

Religion and Law

a perfect blend in the classroom

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by Laura E. Abing

Religion and law: in our society, these can be like oil and water. But Professor Alan Madry blends them in a fascinating way in his seminar, *World Religions and Law*, a course allowing students to explore the role that law, virtue, and virtuous people play in the world's leading religious traditions.

Educated in a Catholic grade school and Jesuit high school, Madry became interested in world religions and cultures in the eighth grade, when his mother bought him a book

on yoga to help him stay active while recovering from rheumatic fever. A new fever burned throughout his college years at the University of Michigan, where he read seminal books such as *The Three Pillars of Zen* and heard Alan Watts, a renowned authority on eastern and western religions and philosophies. Madry's interests led him to an undergraduate minor in anthropology. Given that he had studied human cultures in many of their facets, it was not a far stretch for Madry to contemplate the human construct

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of law. In addition to his J.D., Madry also has an M.A. in philosophy and at Marquette teaches, among other things, legal philosophy and constitutional law.

Madry's education was a seemingly natural intellectual progression, but he admits that after becoming a professor of law, "I felt I had my career on one side and on the other was my fascination with cultural diversity, particularly world religions." Oil and water?

Not so, thanks to a grant opportunity in fall 2001. Marquette's Office of Mission and Identity called upon faculty across campus to develop courses acquainting students with different world cultures. Madry eagerly answered the call, recognizing it as an occasion to blend his dual passions for law and religion. He recounts, "I particularly thought about what seemed to me to be an obvious fact: no matter how much law a community has, that community cannot possibly promote the well-being of its members if the members themselves are morally weak or corrupt—mired in narrow self-centeredness, greed, materialism, dishonesty, etc. Religion is the most powerful reminder that there is something more."

The Office of Mission and Identity agreed; Madry was awarded a grant and developed the seminar over the next year. He worked to make his course different from other courses in law and religion that most American law schools offer—including

Marquette. "The common focus," Madry explains, "is how law in this country deals with religion, either matters of religious liberty or legal and quasi-legal disputes among members of a religious community. Within these parameters, our Constitution has been interpreted to drive a wedge between religion and public governance. That perspective, coupled with the vast diversity

of religions in the United States, makes religion largely a private matter."

Madry sought to shift this focus. The essence of his course would be to commingle law and religion. Madry wanted his students—and himself—"to see how religion plays a larger role in community and uses the legal system where the community is religiously homogeneous and religion is not confined to the personal sphere."

This was the framework of the seminar he first offered to 14 students in fall 2003. As a significant component of the course, distinguished members of Wisconsin's religious community came to class and talked about their respective faiths and the place law occupies in their religions. The guest speakers included Rabbi David Cohen of Congregation Sinai, Dr. Erdogan Gurmen, one of the founders of the Islamic Center in Milwaukee, and Father Richard Sherburne, S.J., who represented the Christian tradition as the Law School's own chaplain but also spoke as a respected scholar of Buddhism. Madry

remarks, “Their presentations wonderfully fulfilled the purpose of the original grant—to help our students appreciate the depth and dignity of all of these great traditions.”

Classroom encounters with religious experts and forays into other traditions, including Hinduism and Taoism/Confucianism, stirred thoughtful discussion and contemplation intended to help the students as they prepared research papers. “One of the most rewarding aspects of teaching this course,” Madry shares, “was being able to work with the students on a whole raft of fascinating topics. Students wrote about early Puritan societies in the United States, the introduction of the Shotoku Constitution in early seventh-century Japan, marriage law among the Inuit Indians of North America, Caesar Augustus’s introduction of morality laws in first-century Rome, and Old Testament foundations of environmental protection. And the papers were easily among the best that students have ever submitted in any class I’ve taught.”

Madry chalks this up to the students’ overwhelming enthusiasm. “I was touched by and proud of their discussions with our visitors. The students rose to the occasion and asked interesting and penetrating questions, obviously respectful and deeply interested.” Yet Madry was most struck by conversations that went on after class. He explains, “For many of these students, their faith is central to their lives, framing every issue and every significant decision. There was rarely a class when I didn’t stay for at least an additional hour chatting with a varying group of students, sometimes just one or two, about how what we had discussed earlier in class bore on their own experiences and beliefs.” Madry concedes that he himself was learning—something he feels he has not fully experienced since he was a student.

Perhaps this seminar sounds more like a philosophy or sociology graduate seminar than a course for preparing tomorrow’s lawyers. But Professor Peter Rofes, one of Madry’s col-

leagues who attended a session on Judaism, believes the seminar is among the many classes Marquette Law School should be offering. He observed, “The course looks to me as if it surely will produce lawyers more knowledgeable about and more sensitive to both law and religion.” Beyond the practical benefit, Rofes sounds a broader theme: “It is a course that to my mind embodies how a religiously affiliated law school best proves faithful to its multiple missions.”

Madry echoes these sentiments. Commenting on the opportunity to intermingle religion and law in the classroom, he says, “This is one of the clear pleasures of teaching at a

Jesuit school—that faculty and students can freely talk about their religions as important touchstones in their lives. I don’t think that people could be so open in a public institution.” This statement perhaps takes on heightened meaning when considering that last fall’s seminar was likely as diverse as a class at any public law school: two students were Muslim, several were Christian, a few were thoughtfully agnostic, and at least two in the group were well versed in eastern religions.

The seminar thus is not only a successful intellectual blend of religion and law but also a reflection of Marquette’s mission to promote academic excellence and knowledge within the distinctive context of its Catholic, Jesuit identity. It is this identity that extols the value of faith—regardless of tradition—and the importance of faith’s role in society.

Given the seminar’s appropriateness and inaugural success, the Law School has made it part of the regular curriculum. Professor Alan Madry will have the pleasure of teaching the seminar every other year, alternating it with his course on enforcement of constitutional rights. Indeed, he intends to teach World Religions and Law for the remainder of his career. And why not? Oil and water can mix well. •

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—Professor Alan Madry



From discussing different religious traditions in the classroom to making a difference in the world

In addition to triggering two new research projects that focus on diversity, Professor Madry's seminar has led to a life-changing experience for him that will positively change the lives of others in a remote part of east-central India.

In 2003, Madry was discussing the seminar and related ideas with a friend, who is the chairman of the Karunamayi Foundation. Sanskrit for "Mother of Compassion," the Karunamayi Foundation was organized in the United States to raise money in support of a sister organization in the Indian state of Andhra Pradesh. The two foundations are committed to bringing health care and education to villages where food, shelter, and clothing are meager at best. Electricity and phones have been luxuries in this agriculturally based society plagued by a four-year drought and all but forgotten by the twenty-first century.

Stirred by the region's devastating poverty and driven by his fascination with cultural diversity, Madry seized an opportunity to travel to Andhra Pradesh in late 2003. He attended an international conference at the Ashram (monastery) connected to the foundation's efforts. The conference allowed Madry to explore the spiritual concepts of Dharma and to better understand the Indian legal system. He also worked with the foundation, seeing firsthand the mind-numbing poverty of the villagers.

Madry saw how, thanks to the Karunamayi Ashram, religious institutions—not government—are spearheading efforts to provide electrical and phone service to villagers for the first time and to build a tribal school serving 230 children. A hospital is under construction to serve people who otherwise would have no health care of any kind. But the drought has lowered the water table, halting the project temporarily while funds must be raised to build a system for bringing in water from a nearby canal. Despite the setback, the Ashram is sending volunteers into the villages to conduct simple health classes and screen children for eyeglasses and childhood diseases. This is an area where polio, leprosy, and rickets—diseases that largely have been eradicated in the West—are not uncommon.

"My experiences with the villagers and at the conference," Madry describes, "are among the most profound of my life, intellectually and spiritually." The impact has been so great that he intends to return to India once a year. Madry also has become a member of the foundation's board, actively seeking to raise support that truly will make a difference in the world.

Professor Madry would welcome the opportunity to discuss his undertakings and can be reached at 414-288-5374 or at alan.madry@marquette.edu. •