Book Review, "Religious Freedom in the Liberal State", by Rex Ahdar and Ian Leigh

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BOOK REVIEWS


In the post-9/11 world, as people weigh their religious freedoms and the role of government in protecting those freedoms, the authors organize their work by looking at the issue from both a theological as well as a governmental perspective. The book begins with an introduction that basically states that in the post-9/11 world there is a greater need to understand religion and religious liberties, and to understand how to balance these rights with national security concerns.

The book is divided into three parts. Part one contrasts liberal and Christian perspectives on religious freedom. The authors, both of whom are law professors in Great Britain, state that they are writing from a Christian perspective and that most of part one deals with Christian theology rather than other major religions. Part two looks at the state’s role in religious freedom, and part three examines contemporary issues that directly involve the individual and religious liberties in everyday lives, such as education, medical care, and the family. With this interesting framework, the authors take the reader on an historical continuum from the earliest theological writings, to perspectives of enlightened philosophers, to the age of modern states, and finally to individual rights and liberties that affect the most private and personal of decisions.

In part one, the authors go through a fairly comprehensive analysis of Christian perspectives and how they developed from early Roman times through the Reformation. Next the authors delve into the thoughts of the philosophic traditions of liberties by discussing the writings of John Rawls, John Locke, and others. Thus, by the end of part one, the authors have provided a nice transition to the next part of the book, which deals with the state’s role in examining morals and values in a society that has formal governmental structures and institutions rather than a religious or theological perspective.

In part two, the authors examine various state models such as the theocratic state, the state that sponsors religion, and the “neutral” state where individual liberties are expressed through documents such as a constitution. They also examine both court decisions and international organizations, and their impact in various areas. The remainder of part two deals with the never ending issues raised by the questions of establishment versus freedom of
religion and where they may converge and where they may diverge. Again, various examples are cited throughout from various states.

The final part of the book focuses on the real “nuts and bolts” of religious liberties, i.e., how all of the varying perspectives, be they theological or governmental, affect the lives of individuals. The first section in this part deals with families, and discusses children’s rights and their rights vis-a-vis the rights of their parents. Several court decisions are cited on issues such as if and when children may have the right to choose their own religious belief. The issue of corporal punishment is also discussed as is the right of parents to base decisions on their religious beliefs when they may conflict with that of the state.

The next section in part three discusses another topic that continues to make headlines here and across the world on a daily basis, i.e., the role of education and how religion enters into curriculum. The authors use their basic structure of first looking at Christian perspectives and various state models, and then they devote some discussion to creationism versus evolution, school choice, and other issues raised by introducing religion into curriculum. Other sections in the part three deal with individual freedoms including other “hot button” issues such as medical treatment, employment and workplace issues, and religious group autonomy and religious expression.

This is a timely work that any academic law library would find to be a worthy addition to its collection. The first part of the book has an excellent table of cases as well as a listing of international and state documents, such as constitutions and statutory instruments, so that a reader looking for a specific discussion on a particular document can quickly access that section. An additional benefit of this book, beyond its basic premise, is that it can provide a researcher interested in a particular country or international document with some additional perspectives that they may not have found elsewhere.

Religious Freedom in the Liberal State raises very provocative issues that are at the crux of many conflicts today and throughout world history. The book works on many levels, from the earliest theological perspectives to today’s ethical and moral issues. While these questions cannot be answered by this or any single volume, this scholarly work is a thought provoking, worthwhile addition to any academic law library or any library where readers seek answers to questions that have existed since whenever you believe existence began.

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