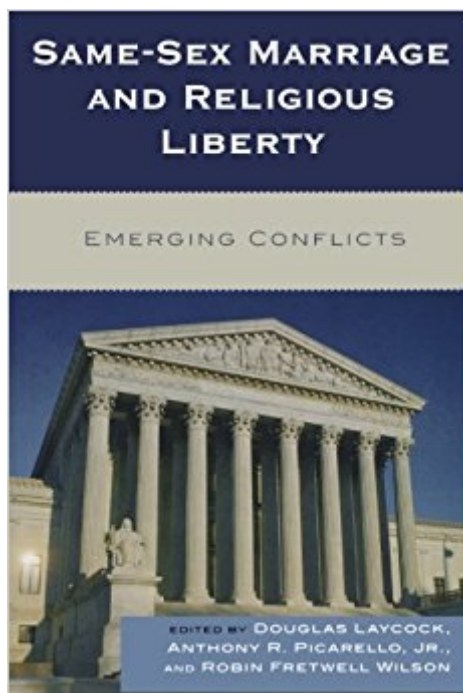


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# Same-Sex Marriage And Religious Liberty: Emerging Conflicts



## Synopsis

Same-Sex Marriage and Religious Liberty explores the religious freedom implications of defining marriage to include same-sex couples. It represents the only comprehensive, scholarly appraisal to date of the church-state conflicts virtually certain to arise in many spheres of law as a result of the legal recognition of same-sex marriage.

## Book Information

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## Customer Reviews

Detailed analyses. . . . Instructive and provocative. . . . Essays in this book promote thoughtfulness. (Journal of Law & Politics, February 2009) These smart and wise essays map and illustrate the main battle lines between two of our most cherished rights—the right to worship the God we fear and the right to marry the one we love. Drawing on the best constitutional, comparative, historical, and social science lore, the authors work hard to define the hard issues, to defuse the false charges, and to discern the best methods for bringing religious liberties and marital rights into greater concordance. Specialists and novices alike will much learn from these pages. (John Witte Jr.) Governments cannot be neutral in the coming clashes between those whose religious beliefs deem homosexual conduct immoral and those who believe that gay and lesbian people deserve to live openly and safely with the same regard and protections accorded others. The fair-minded authors in this volume identify emerging legal and policy choices as governments negotiate these clashes and in so doing, illuminate contrasting visions of liberty and equality embedded in current and potential legal doctrines. Each chapter and the judicious afterword by Douglas Laycock deserve close attention by policy-makers, advocates for religious communities, advocates for

lesbian-gay-bi-sexual-transgender communities and lovers of liberty anywhere. (Martha Minow, Harvard Law School) A scholarly, thoughtful, and well-written collection of essays from leading thinkers in the field is a must for anyone interested in religious liberty, gay rights law, or both. Coeditor Doug Laycock, one of the top religious freedom scholars in the nation, characterizes the essays well in his afterword: they are an "oasis of reasoned discourse amidst all the conflict," and people on all sides of the same-sex marriage debate have much to learn from them. (Eugene Volokh, UCLA School of Law) Will the recognition of same-sex marriage create serious burdens on the religious liberty of those who object to such marriages? Can those burdens be avoided by reasonable rules of law? This book offers the first sustained exploration of these important questions and reveals the diversity of views on how to balance these two powerful concerns. (Andrew Koppelman, Northwestern University School of Law) *Same-Sex Marriage and Religious Liberty: Emerging Conflicts*, a thought-provoking book of six chapters by as many authors, examines likely and potential conflicts facing faithful Christians and Jews if (or as several authors believe, when) same-sex 'marriage' becomes legal. Very good book. (National Catholic Register, August 2009) *Same-Sex Marriage and Religious Liberty* is an indispensable new book . . . Eventually, proponents and opponents of same-sex marriage will need to have a conversation about their shared interest in a society that ensures room for dissent from majoritarian norms. Consider this book the conversation-starter. (Commonweal, October 2009)

Douglas Laycock is the Yale Kamisar Collegiate Professor of Law at The University of Michigan. He is a prolific scholar on religious liberty, other constitutional law issues, and the law of remedies. He is also an experienced appellate litigator, including in the Supreme Court of the United States. He is a graduate of Michigan State University and of The University of Chicago Law School, a fellow of the American Academy of Arts and Sciences, and a member of the Council of the American Law Institute. He taught at The University of Chicago and The University of Texas at Austin. Anthony R. Picarello, Jr. is general counsel for the United States Conference of Catholic Bishops in Washington, D.C. He organized the conference documented in this volume over the course of 2005 while serving as Vice President and General Counsel for the Becket Fund for Religious Liberty. He has lectured extensively on religious freedom law, and has published articles in the *First Amendment Law Review* and the *George Mason Law Review*. In January 2007, Anthony was named to *The American Lawyer* magazine's list of the top fifty litigators under age forty-five. Robin Fretwell Wilson is the Law Alumni Faculty Fellow and professor of law at Washington & Lee University, where her scholarship focuses on family law, children and violence, and healthcare law.

She is the editor of three recent books, including *Reconceiving the Family: Critical Reflections on the American Law Institute's Principle of the Law of Family Dissolution* (Cambridge University Press, 2006). Her work on family law and healthcare law has appeared in the *Cornell Law Review*, the *Emory Law Journal*, the *North Carolina Law Review*, the *San Diego Law Review*, and the *Washington & Lee Law Review*.

Great for class.

Excellent, thoughtful overview of the issues and the law. I highly recommend if you want to educate yourself on these issues - which are on the cutting edge of public policy

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