

1998

Agenda: The Religious Lawyer in a Religiously Pluralist Society: Group #1

Recommended Citation

Agenda: The Religious Lawyer in a Religiously Pluralist Society: Group #1, 66 Fordham L. Rev. 1589 (1998).

Available at: <http://ir.lawnet.fordham.edu/flr/vol66/iss4/40>

This Article is brought to you for free and open access by FLASH: The Fordham Law Archive of Scholarship and History. It has been accepted for inclusion in Fordham Law Review by an authorized editor of FLASH: The Fordham Law Archive of Scholarship and History. For more information, please contact tmelnick@law.fordham.edu.

AGENDA:

THE RELIGIOUS LAWYER IN A RELIGIOUSLY PLURALIST SOCIETY

Group #1

Overall concerns —

Even in a religiously pluralist society it is sometimes appropriate to introduce one's personal and privately held religious beliefs into the work of lawyering.

I. Profession Norms

In light of our national commitment to protect religious pluralism,

- A. Is it in the public interest that the legal culture and its rules favorably view the desires of individual lawyers to align their practices with religiously grounded moral principles?
 - Example: Under what circumstances should a religious lawyer be exempted, based on religiously grounded moral principles, from court ordered representation?
- B. Is there an intelligible distinction between religiously grounded moral principles and those moral principles that are not religiously grounded?
 - Example: Should a lawyer be exempted, on the basis of moral principles which are not religiously grounded, from court ordered representation?
- C. What about lawyers whose moral principles are not religiously grounded?
- D. How should a religious lawyer represent (e.g. counsel and advocate the cause of) a client who may or may not share, or desires to act inconsistently with, the lawyer's moral principles?

II. Religious Community

- A. What role should the Religious Community play?
- B. How can the Religious Community become more responsive to the Religious Lawyer's need for moral guidance?

III. Divinity Schools, Universities & Law Schools

In light of our national commitment to protect religious pluralism,

- A. How can law schools best use other academic disciplines, for example religious studies, to help understand religion and religious pluralism?
- B. How can law schools better encourage critical thinking about the meaning and moral significance of the lawyers work?
- C. How can law schools better socialize law students into a legal culture hospitable to religious principles, character and conduct?