Record Nr. UNINA9910136754403321 Autore Domingo Rafael <1963-> **Titolo** God and the secular legal system / / Rafael Domingo [[electronic resource]] New York: ,: Cambridge University Press, , 2016 Pubbl/distr/stampa **ISBN** 1-316-65222-X 1-316-65246-7 1-316-65250-5 1-316-65254-8 1-316-65274-2 1-316-65258-0 1-316-65270-X 1-316-55021-4 Descrizione fisica 1 online resource (xii, 180 pages): digital, PDF file(s) Collana Law and Christianity 201.72 Disciplina Soggetti Religion and law Jurisprudence Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Title from publisher's bibliographic system (viewed on 05 May 2016). Nota di contenuto Cover; Half title; Title; Copyright; Dedication; Contents; Foreword; Introduction; 1 God as a Metalegal Concept; 1. Introduction; 2. God and Gods; 3. Metalegal Concepts; 4. God as a Metalegal Concept; 5. The Legal Recognition of God as a Metalegal Concept; 6. The Religious Objection; 7. The Dworkinian Objection; 8. The Moral Objection; 9. The Legal Objection: 10. Religion, not God, as a Matter of Toleration: 11. Recovering the Dialogue between Theology and Jurisprudence; 12. Conclusion; 2 Religion as a Constitutional Limit of the Secular Legal System; 1. Introduction 2. Legal Identification of Religion3. Suprarationality as the Ultimate Justification of the Legal Protection of Religion; 4. The Exclusion of Suprarational Acts from the Secular Legal System; 5. Tolerating Suprarational Law; 6. The Suprarational Argument as an Irrelevant Legal Argument; 7. Structural Dualism as a Constitutional Limit of the Secular Legal System; 8. The Election of the Dualistic Model as a Constitutional

Decision; 9. Autonomy and Independence of Religious Communities; 10. Religious Equality and Equality of Religions: the False Neutrality; 11. The Right to Religion

12. The Religious Exception13. Conclusion; 3 Conscience as a Private Limit of the Secular Legal System; 1. Introduction; 2. Significance of Conscience; 3. Conscience and Dignity; 4. Public Morality Versus Private Morality; 5. Conscience as a Private Moral Limit of the Secular Legal System; 6. Freedom of Conscience: between Freedom of Thought and Freedom of Religion; 7. A Right to Religious and Moral Freedom?; 8. Ethical Independence Versus Moral Autonomy; 9. Moral Accommodation Versus Religious Toleration; 10. Privilege of Abstention and Conscientious Refusal

11. Privilege of Abstention Versus Religious Exception12. Conclusion; Concluding Reflections; Index

Sommario/riassunto

This timely book offers a theistic approach to secular legal systems and demonstrates that these systems are neither agnostic nor atheist. Critical but succinct in its approach, this book focuses on an extensive range of liberal legal approaches to religious and moral issues and subjects them to critical scrutiny from a secular perspective. Expertly written by a leading scholar, the author offers a rare combination of profundity of ideas and simplicity of expression. It is a ringing defense of the theistic conception of secular legal systems and an uncompromising attack on the agnostic and atheist conception.