

The Virgil Cordano OFM Endowment in Catholic Studies  
in the Department of Religious Studies

presents an interdisciplinary conference

# Freedom of (and from) Religion: Debates over the Accommodation of Religion in the Public Sphere

April 30 – May 2, 2015



Winnifred Fallers Sullivan

Thursday, April 30 @ Loma Pelona Center, UCSB

**6:15 p.m. Keynote**

*"What Happened in Indiana? Did Religious Freedom Jump the Shark?"*

*Professor Winnifred Fallers Sullivan, Chair of the Religious Studies Department and Affiliate Professor of the Maurer College of Law, Indiana University*

Keynote Address will be followed by reception.

This event is free and open to the public. It is held in conjunction with the Cordano Conference in Catholic Studies, on "Freedom of (and from) Religion: Debates Over the Accommodation of Religion in the Public Sphere," being held May 1-2, in Flying A conference room, UCEN, on the UCSB campus.

Sponsored by the Virgil Cordano, OFM, Endowment in Catholic Studies in the Department of Religious Studies, UCSB.

## Friday, May 1 @ UCEN, Flying A Conference Room

### 9:15 – 9:30 Registration

Continental breakfast available

### 9:30 – 9:45 Welcome – Ann Taves, Virgil Cordano OFM Endowed Chair in Catholic Studies

### 9:45 – 10:45 Panel: The Authority to Define Religion and Liberty of Conscience

“‘Enough of a Spiritual Leader?’: The Universal Life Church and Evolving Judicial Interpretations of Religions and Ministers”

*Dusty Hoesly, Religious Studies Department, UCSB*

“Exemptions and their Limits: The Case of Selective Conscientious Objection”

*Ronit Y. Stahl, Danforth Center on Religion and Politics, Washington University in St. Louis*

*Richard Hecht, commentator, Religious Studies Department, UCSB*

### 11:00 – 12:30 Panel: RFRA Laws Post-*Hobby Lobby v Burwell*

“Helping Justice Ginsburg Close the Floodgates: A Proposal to Limit RFRA Exemptions”

*Jeff Gottlieb, Department of Religion, Florida State University*

“The Satanic Temple, Scott Walker, and Contraception: A Partial Account of Hobby Lobby’s Implications for State Law”

*Kara Loewentheil, Columbia School of Law*

“Religious Liberty Protections: Shield or Sword?”

*Peter Montgomery and Elliot Minberg, Senior Fellows at People for the American Way Foundation*

Chair/discussant: *Kolby Knight, Religious Studies Department, UCSB*

### 1:30 – 2:45 Panel: Comparative Approaches to Accommodation of Religion

“Public Accommodation of Religion”

*Jessica Giles, Law Lecturer, Open University, U.K., Director of PILARS (Project on Interdisciplinary Law and Religion Studies)*

“Misaccommodating Religion”

*Leslie Griffin, William S. Boyd Professor of Law, UNLV William S. Boyd School of Law*

“A Critique of the Role of Luck in Deciding Legal Accommodation”

*Muhammad Velji, Philosophy Department, McGill University*

Chair/discussant: *Ann Taves, Religious Studies Department, UCSB*

### 2:55 – 4:15 Panel: Secularism and Liberal Legal Advocacy

“The Most Sacred of All Property: Corporations, Churches and Other Persons”

*Finbarr Curtis, Religious Studies, Georgia Southern University*

“Human Rights and Broken Cisterns: Evangelism, Instrumentalism, and Rights-Based Discourse in Christian Legal Activism”

*Meadhbh McIvor, Department of Anthropology, London School of Economics*

“The New Religious Freedom: Secular Fictions and Church Autonomy”

*Matthew Scherer, School of Policy, Government and International Affairs, George Mason University*

Chair/discussant: *Joseph Blankholm, Religion Department, Columbia University*

### 4:30 – 5:45 Panel: Discourse and Legal Consciousness

“The function of theology in the legal discourse on religion”

*Joel Harrison, Religious Studies, Northwestern University*

“The (Dis)Enchantment of Religious Freedom: Reconsidering *Employment Division v Smith*”  
*Kathryn Heard, UC Berkeley’s JD/PhD program in Jurisprudence and Social Policy*

“The Corporately Produced Conscience: Emergency Contraception and the Politics of Workplace Accommodation”

*Isaac Weiner, Comparative Studies, The Ohio State University*

Chair/discussant: *Kathleen Moore, Religious Studies Department, UCSB*

## Saturday, May 2 @ UCEN, Flying A Conference Room

### 9:15 – 10:30 Panel: Religious Minorities and Freedom of Expression

Religious Markers on Military Headstones: Exploring the Relation between a “Secular” State and a “Religious” Nation

*Richard Amesbury, Professor of Ethics, University of Zurich*

“A Klansman and a Niqabi Walk into a Bar: Anti-Mask Legislation and the Politics of Expression”

*Shyam Sriram, Political Science Department, UCSB*

“Free to Be Like Me: Constructing Freedom in the Public Sphere”

*Andie Alexander, Religious Studies Department, University of Colorado Boulder*

Chair/discussant: *David Walker, Religious Studies Department, UCSB*

### 10:45 – 12:00 Panel: Same-Sex Marriage and Privacy

“Religious Liberty, Civil Rights and the Controversy over Same-Sex Marriage”

*Steven J. Heyman, Professor of Law, Chicago-Kent College of Law, Illinois Institute of Technology*

“Faith-Based Rights of Private Businesses or Illegal Discrimination in Public Accommodations: An Examination of Recent Cases Against Private Businesses that Exclude LGBT Customers”

*Margaret M. Russell, Santa Clara University School of Law*

“The Passion of Hak-Shing William Tam: *Perry v Schwarzenegger* and the Question of Religious Privacy”

*Justin K. H. Tse, Jackson School of International Studies, University of Washington*

Chair/discussant: *Glyn Salton-Cox, English Department, UCSB*

### 12:00 – 1:00 Looking Forward: A Wrap-Up Session

Reflections by Winnifred Fallers Sullivan, Ann Taves, and Kathleen Moore, followed by open discussion of next steps

Sponsored by the Virgil Cordano, OFM, Endowment in Catholic Studies in the Department of Religious Studies, UCSB.

[www.religion.ucsb.edu](http://www.religion.ucsb.edu)

For assistance in accommodating a disability, please call 893-2317.

