Winnifred Fallers Sullivan and Lori G. Beaman (eds.)

When first asked to review this book, my first reaction was thinking that I was in for an easy reading. As a student in law and religion I have read, studied or somehow come upon many collections and monographs on establishment, or dis-establishment. Comparative analysis on countries or methods abound in the field. As soon as I started reading the book I immediately understood that I was in for a surprise.

In the introduction to the volume the editors, Winnifred Fallers Sullivan and Lori G. Beaman, state their concerns and goals for this interesting, and for now unique, volume. A first, maybe naïve, remark is the idea that the book seeks to “destabilize the notion [of establishment] that there is one model to which all must subscribe”. Legal scholars are aware of the different varieties and indeed there rarely are works that promote a one-solution-fits-all. It is the following remark that makes this book a compelling and fresh work. The editors idea is “to question the notion that dis-establishment is an essential tool in the religious diversity and religious freedom toolkit”, furthermore “to de-couple dis-establishment and separation of church and state, often seen as necessary for religious freedom and imagined as only being possible in the context of political secularism”.

From a secular legal perspective such as mine I was compelled to read on. The three part structure of the volume is evidence of the attentiveness of the editors, a division that well organizes the volume and helps to avoid the unfortunate clutter of too many edited volumes.

In the first part the editors organize a theoretical perspective on establishment, or rather on the relation between law and religion. The first two contributions give us an interesting historical and philosophical perspective. Robert A. Yelle’s work is an excursion in the histories, legal and religious, of India, a case study rarely present in Western works and of extreme interest for any law and religion scholar. Yelle further enhances his chapter with a comparative analysis between Hinduism and early Christianity and early Reformation, sketching a historical evolution of the secular and sacred concepts.

The second contribution, by Benjamin L. Berger, is a philosophical perspective. Berger analyses the *aesthetics of religious freedom*, adopting the Kantian concept of aesthetics he explores the importance of the two main intuitions, space and time, underlining their importance not only for understanding law, but for understanding the relationship between law and religion.
Without implying that aesthetics should be in any way the exclusive or principal method of investigating law’s rule, Berger makes a clear case on how this approach could and does enrich the study of law and religion, especially any theoretical or philosophical study.

The third and final contribution of this first part concentrates on Hawaii. This chapter has the double merit of bringing to the attention of law and religion scholars both the peculiar situation of church-state relations in Hawaii, a unique case for the U.S., and the nuances that emerge when we consider indigenous rights in the debate on church-state relations. The author, Greg Johnson, makes an interesting distinction between three distinctive approaches to establishment: statutory establishment, the legal mechanisms/norms that regulate church-state relations; structural establishment, when the State incorporates the religious by, for example, employing Hawaiians in certain entities; and naturalized establishment, an idea that comes close to the concept of civil religion, a comparison Johnson does not make but implies when defining naturalized establishment. With these three distinctive modes of establishment the author sketches the peculiar situation of Hawaii, a U.S. state where the dis-establishment clause finds some unique limits. These limits stem from the local history and, maybe more interestingly, from the role and importance given to indigenous traditions. This perspective on indigenous relations, notwithstanding the clarity of Johnson’s chapter, would deserve much more space and a deeper analysis for the benefit of the discipline.

The second part of the volume, titled “Retelling Religio-Legal Histories”, brings us to the well trudged and known terrain of current Church-State relations. As per the title, the editors manage to give us some particular and fresh perspectives with these contributions. The first contribution, by Peter Beyer, and a following one by Mark McGowan, concentrate on the Canadian experience. The first author, Beyer, portrays an interesting evolution of Canada from a “Westphalian” modelling of church-state relations to the modern “post-Westphalian” evolution. He sees a “normalization” of religion, a concept that he defines as the non-exclusiveness of the religious, of its transformation towards an area where the State may intervene. While giving us an interesting historical overview and a sketch of current Canada, the author, deliberately, leaves us with some important and open questions.

McGowan’s contribution focuses the reader’s attention on the particular case study of Canadian airwaves. The chapter, I must admit, resonated with me given my Italian origins. As someone grown up in Italy, a presumed secular State, where the Holy Mass is broadcasted every Sunday morning on a State channel, I found the Canadian experience of particular interest. McGowan’s