

ISSN 0748-0814

VOLUME 29

ISSUE 1

FEBRUARY 2014

Journal of **LAW** *and*
RELIGION



Journal of LAW and RELIGION

The *Journal of Law and Religion* publishes cutting-edge research on religion, human rights, and religious freedom; religion-state relations; religious sources and dimensions of public, private, penal, and procedural law; religious legal systems and their place in secular law; theological jurisprudence; political theology; legal and religious ethics; and more. The *Journal* provides a distinguished forum for deep dialogue among Buddhist, Confucian, Christian, Hindu, Indigenous, Jewish, Muslim, and other traditions about fundamental questions of law, society, and politics.

Co-Editors

Silas W. Allard
Abdullahi A. An-Na'im
Michael J. Broyde
M. Christian Green
Michael J. Perry
John Witte, Jr.

Managing Editor

Silas W. Allard

Book Review Editor

M. Christian Green

Article Editors

Andrew C. Bolender
W. Michael Evans
Zachary C. Eyster
Christopher J. Manzer
Nicole L. Levidow
Benjamin D. Wadley

Advisory Board

Frank S. Alexander
Emory University School of Law
Deborah J. Cantrell
University of Colorado Law School
Stephen L. Carter
Yale University
Robert F. Cochran, Jr.
Pepperdine University School of Law
Paula M. Coeoy
Macalester College
Perry Dane
Rutgers School of Law
Anver M. Emon
University of Toronto Faculty of Law
Edward McGlynn Gaffney, Jr.
Valparaiso University School of Law
Emily Albrink Hartigan
St. Mary's University School of Law
Richard H. Hiers
University of Florida
Cathleen Kaveny
Boston College
Patrick R. Keifert
Luther Seminary
Michael Kessler
Georgetown University
Urfan Khaliq
Cardiff Law School
Howard Lesnick
University of Pennsylvania

Samuel J. Levine
Touro Law Center
David Little
Berkley Center, Georgetown University
Robin W. Lovin
Center of Theological Inquiry
Nancy Miller-Herron
Tennessee Claims Commission
Louis E. Newman
Carleton College
Ebrahim Moosa
Department of Religion,
Duke University
Thomas W. Porter, Jr.
Boston University School of Theology
Asifa Quraishi-Landes
University of Wisconsin Law School
Daniel B. Sinclair
Striks Law School,
College of Management Academic Studies &
Fordham University Law School
Steven D. Smith
University of San Diego
Darryl M. Trimiew
Medgar Evers College,
City University of New York
Amelia J. Uelmen
Georgetown University Law Center
Michael Welker
University of Heidelberg

Journal of Law and Religion

VOLUME 29 | ISSUE 1 | 2014

CONTENTS

- 1 Editorial Preface

SYMPOSIUM: PURSUIT OF HAPPINESS IN INTERRELIGIOUS PERSPECTIVE

- 5 Happiness from a Buddhist Perspective
His Holiness the 14th Dalai Lama
- 14 A Buddhist View of Happiness
Matthieu Ricard
- 30 Happiness: A Jewish Perspective
Rabbi Lord Jonathan Sacks
- 48 Happiness – and Unhappiness – as Legally Significant Categories in Jewish Law
Michael J. Broyde
- 57 The Pursuit of Happiness in the Christian Tradition: Goal and Journey
Katharine Jefferts Schori
- 67 Happiness and the Restless Heart: An Augustinian Confession
Luke Timothy Johnson
- 76 Happiness and the Attainment of Happiness: An Islamic Perspective
Seyyed Hossein Nasr
- 92 Applying the Lessons: Ideals versus Realities of Happiness from Medieval Islam to the “Founding Fathers”
Vincent J. Cornell
- 109 When Happiness Fails: An Islamic Perspective
Khaled Abou El Fadl

ARTICLES

- 124 Freedom of Conscience as Religious and Moral Freedom
Michael J. Perry
- 142 A Prequel to *Law and Revolution*: A Long Lost Manuscript of Harold J. Berman Comes to Light
John Witte, Jr. & Christopher J. Manzer

REVIEW ESSAYS

- 170 Women, Gender, and Islam in Africa and Beyond
Sarah Eltantawi
- 176 Between Blasphemy and Critique: Freedom of Religion and Freedom of Speech
M. Christian Green
- 197 New Directions in International Justice
James W. McCarty III
- 206 Islam, Democracy, and the Limits of Secular Conceptuality
SherAli K. Tareen