

Law and religion celebrate 25-year partnership at Emory



John Witte, Jr. (left) and Frank S. Alexander lead Emory's Center for the Study of Law and Religion, founded in 1982.

The Center for the Study of Law and Religion brings together scholars and students, policymakers and the public to explore the interaction of law and religion. This convergence builds new bridges of dialogue among the finest existing and emerging minds, establishes new libraries of knowledge and forums of public discussion, and generates objective information and reasoned opinions on contentious public policy issues. CSLR offers:

- 4 joint degree programs (JD/MDiv, JD/MTS, JD/MA, JD/PhD)
- 15 cross-listed courses
- 8 major research projects; dozens of individual and side research projects
- 6-9 annual public forums
- 2 book series
- 300+ published volumes
- Visiting scholars and fellows programs
- 80 Emory senior fellows and associated faculty from 20 fields of study
- 1,600 scholarly affiliates from around the world

The Center for the Study of Law and Religion (CSLR) at Emory University celebrates its silver anniversary Oct. 24-26 by hosting an international conference, "From Silver to Gold: The Next 25 Years of Law and Religion," at Emory Law School.

Twenty-five of the world's leading scholars will anticipate and articulate the hardest questions in law and religion facing the world in the next quarter century. Their presentations will culminate in a new book. Former Emory President James T. Laney, who established the Law and Religion Program at Emory in 1982, will deliver the opening keynote address. Robert N. Bellah, University of California at Berkeley; Stephen Carter, Yale University; Jean Bethke Elshtain, University of Chicago; Georgia Chief Justice Leah Ward Sears; and Martin E. Marty, University of Chicago, are among the distinguished speakers.

Religion gives law its spirit and inspires its adherence to ritual, tradition, and justice.

Law gives religion its structure and encourages its devotion to order, organization, and orthodoxy.

Law and religion share such ideas as fault, obligation, and covenant and such methods as ethics, rhetoric, and textual interpretation.

Law and religion balance each other by counterpoising justice and mercy, rule and equity, discipline and above.

"We've asked our speakers to be principally prospective, even prophetic, in their presentations, with an eye to giving the next generation of legal and religious professionals and activists something of a map and manifesto for this field," said John Witte, Jr., Jonas Robitscher Professor of Law and CSLR director.

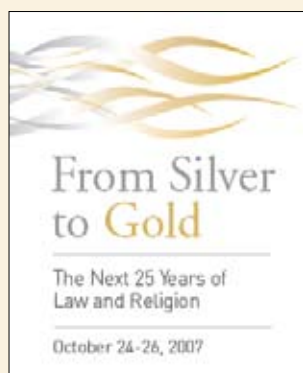
The event will focus on three themes that have been central to CSLR's work the past 25 years: 1) religious liberty, human rights, and church-state relations; 2) sex, marriage, and family

life; and 3) Christian, Jewish and Islamic legal studies. Registration is required and seats are limited.

To register, go to www.law.emory.edu/cslr/silveranniversary.

Deadline is Sept. 21.

All events are free to Emory faculty, staff and alumni/ae.



Conference Schedule

Lectures take place at Emory Law's Tull Auditorium unless otherwise noted.

Wednesday, Oct. 24 8 p.m.: Opening Keynote

- James T. Laney
Emory University
(Emory Conference Center Grand Ballroom)

Thursday, Oct. 25 9-10:30 a.m.: The Future of Law and Religion

- Harold J. Berman
Emory University
- Kent R. Greenawalt
Columbia University
- M. Cathleen Kaveny
University of Notre Dame

11 a.m.-12:30 p.m.: The Future of Religious Liberty

- Douglas Laycock
University of Michigan
- David Little
Harvard University
- Michael J. Perry
Emory University

2-3:30 p.m.: The Currie Lecture in Law and Religion

- Jean Bethke Elshtain
University of Chicago
- John T. Noonan, Jr.
U.S. Court of Appeals, Ninth Circuit

4-5:30 p.m.: The Future of Law, Religion, and Marriage

- Margaret F. Brinig
University of Notre Dame
- Don S. Browning
University of Chicago
- Carl E. Schneider
University of Michigan

7:30 p.m.: The Decalogue Lecture: Law, Religion, and the Future of the African-American Family

- Enola G. Aird
The Motherhood Project, Institute for American Values
- Stephen L. Carter
Yale University
- Leah Ward Sears
Supreme Court of Georgia

Friday, Oct. 26 9-10:30 a.m.: The Future of Jewish, Christian, and Islamic Legal Studies

- Elliot N. Dorff
University of Judaism
Los Angeles
- Baber Johansen
Harvard University
- David A. Skeel
University of Pennsylvania

11 a.m.-12:30 p.m.: The Future of Law, Religion, and Human Rights

- Abdullahi Ahmed An-Na'im
Emory University
- David Novak
University of Toronto
- Nicholas P. Wolterstorff
Yale University

2-3:30 p.m.: The Future of Law, Religion, and International Affairs

- T. Jeremy Gunn
American Civil Liberties Union
- Robert A. Seiple
Council for America's First Freedom
- Jeremy Waldron
New York University

4 p.m.: The Alonzo L. McDonald Lecture

- Robert N. Bellah
University of California at Berkeley
- Martin E. Marty
University of Chicago

Law and religion a 'steeple of excellence' at Emory: by Mary Loftus

The Center for the Study of Law and Religion started with a radical idea that became a bold reality

Skeptics said the pairing of law and religion in an academic setting was naïve and ill advised. They said the partnership would lead to advocacy for specific faith agendas. They questioned if it would produce any serious scholarship. They feared it would take a rigid, fundamentalist stance on complex social issues. They believed it would be lashed to ancient tomes without interest in expanding the modern canon. They said it just wasn't done.

They were wrong.

The Center for the Study of Law and Religion (CSLR) at Emory has proven its depth, scholarship, breadth and vision with each of the 25 years of its existence and through numerous multi-year research projects.

"There's a burden of proof against any new area of interdisciplinary discourse, especially in a law school," says CSLR director and Jonas Robitscher Professor of Law John Witte, Jr. "We are not here to proselytize our faith. We are not introducing a soft subject that dilutes or distracts from rigorous legal study. We are not trying to create room for given fundamentalist agendas. Instead, we genuinely seek to sponsor a deeper and richer understanding of law, by increasing understanding of the fundamental role religion has played in shaping law, politics, and society."

Originating as the Law and Religion Program in 1982, the CSLR has risen to international prominence on the reputation of its faculty and forums, and the ongoing, prolific work of its scholars.

The Center's focus, said Witte (who has a penchant for alliteration) is on "faith, freedom, and family — the three things people would die for." Its methods are to "retrieve religious sources, reconstruct their most enduring teachings, and reengage a historically informed viewpoint" while applying this scholarship to contemporary issues confronting church, state, and society.

CSLR senior fellows and affiliated scholars include experts in Islam, Judaism, and Christianity as well as lawyers, theologians, historians, ethicists, sociologists, health scientists and beyond.

Introducing 'interdisciplinary' at Emory

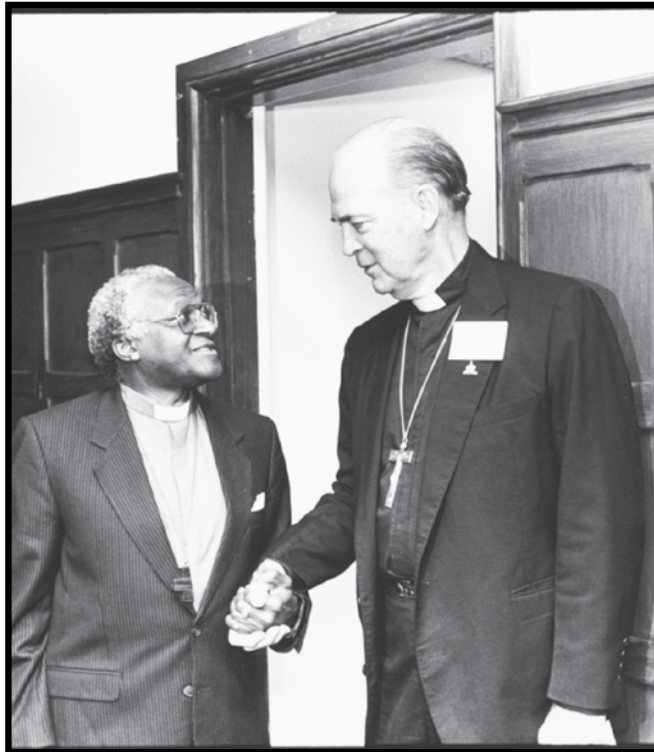
The grain of the idea for the Center was enfolded in then-President James T. Laney's desire to enhance the interdisciplinary work of Emory.

"I was very much interested in how the disciplines should speak to each other," he recalls. He felt this would have the effect of drawing some of the finest minds across the university, even across the country, together to "fortify each other's imaginations and thought." This, he believed, was the intellectual ferment that should mark a great university.

As a theologian who had been dean of Candler School of Theology from 1969 to 1977, Laney was especially curious about the intersection of law and religion, and how a scholarly endeavor placed at this junction might unfold. It proved to be a prescient interest.

"We can no longer dismiss the issue of religious motivation among the billions of people in the world," says Laney, who became

ambassador to the Republic of Korea after leaving Emory in 1993. "And I think this means that a place for law and religion is all the more prominent because of the importance of that dialogue and discussion. This doesn't mean that [the other discipline] is co-opted by religion; it means that you take the empirical importance and influence of religion seriously. It cannot be dismissed."



South Africa's Anglican Archbishop Desmond M. Tutu (left) and Marcos McGrath, the Catholic Archbishop of Panama, spoke at "Christianity and Democracy in Global Context" in 1991, a conference that put the CSLR "on the map."

As Laney's interest in a law and religion program was peaking, a young professor with degrees from Harvard in both law and theology named Frank S. Alexander had come to Emory to teach in the law school. Alexander had asked for Laney's counsel many years before, as a college graduate working in civil rights in Atlanta and struggling with the decision of whether to continue on to law school or divinity school. "Dean Laney very calmly and straightforwardly replied, well, you should do both," Alexander remembers.

When Laney and Alexander reconnected at Emory, they felt the time was right to create a strong multidisciplinary program, one that would provide a

forum for conversation, joint projects and courses, and public education. A place where students could learn the fundamentals of church and state, religion and politics, faith and order, as well as the inner workings of the major religions and their respective places in historic law and modern civic structure.

"In 1982, no law school in the country was doing this," says Alexander, who became the program's founding director.

Aligning the stars

They started out slowly, first crafting the joint degree program to make it possible for students to pursue both degrees simultaneously. Then, three years later, something Alexander calls "providential" for the program occurred: Harvard Law Professor Harold J. Berman, an internationally known scholar whose path-breaking book, *The Interaction of Law and Religion*, had been published in 1974, became the first Woodruff professor at Emory.

Alexander, who had studied with Berman at Harvard and considered him a mentor, was delighted. As an established authority on comparative legal history, jurisprudence, Russian law and international trade law, Berman would bring widespread credibility to the new law and religion program.

Perhaps even more importantly, Berman brought a deep, abiding belief in the importance of the program itself. "Every

legal system rests on a belief system, and what has been called civil religions," he says. "Religion is what comes from the heart as well as the mind, it's the belief system, what you're committed to, what you're willing to fight for and even to die for. . . . We have to find common spiritual values to hold us together or we may destroy each other."

Berman won't take credit for being the "father" of law and religion, however. "I am the father of four children," he said. He and many others feel that the Center gained momentum 20 years ago, when John Witte, Jr. took the helm.

Witte said he came to Emory in 1985 as a "stowaway in Hal Berman's briefcase." More formally called a research associate, Witte, a newly minted Harvard Law graduate, came with Berman to Emory to continue work on their shared interest in the historical interaction of law and religion. Two years later, Laney named Witte the director of the program.

Building the steeple

More than 1,600 scholars from around the world have participated in Center projects, forums, conferences and research, says Witte, adding that the CSLR has been a "wonderful laboratory for the university to sponsor work that is viewed as controversial, cutting edge, even dangerous."

Says Senior Fellow Karen L. Worthington, founding director of Emory's Barton Child Law and Policy Clinic, "Scholars can get so narrowly focused on their own slice of research that they may not see the wider implications themselves. The Center provides a loom for all of that to be woven together."

Although the Center preceded President James Wagner's commitment to several university-wide interdisciplinary themes, it seems well suited to the initiative that calls for "confronting the human condition and human experience through understanding religions and the human spirit."

Witte said that he feels "enormously privileged" that a major university like Emory provided him and his colleagues with the freedom and the resources to blaze a lot of trails in the new field of law and religion study — a field that "has now become a legitimate area of discourse within law schools, within seminaries, within graduate schools just as have law and economics, law and literature, and law and politics."

The Center for the Study of Law and Religion has proven its legitimacy as well as its longevity. It has secured a \$10 million endowment, thanks to university support, and it has attracted an additional \$10 million of funding from external benefactors including The Pew Charitable Trusts, the Ford Foundation, Lilly Endowment Inc., the Alonzo L. McDonald Foundation, the Henry Luce Foundation, Inc., the John Templeton Foundation, and corporate and individual donors.

"The Center has become a unique steeple of excellence. You look at Emory on the horizon and you can see one small spike in the air — this is the work in law and religion, known around the country and around the world as an area of interdisciplinary excellence," said Witte.

As the CSLR celebrates a quarter-century of scholarship, its scholars are looking ahead to try to anticipate the hardest questions that will face the world over the next 25 years.

"World events have made it very clear that law and religion are universal solvents of proper human living, but also volatile compounds that sometimes come together in explosive ways to the peril of us all," Witte said. "One of the things that we have been doing in the law and religion field is trying to find resources to think of healthier ways by which we can understand each other."

New volumes from CSLR

Abdullahi Ahmed An-Na'im, *African Constitutionalism and the Role of Islam* (University of Pennsylvania Press, 2006)

Abdullahi Ahmed An-Na'im, *The Future of Shari'a: Secularism from an Islamic Perspective* (Harvard University Press, 2007)

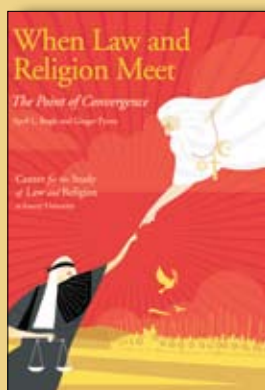
April L. Bogle and Ginger Pyron, *When Law and Religion Meet: The Point of Convergence* (Wm. B. Eerdmans, 2007)

Don S. Browning, *Christian Ethics and the Moral Psychology* (Wm. B. Eerdmans, 2006)

Don S. Browning, *Equality and the Family: A Fundamental Practical Theology of Children, Mothers, and Fathers in Modern Societies* (Wm. B. Eerdmans, 2006)

Don S. Browning, M. Christian Green, and John Witte, Jr., eds., *Sex, Marriage, & Family in World Religions* (Columbia University Press, 2005)

Michael J. Broyde and Michael Ausubel, eds., *Marriage, Sex, and Family in Judaism* (Rowman & Littlefield Publishers, 2005)



For more information and book descriptions, go to www.law.emory.edu/cslr.

Robert M. Franklin, *Crisis in the Village: Restoring Hope in African American Communities* (Fortress Press, 2007)

Timothy P. Jackson, ed., *The Morality of Adoption: Social-Psychological, Theological, and Legal Perspectives* (Wm. B. Eerdmans, 2005)

Mark D. Jordan, ed., *Authorizing Marriage: Canon, Tradition, and Critique in the Blessing of Same-Sex Unions* (Princeton University Press, 2006)

Mark D. Jordan, *Blessing Same-Sex Unions: The Perils of Queer Romance and the Confusions of Christian Marriage* (University of Chicago Press, 2005)

Martin E. Marty, *The Mystery of the Child* (Wm. B. Eerdmans, 2007)

Michael J. Perry, *Toward a Theory of Human Rights: Religion, Law, Courts* (Cambridge University Press, 2006)

Philip L. Reynolds and John Witte, Jr., eds., *To Have and to Hold: Marrying and its Documentation in Western Christendom, 400-1600* (Cambridge University Press, 2007)



Steven M. Tipton and John Witte, Jr., eds., *Family Transformed: Religion, Values, and Society in American Life* (Georgetown University Press, 2005)

Johan D. van der Vyver, *Leuven Lectures on Religious Institutions, Religious Communities and Rights* (Peeters, 2005)

John Witte, Jr., *God's Joust, God's Justice: Law and Religion in the Western Tradition* (Wm. B. Eerdmans, 2006)

John Witte, Jr., *The Reformation of Rights: Law, Religion, and Human Rights in Early Modern Calvinism* (Cambridge University Press, 2007)

John Witte, Jr. and Eliza Ellison, eds., *Covenant Marriage in Comparative Perspective* (Wm. B. Eerdmans, 2005)

John Witte, Jr. and Robert M. Kingdon, eds., *Sex, Marriage, and Family in John Calvin's Geneva I: Courtship, Engagement, Marriage* (Wm. B. Eerdmans, 2005)

John Witte, Jr. and Frank S. Alexander, eds., *The Teachings of Modern Christianity on Law, Politics, and Human Nature*, 2 vols. (Columbia University Press, 2005)

Karen L. Worthington, ed., *Georgia's Responsibility Toward Children in Foster Care: A Reference Manual* (Barton Child Law and Policy Clinic, 2005)

A desert becomes a blossoming field

by Mary Loftus

The CSLR's impact on the new discipline examining the ancient partnership of law and religion

When Robert W. Woodruff Professor of Law Harold J. Berman went on a two-week lecture tour of China last year, huge crowds of law students and legal scholars — more than 100,000 people — awaited him.

Several of Berman's two dozen books, including his comprehensive *Law and Revolution: The Formation of the Western Legal Tradition*, have been translated into Chinese. The 89-year-old legal scholar has achieved a level of popularity in the country, which is in the throes of developing a more sophisticated legal system, akin to a pop singer or sports star. "There were red banners in the lecture halls saying, 'Welcome, world-renowned jurist and scholar!'" Berman told a reporter with delight.

Berman is, indeed, an international star, and his stature stems from a devotion to teaching and a body of scholarship that has been nurtured and sustained by Emory's Center for the Study of Law and Religion (CSLR). "It's been incredibly valuable to be associated with people, wonderful people, from different backgrounds, from different perspectives," he says, echoing a common refrain of fellows, scholars and students associated with the CSLR. And other Chinese scholars are continuing to take notice: a group in Beijing is now translating 20 leading CSLR books on issues of democracy and human rights, marriage and family life.

Since the Law and Religion Program began in 1982, its charge has been to enlighten the discourse, tackle tough questions of law, politics, and society, and provide resources for better understanding across cultural and political chasms, especially among Jews, Christians, and Muslims, the "three children of Abraham."

Sparking new scholarship

Through intensive seminars, collaborative research projects, international conferences, world-wide lecture tours and cross-disciplinary courses, the Center has galvanized the discussion surrounding law and religion inside and outside the academy.

"Our success has caused many other law schools to enter the field of law and religion. So what used to be a desert has become a blossoming field where we are no longer alone," said Rabbi Michael J. Broyde, CSLR senior fellow and professor of law.

And the 300-plus books and thousands of articles published under the CSLR's auspices have reached hundreds of thousands more. The Center's research projects and roundtable conferences, each involving 15-25 scholars from throughout the United States and beyond who come together to create and critique new scholarly work, have become nearly legendary.

"My most powerful experiences in the Center have happened around the seminar table—not only because of the lively exchange and productive disagreement, but also because of the liberty to pursue questions even to their unpopular or surprising conclusions," says CSLR senior fellow and Asa Griggs Candler Professor in the Department of Religion Mark D. Jordan, author of *Blessing Same-Sex Unions: The Perils of Queer Romance and the Confusions of Christian Marriage*.

Indeed, the Center encourages scholars to delve even more deeply into their own areas of interest, while broadening their perspective and being challenged with new ideas. The resulting spark often results in new scholarship—a burst of publications, far-flung lecture tours, and fresh takes on familiar topics.

Church historian and University of Chicago Professor Emeritus Martin E. Marty, who was in residence at Emory in 2003-04 to co-direct the CSLR project "The Child in Law, Religion, and Society," said he would never have written his latest book were it not for the Center. Marty's *The Mystery of the Child* is one of more than a dozen books that are emerging from The Child project.

"I could not have written it by punching Google, or going to the library, or having a research assistant, or just reading, reading, reading. It was really born of the weekly, interdisciplinary dialogue with the other scholars," says Marty. "When there's something interdisciplinary going on, scholars make themselves vulnerable to each other. Being vulnerable, you're open to surprises."

Students, too, are taking forward the lessons of Emory's Law and Religion Program. Some 50 joint degree alumni/ae have fanned across the country into powerful positions: attorneys at top law firms or in their own practices; district attorneys or public defenders in the nation's largest cities; professors at leading universities; and pastors leading large congregations.

Spreading the word

Senior Fellow and Robert W. Woodruff Professor of Law Michael J. Perry, a leading authority on constitutional law, has long been interested in the role of morality in law and politics, and doesn't shy away from examining such hot-button topics as capital punishment, affirmative action, and abortion. During a lecture tour last year in Budapest, Istanbul and Dublin, he spoke about the morality of human rights, addressing head-on the skepticism of a Europe that is growing increasingly more secular.

And, this year alone, Senior Fellow and Associate Professor of Christian Ethics Timothy P. Jackson discussed the morality of euthanasia, particularly physician-assisted suicide, during Emory's

two-day "Changing the Way We Die" conference and, soon after, debated journalist Christopher Hitchens, author of *God Is Not Great: How Religion Poisons Everything*, not once but twice, in front of standing room only crowds at the Margaret Mitchell House in Atlanta. Jackson's relaxed style and irreverent humor in these debates, as well as his willingness to consider the other side's main points, do much to counter the impression that those who take the "moral high ground" must be straight-laced and judgmental.

"The significance of the Center has become clear far and wide—people keep coming back repeatedly to multiple conferences," Jackson says. "It has impacted my scholarship in making it more casuistical, certainly in making me more productive."

Many CSLR scholars take their teachings around the world. Senior Fellow Abdullahi Ahmed An-Na'im, Charles Howard Candler Professor of Law, frequently travels to the Middle East, Southeast Asia, Africa and Europe to advocate his view that secularism is necessary and possible within Islamic states. Broyde lectures in Iran, Israel and other international hot spots on the Jewish legal system. John Witte, Jr., CSLR director and Jonas Robitscher Professor of Law, has toured Japan, Europe, South Africa, and the Middle East explaining the impact of Jesus and Christianity on the Western legal tradition. Most recently he spoke at Windsor Castle on the facts and fictions of church and state separation, one of 50 public intellectuals invited to participate in the royal event. Johan van



Abdullahi Ahmed An-Na'im travels the world to advocate secularism within Islamic states.

der Vyver, CSLR senior fellow and I.T. Cohen Professor of International Law and Human Rights, has been called upon to inform the U.S. Department of State and other nations on human rights issues and has given a score of lectures this past year from Korea to Costa Rica, Vienna to Cape Town.

Engaging the public

Through such courageous scholarship, the Center has garnered the attention of the media. Some recent highlights: *The New Yorker* profiled the work of An-Na'im on the fifth anniversary of the September 11 terrorist attacks on the United States, and the *New York Times* ran a five-part series on the separation of church and state prominently featuring background and comments provided by Witte. It's not unheard of for any one of the Center's scholars to return to their office to find phone messages waiting from NPR, ABC, CNN, the *Wall Street Journal*, and the *New York Times*, and trying to decide whose call they should return first.

Most take all the attention in stride, hoping to deepen and broaden the public discourse. "Being a scholar, being an activist, I have found myself thinking that if I produce good enough scholarship and it is engaged to the public issues of the day, people will pick it up and it will somehow influence life and come out of the confines of our institutions into policymaking," said An-Na'im, who came to Emory in 1995 after being exiled from his native Sudan. "But often I find that I need to remind myself that it doesn't come out that way. My work has to reach out and communicate the conclusions, communicate the policy implications, and to help people understand the relevance of what's being done."

Some scholars have played advocacy roles locally and nationally. Frank S. Alexander, CSLR founding director and professor of law, advises states and cities on ethical laws for housing the homeless. Karen L. Worthington, CSLR senior fellow and founding director of the Barton Child Law and Policy Clinic, plays a critical role in shaping foster care legislation in Georgia. Broyde sits as a judge on the Jewish law court (Bet Din) in New York.

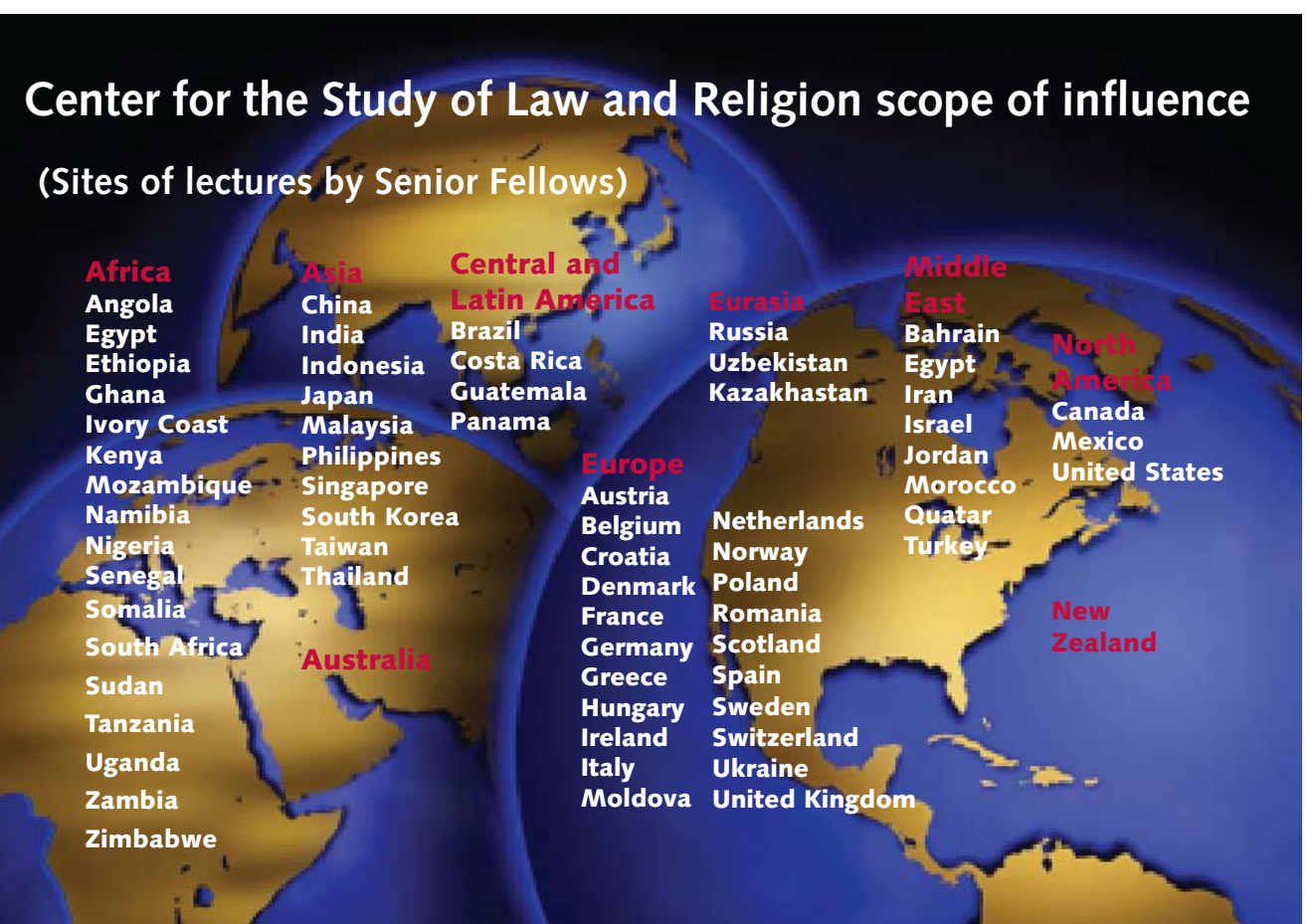
Other scholars stay a step away from actual policymaking and advocacy by design. "Several of us at CSLR have made a deliberate decision to stay one step away from the courtroom, one step away from the Committee Hall in Congress, and one step away from cutting edge frontline lobbying or litigation. We want to be an institute for the advanced study of law and religion, but we don't limit those who choose to be advocates as well," said Witte.

Adds Broyde, "I don't think you could reasonably describe us as conservative or liberal or reform or traditional. Each of us has our own agenda, which the Center facilitates."

What's next for the CSLR? Well, that depends on who you ask. As it should.



Harold J. Berman (center, red tie) traveled to China in the summer of 2006, accompanied by his wife, Ruth, to espouse the Western legal tradition. More than 100,000 Chinese students and scholars throughout the country gathered to hear his teachings during seven lecture stops.



Q&A: Why bring law and religion together?

A conversation with Emory University President Emeritus **James T. Laney**, who served as president from 1977–1993; CSLR Founding Director and Law Professor **Frank S. Alexander**; and CSLR Director and Jonas Robitscher Professor of Law **John Witte, Jr.**

Why did you start a Law and Religion Program at Emory?

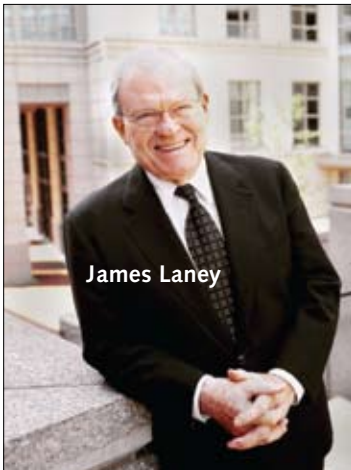
Laney: My deep conviction — in fact, my passion — was that the university should be a scene of fertile intellectual conversation, where different disciplines fortify each other's imagination and thought. The University of Chicago had initiated a cross-disciplinary approach, resulting in a climate of intellectual ferment. I wanted to recreate that at Emory.

The university, I think, also has a moral calling to work toward the larger good. That role includes unmasking the hidden assumptions and accepted wisdom from the past, to help us better understand what's going on in the present. From there, our responsibility is to educate the public and thus to inform decision making.

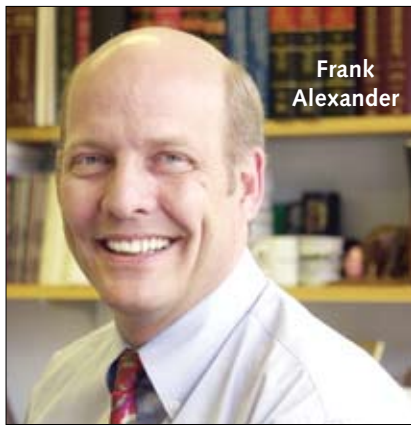
My role as president was to plant a seed for such work and to provide some resources, which arrived with an infusion of capital funds from the Woodruff gift. Since there were no restrictions on that gift, we were able to be innovative. And one of the innovations I was most interested in was the conversation between law and religion.

Alexander: When I was a student at Harvard Divinity School and Harvard Law School, my professor told of a student who had gone to the law school and asked where in the midst of all these rules and regulations could he find discussions of justice. His professor had told the student, "If you want justice go to divinity school." The student went to divinity school and took courses—New Testament, the Acts of Jesus, Patristic and Systematic Theology—then asked a theology professor, "In the midst of all this, where will I find discussions of justice?" The professor replied, "If it's justice you're after, go to law school."

So that is very much the context of the time when we were trying to find the common place for discussion of



James Laney



Frank Alexander

the relationship of issues in theology, moral philosophy, legal history, professional responsibility. As we began to contemplate the creation of a law and religion program in the early 1980s, virtually no law school in the country had serious scholarship or teaching about religion, and most law schools were indeed hostile to the idea of it.

Why is it important to study the interaction of law and religion?

Alexander: The emergence of the Law and Religion Program has coincided with a resurgence in this country of the debates about the role of religion and the debate in the public square. The program has not taken a single ideological stance, but it has made possible the debate of faith in the public square, the relationship of moral concepts, of religious concepts to legal obligations, the role of the church and the state and the state in the church. The program has made possible those debates with incredible historical accuracy and with an understanding of the nuances of the differences among the faith traditions.

Witte: We have been trying to find healthier ways by which persons and peoples of various communities can understand each other in their own core theological and legal identities. We're trying to enliven the discourse within religious communities about fundamental questions of law, politics and society, and trying to provide resources for religious communities to be able to engage the hard questions of our day.

How has the program benefited Emory?

Witte: Our work in law and religion is known around the country and around the world as an area of interdisciplinary excellence. I think that has been helpful for Emory University in terms of its public national and international profile.

The Center has also been a wonderful laboratory for the university to experiment with a new interdisciplinary vision, to sponsor work that is viewed as controversial, cutting edge and dangerous and to see that it can work. I think that's emboldened the university to think about other dangerous, controversial areas and to move into sponsorship of that work. The recent addition of Salman Rushdie to our faculty

is an illustration of the kind of courage that this experiment among others has emboldened in the administration.

What has been the impact of the Law and Religion Program outside of Emory?

Alexander: It has shaped the culture for the entire system of legal education in the United States. Today no major law school in the country is shying away from the relevance of questions of law and religion, law and Christianity, law and Judaism, law and Islam. In 1980, if you were writing in the field of law and religion, it was not considered scholarship, it was considered at best an avocation.

Witte: We are an institute for the advanced study of law and religion not an advocacy mill for any particular position, and the consequence of that is that our Center's influence has become much more diffuse but pervasive. Yet our projects, publications, and public forums have emboldened and enriched others to take up causes in individual cases, to help sponsor new legislation domestically and internationally. One example is the development of the International Religious Freedom Act of 1998, an Act of Congress that in many ways was a culmination of 10 years of work that we had been doing in a pioneering way in religion and human rights.

What will be the program's focus during the next 25 years?

Witte: The fundamental questions of faith, freedom and family, and the fundamental questions of human rights to religious liberty are going to continue to be perennial contests in the culture wars domestically and internationally. There are three other areas we'll need to consider: the great contests today between religion and science; the issues of environmental stewardship and the world's concerns about a growing biological holocaust; and, given the rapidly globalizing understanding of religion, law, commerce, and society altogether, we must incorporate the richness of Confucianism, Buddhism, Taoism, Hinduism into our work.

Alexander: We're going to have to confront two new sets of issues in ways we haven't before. First is the inner-play of multiple religious traditions on tough questions of international policy. Looking at the Middle East, the Indian subcontinent, and the Far East, we're going to have to broaden our understandings both of western common law and of religious traditions. I also think it will be time to take on contemporary social and political issues much more directly than we have in the past. For example, our immigration policies have to deal with what it means to be a member of this community, and we can no longer go forward in law and religion if we don't begin to talk about who belongs in the community and play out the ramifications of that.



Law and Religion: The Next 25 Years



What CSLR senior fellows are saying...

When we look deeply enough and thoughtfully enough we will find that all human societies and human persons share the same basic qualities, concerns, needs, desires and so on. Often this is colored by our color, by our political affiliations, and our religious affiliations, but deep down we are ultimately human. So my question for the future phase of the Center is how to appeal to and respond to the human in all of us globally.

Abdullahi Ahmed An-Na'im, Charles Howard Candler Professor of Law

In the coming years I would like the Center to focus more on the interrelationships of the different religious and civil belief systems which are now coming together. They currently divide the world, but at the same time have the prospect, through their similarities, of bringing the world together.

Harold J. Berman, Robert W. Woodruff Professor of Law

Terrorism is one of the most crucial examples of the importance of the interdisciplinary discussion of law and religion. It is important to do more work on law, look at what these religions are really about, do historical work, bring different viewpoints into conversation, and this may help create a culture of dialogue and gradual consensus that takes the place of conflict.

Don S. Browning, Alexander Campbell Professor of Ethics and the Social Sciences Emeritus, University of Chicago

I believe over the next several years that issues of family -- marriage, divorce and children, and sexuality -- will be front and center in the interplay between law and religion in the United States. This is a central issue that our secular society needs to come to grips with, and we as a Center should lead that scholarly conversation.

Michael J. Brody, Professor of Law

The role of economic globalization is going to be important to study in the next quarter century. The market can be a guarantor of political liberty and a sensitive pricing mechanism, but how does one rein that in, especially in a global context where there are local, national restraints, abuses, or excesses of the market? The Center would be ideally situated to try to bring to bear sociological, political, legal and also religious insight into that issue.

Timothy P. Jackson, Associate Professor of Christian Ethics

The next 25 years will pose the challenge of changing the way we think about religion because it's been our tendency even within the Center to think of religion in terms of institutions. We've got to find a way of talking about, but more importantly, talking with those people who are falling outside of the establishments, outside of the religious institutions, because there's an enormous religious energy there.

Mark D. Jordan, Asa Griggs Candler Professor of Religion

When we had former President Jimmy Carter and Dr. Bill Foege (former CDC director) speak at our public forums, talking about guinea worms and river blindness in Africa, they reminded us there's another world out there. I'd like to see the CSLR do more on a global scale.

Martin E. Marty, Fairfax M. Cone Distinguished Professor Emeritus, University of Chicago

The tangled relationship between the sacred and the secular, the state and the church, is likely to be, and certainly ought to be, central to most of what CSLR discusses and researches over the next 25 years.

Philip L. Reynolds, Aquinas Professor of Historical Theology

There are several problems that are going to be with us for many years to come. Many of the mainstream religions of the world, including Islam, Eastern Orthodoxy, even Roman Catholicism to some extent, and other religions do not believe that one has the right to change your religion or belief. While the freedom to do so is a principle enunciated in international instruments, it is not upheld in practice. That is a problem that we will have to look at much more closely.

Johan van der Vyver, I.T. Cohen Professor of International Law and Human Rights

Over the next 25 years, I would hope that the Center continues to have a focus on children. In this country, we continue to make the health and well being of children one of our lowest priorities. I believe that the status of the Center could bring together scholars and policy makers and put the best minds in this country, and perhaps around the world, together to focus on those issues and make improvements in the lives of children.

Karen L. Worthington, Founding Director of the Barton Child Law and Policy Clinic