apply the Constitution in new ways the judicial climate changed Hitchcock reveals the personal histories of these justices and describes how the nucleus of the Court after World War II was composed of men who were alienated from their own faiths and who looked at religious belief as irrational divisive and potentially dangerous assumptions that became enshrined in the modern jurisprudence of the Religion Clauses He goes on to offer a fascinating look at how the modern Court continues to grapple with the question of whether traditional religious liberty is to be upheld

Constitutional Amendments Relating to Abortion United States. Congress. Senate. Committee on the Judiciary. Subcommittee on the Constitution, 1983 Ten Tortured Words Stephen Mansfield, 2007-06-10 In the steamy summer of 1787 as America's founding fathers fashioned their Constitution they told the most powerful institution in their new nation what it must not do Congress shall make no law respecting an establishment of religion Few Americans understand the miracle in world history these ten words represent For the first time in human experience the legislative power of a nation was forbidden from legislating the conscience of man And for over one hundred and fifty years religion flourished institutions of faith multiplied and revivals transformed whole communities Th elected representatives of the people often called for days of prayer recognizing that religion is essential to national character So what happened Why is it that today a cross shaped memorial or a religious symbol in a city seal is considered a violation of the Constitution Why are pastors threatened if they speak out about politics and children kept from even asking about religion in the public schools Ten Tortured Words separates historical fact from fiction illuminating the events and personalities that shaped the writing of the Establishment Clause In his straightforward award winning style cultural historian Stephen Mansfield interprets the societal shifts that have led to the current rift between religion and politics and takes a surprising look at what lies ahead for freedom of religion in America Guardian of the Wall J. David Holcomb, 2020-11-13 Guardian of the Wall examines Leo Pfeffer's church state thought and its influence on the U S Supreme Court The book argues that Pfeffer's understanding of the First Amendment's religion clauses shaped as it was by his historical and religious context led him to advocate a separationist historical narrative and absolutist application of the Establishment and Free Exercise Clauses Pfeffer's jurisprudence was pivotal in shaping the U S Supreme Court's interpretation of the First Amendment throughout the last half of the twentieth century Guardian of the Wall challenges the popular contention that Pfeffer's separationist philosophy was hostile to religion and sought to remove religion from the public square Instead it illustrates how Pfeffer believed a broad reading of both religion clauses protected religious freedom secured religious equality and fostered authentic participation of religion in public life The book concludes by analyzing the Court's shift away from the strict separation of church and state during the past thirty

years and contends that the Court should reconsider Pfeffer's approach to the First Amendment's religion clauses The Collected Writings of James Leo Garrett Jr., 1950-2015: Volume Seven James Leo Garrett Jr., 2023-09-11 James Leo Garrett Jr has been called the last of the gentlemen theologians and the dean of Southern Baptist theologians In The Collected Writings of James Leo Garrett Jr 1950 2015 the reader will find a truly dazzling collection of works that clearly evince the meticulous scholarship the even handed treatment the biblical fidelity the wide historical breadth and the honest sincerity that have made the work and person of James Leo Garrett Jr so esteemed and revered among so many for so long Volume 7 contains Dr Garrett's writings on church state and religious liberty writings that arise from his editorship of The Journal of Church and State from his time as director of the J M Dawson Institute of Church State Studies at Baylor University and from his many years of academic study of and engagement with these important topics Spanning sixty five years and touching on topics from Baptist history theology ecclesiology church history and biography religious liberty Roman Catholicism and the Christian life The Collected Writings of James Leo Garrett Jr 1950 2015 will inform and inspire readers regardless of their religious or denominational affiliations The Praeger Handbook of Religion and Education in the United States James C. Carper, Thomas C. Hunt, 2009-03-05 Ten Commandments displays prayer at football games Bible in the curriculum vouchers for tuition at religious schools Pledge of Allegiance wall of separation between church and state among other hot button issues at the intersection of religion and education generate a great deal of heat but often light is sorely lacking The Praeger Handbook of Religion and Education in the United States provides a unique source of light to educators religious leaders journalists policy makers parents and the general public as well as a useful resource for scholars interested in the impact of religion on the origins development and current shape of the American educational landscape Following an introductory essay that surveys the relationship of religion to elementary and secondary education from the 1600s to the present this set offers 175 entries written by more than 40 scholars with national reputations that cover a wide range of topics related to religion and education both in the past and the present These jargon free entries are cross referenced and provide suggestions for further reading Readers who want to know what is behind the heat in current debates will find entries on United States Supreme Court decisions on religion and education current controversies regarding religion in the public schools religious legal and educational associations involved in these controversies religion and the curriculum religious schools individuals and movements that have affected the role of religion in education and religion and education developments in the eighteenth and nineteenth centuries This one of a kind set also includes a convenient table summarizing all of the religious liberty decisions of the Supreme Court from 1815 to the present That Godless Court? Ronald Bruce Flowers, 2005-01-01 The religion clauses of the First Amendment which seem simple and clear have been and continue to be controversial in their application Church state issues have never been more complex controversial and divisive than they are today In this helpful and instructive book Ronald B Flowers explains clearly and

concisely the intricacies and implications of Supreme Court decisions in the volatile area of church state relations This is an ideal primer for those Americans who have listened to the debates about what the Supreme Court has and has not said about the relationship between church and state and where the boundaries between the two have been eroded It is also ideal for use in the classroom specifically in undergraduate courses in religion and the court introductions to U S constitutional law constitutional law and politics and the Supreme Court The book is also a helpful tool for pastors clarifying contemporary church state issues that impact their churches and parishioners directly and indirectly **Ellery's Protest** Stephen D. Solomon, 2010-03-25 Solomon's fascinating and sweeping history of the legal fight over mandatory school prayers is compelling judicious and elegantly written Fabulous David Rudenstine Dean Benjamin N Cardozo School of Law Yeshiva University Stephen Solomon's Ellery's Protest provides a brilliant analysis of a major Supreme Court decision that redefined the relationship between church and state almost a half century ago This study goes well beyond simply offering a gripping account of the course of litigation that brought before the Justices the contentious issue of prayer and Bible reading in public schools though the thoroughness of that account would merit careful reading by itself Especially impressive is the author s deep probing of hitherto neglected sources and invaluable primary material including extensive direct contact with the plaintiff the Ellery of the book s title Finally and perhaps most impressive is Solomon s careful placement of the issue and the case in a far broader context that is as critical to national life and policy today as it was four and a half decades ago when the high Court first tackled these questions Robert O Neil Professor of Law University of Virginia Great legal decisions often result from the heroic actions of average citizens Ellery's Protest is the story of how one student's objection to mandatory school prayer and Bible reading led to one of the most controversial court cases of the twentieth century and a decision that still reverberates in the battle over the role of religion in public life Abington School District v Schempp began its journey through the nation's courts in 1956 when sixteen year old Ellery Schempp protested his public school's compulsory prayer and Bible reading period by reading silently from the Koran Ejected from class for his actions Schempp sued the school district The Supreme Court's decision in his favor was one of the most important rulings on religious freedom in our nation's history It prompted a conservative backlash that continues to this day in the skirmishes over school prayer the teaching of creationism and intelligent design and the recitation of the Pledge of Allegiance with the phrase under God Author Stephen D Solomon tells the fascinating personal and legal drama of the Schempp case the family s struggle against the ugly reactions of neighbors and the impassioned courtroom clashes as brilliant lawyers on both sides argued about the meaning of religious freedom But Schempp was not the only case challenging religious exercises in the schools at the time and Ellery's Protest describes the race to the Supreme Court among the attorneys for four such cases including one involving the colorful atheist Madalyn Murray Solomon also explores the political cultural and religious roots of the controversy Contrary to popular belief liberal justices did not kick God out of the public schools Bitter conflict over school Bible reading had long divided

Protestants and Catholics in the United States Eventually it was the American people themselves who removed most religious exercises from public education as a more religiously diverse nation chose tolerance over sectarianism Ellery s Protest offers a vivid account of the case that embodied this change and a reminder that conservative justices of the 1950s and 60s not only signed on to the Schempp decision but strongly endorsed the separation of church and state Filled with Spirit and **Power** Laura R. Olson, 2000-06-08 In Filled with Spirit and Power Laura R Olson explores the variety of orientations urban Protestant clergy display regarding political involvement as well as the many factors that shape their activity In the typical urban setting of Milwaukee Wisconsin the choices pastors make about political involvement are shaped in a profound way not only by their specific religious traditions but also by the socioeconomic status of the neighborhoods in which they serve Pastors who serve in economically disadvantaged central city neighborhoods spend the most time on politics because they come into contact with poverty and its consequences on a daily basis **Religion on Trial** James John Jurinski, 2003-12-02 From colonial times to the present an insightful examination of how courts have determined the extent to which religion is accommodated in American public life From the internationally renowned Scopes Monkey Trial of 1925 which pitted a public school teacher arrested for teaching evolution against the state of Tennessee Religion on Trial chronicles key court cases that have shaped the tumultuous relationship between church and state throughout U S history This volume chronicles such groundbreaking cases as the 1991 decision ordering blood transfusions for children of Christian Scientists in Norwood Hospital v Munoz and the infamous case Engel v Vitale that banned prayer in schools and ignited calls for Chief Justice Earl Warren's impeachment The work addresses such inflammatory contemporary disputes as prayer in schools allegiance to the flag and the display of religious symbols on public property and the impact they have had on American society Liberty in America Louis Fisher, 2002 It is often assumed that the judiciary especially the Supreme Court provides the best protection of our religious freedom Louis Fisher however argues that only on occasion does the Court lead the charge for minority rights More likely it is seen pulling up the rear By contrast Congress frequently acts to protect religious groups by exempting them from general laws on taxation social security military service labor and countless other statutes Indeed legislative action on behalf of religious freedom is an American success story but one that renowned constitutional authority Fisher argues has been poorly understood by most of us Taking in the full span of American history Fisher demonstrates that over the course of two centuries of American government Congress has often been in the forefront of establishing and protecting rights that have been neglected denied or unrecognized by the Court and that statutory provisions far outstrip in both number and importance the court cases that have expanded religious rights In this concise and insightful book Fisher presents a series of important case studies that explain how Supreme Court rulings on religious liberty have been challenged and countermanded by public pressures legislation and independent state action He tells how religious groups interested in securing the rights of conscientious objectors received satisfaction by taking their cases to Congress not the courts how

public uproar over a 1940 Supreme Court ruling sustaining compulsory flag salutes resulted in a court reversal and how Congress intervened in a 1986 ruling upholding a military prohibition of skullcaps for Jews By describing other controversies such as school prayer Indian religious freedom the religious use of peyote and statutory exemptions for religious organizations Fisher convincingly demonstrates that we must understand the political and not just the judicial context for the safeguards that protect religious minorities As this book shows the origin and growth of an individual s right to believe or not believe and the securing of that right has occurred almost entirely outside the courtroom Religious Liberty in America persuasively challenges judicial supremacists on church state issues and provides a highly readable introduction for all students and citizens concerned with their right to believe as they wish Church-State Constitutional Issues Donald L. Drakeman, 1991-03-30 Church State Constitutional Issues explores the often debated and always topical issue of the relationship between church and state as outlined in the First Amendment Donald L Drakeman takes an interdisciplinary approach to examine the meaning of the establishment clause demonstrating how the studies of law religion history and political science provide insight into this relationship which since the nation s inception has been difficult to define The study first chronicles the Supreme Court's decision regarding the interpretation of the establishment clause from the early 19th century to the present This legal history is subsequently viewed from a cultural perspective as Drakeman traces both the background of the First Amendment and how the relationship of church and state has developed on its journey through the court system The volume moves towards further understanding of this complex issue as it concludes with a new interpretation of the establishment clause derived from previous information as well as further legal and political interpretive Spheres of Liberty Michael G. Kammen, 2001 A historical overview of the concept of liberty in American material culture and thought **Countercultures** J. Milton Yinger, 1984-04 In this important study Yinger successfully demonstrates his central point countercultures are best understood as a continuous part of human experience and social organization The New Encyclopedia of Unbelief Tom Flynn, 2007-04-30 Successor to the highly acclaimed Library Journal Encyclopedia of Unbelief 1985 edited by the late Gordon Stein the New Encyclopedia of Unbelief is a comprehensive reference work on the history beliefs and thinking of America's fastest growing minority those who live without religion All new articles by the field's foremost scholars describe and explain every aspect of atheism agnosticism secular humanism secularism and religious skepticism Topics include morality without religion unbelief in the historicity of Jesus critiques of intelligent design theory unbelief and sexual values and summaries of the state of unbelief around the world In addition to covering developments since the publication of the original edition the New Encyclopedia of Unbelief includes a larger number of biographical entries and much expanded coverage of the linkages between unbelief and social reform movements of the 19th and 20th centuries including the labor movement woman suffrage anarchism sex radicalism and second wave feminism More than 130 respected scholars and activists worldwide served on the editorial board and over 100 authoritative

contributors have written in excess of 500 entries The distinguished advisors and contributors philosophers scientists scholars and Nobel Prize laureates include Joe Barnhart David Berman Sir Hermann Bondi Vern L Bullough Daniel Dennett Taner Edis the late Paul Edwards Antony Flew Annie Laurie Gaylor Peter Hare Van Harvey R Joseph Hoffmann Susan Jacoby Paul Kurtz Gerd L demann Michael Martin Kai Nielsen Robert M Price Peter Singer Victor Stenger Ibn Warraq George A Wells David Tribe Sherwin Wine and many others With a foreword by evolutionary biologist and best selling author Richard Dawkins this unparalleled reference work provides comprehensive knowledge about unbelief in its many varieties and manifestations Pious Passion Martin Riesebrodt,1998-06 For all who want to make sense of fundamentalism as a long term consequence of the modern world Pious Passion will be required reading It is also enjoyable abounding in cogent arguments set forth in lucid prose and supported by compelling examples Bruce B Lawrence author of Defenders of God Riesebrodt s trenchant analysis brings the comparative study of religious activism to a new level of sophistication exploring not only the ideological development of fundamentalist movements but also the changes in social structure that produced them Pious Passion is a signal event in the modern social sciences for it helps to establish a new academic field the comparative study of fundamentalism Mark Juergensmeyer author of The New Cold War

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