

Contents

Introduction I
JEAN L. COHEN

Part I: Freedom of Religion or Human Rights

- I. Religious Freedom and the Fate of Secularism 27
 - 2. Religion: Ally, Threat, or Just Religion? 47

 ANNE PHILLIPS
- 3. Regulating Religion Beyond Borders: The Case of FGM/C 66
 YASMINE ERGAS
 - 4. Pluralism vs. Pluralism: Islam and Christianity in the European Court of Human Rights 89

 CHRISTIAN JOPPKE

Part II: Nonestablishments and Freedom of Religion

- 5. Rethinking Political Secularism and the American Model of Constitutional Dualism 113 IEAN L. COHEN
 - 6. Is European Secularism Secular Enough?

RAJEEV BHARGAVA

7. State-Religion Connections and Multicultural Citizenship 182

digitalisiert durch: IDS Basel Bern

8. Breaching the Wall of Separation	204
DENIS LACORNE	

9. Transnational Nonestablishment (Redux) 222
CLAUDIA E. HAUPT

Part III: Religion, Liberalism, and Democracy

10. Liberal Neutrality, Religion, and the Good 249

11. Religious Arguments and Public Justification 273

12. Religious Truth and Democratic Freedom:
A Critique of the Religious Discourse of Anti-Relativism 293
CARLO INVERNIZZI ACCETT1

13. Republicanism and Freedom of Religion in France 316
MICHEL TROPER

Part IV: Sovereignty and Legal Pluralism in Constitutional Democracies

14. Sovereignty and Religious Norms in the Secular Constitutional State 341

15. Religion and Minority Legal Orders 358

MALEIHA MALIK

16. The Intersection of Civil and Religious Family Law in the U.S. Constitutional Order: A Mild Legal Pluralism 379
LINDA C. MCCLAIN

17. Religion-Based Legal Pluralism and Human Rights in Europe 400
ALICIA CEBADA ROMERO

Conclusion: Is Religion Special? 423

Contributors 435
Index 439