LAW AND CONTEMPORARY PROBLEMS

Religion

SCHOOL OF LAW • DUKE UNIVERSITY VOL. 44 SPRING 1981 No. 2

LAW AND CONTEMPORARY PROBLEMS

DUKE STATION

DURHAM, NORTH CAROLINA

A QUARTERLY PUBLISHED BY THE DUKE UNIVERSITY SCHOOL OF LAW DURHAM, NORTH CAROLINA

DAVID L. LANGE, General Editor

J. PHILLIP CARVER, MATTHEW FRIEDMAN, RICHARD R. HOFSTETTER, THOMAS M. MEISS, THOMAS W. PICKRELL, ROBIN A. PUCKETT, JOYCE S. RUTLEDGE, ALAIN H. SHEER, RALPH A. UTTARO, IRENE C. WALKER, JULIAN E. WHITEHURST AND SUSAN M. WYNGAARDEN, Student Editorial Assistants

EDITORIAL COMMITTEE

Paul D. Carrington, ex officio; Willis D. Hawley; David L. Lange, ex officio; Lester M. Salamon; Christopher H. Schroeder; William W. Van Alstyne; J. Arthur Larson (Chairman)

VOLUME 44

SPRING 1981

Number 2

RELIGION

JOYCE S. RUTLEDGE Special Editor for this Symposium

	Page
Introduction	1
CHURCH, STATE, AND MORAL VALUES:	
THE Limits of AMERICAN PLURALISM	3
THE PLURALIST GAME Francis Canavan	23
THE DECLINE OF PUBLIC AND PRIVATE	
TRUST: THE MORAL CRISIS IN AMERICA	39
RETRIBUTION, RESPONSIBILITY AND FREEDOM:	
THE FALLACY OF MODERN CRIMINAL LAW	
FROM A CHRISTIAN PERSPECTIVEE. L. Hebden Taylor	51
Amici in Church-State Litigation	83
"Religion as an Engine of Civil Policy": A Comment on the	
FIRST AMENDMENT LIMITATIONS ON THE CHURCH-STATE PARTNERSHIP	
IN THE SOCIAL WELFARE FIELD Thomas Pickrell & Mitchell Horwich	111
TANGLING WITH ENTANGLEMENT: TOWARD A	
Constitutional Evaluation of	
Church-State Contacts	143
SHELTON COLLEGE AND STATE LICENSING OF RELIGIOUS SCHOOLS:	
An Educator's View of the Interface Between the	
ESTABLISHMENT AND FREE EXERCISE CLAUSES	169

Views expressed in articles published in this periodical are to be attributed to their authors and not the periodical, its editors, or Duke University.