



# Liberty of Conscience: In Defense of America's Tradition of Religious Equality

By Martha Nussbaum



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A rich and compelling chronicle of an essential idea, *Liberty of Conscience* tells the story of America's great tradition of religious freedom. Philosopher Martha Nussbaum's ambitious book is both a work of history and a pointed rejoinder to conservative efforts to break down barriers between church and state.



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*By Martha Nussbaum*

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### Editorial Review

From Publishers Weekly

Starred Review. In this engrossing history of the religion clauses of the First Amendment, Nussbaum (*Cultivating Humanity*) makes a strong, thoroughgoing case for America as a haven of religious liberty for believers of all stripes. Beginning with an illuminating rehabilitation of Rhode Island founder Roger Williams as America's earliest defender of religious equality, Nussbaum continues by examining how Williams's ideals have been both upheld and abandoned throughout the nation's history. After detailing the adoption of the establishment and free exercise clauses, Nussbaum comments at length on how these fairly general, vague clauses have been fleshed out by more than two centuries of case law. Refreshingly, Nussbaum does not add to the acrimonious cacophony around the idea of separation of church and state. Rather than pushing for strict separation, she argues for what philosopher John Rawls calls overlapping consensus, which echoes Williams's belief that citizens who differ greatly on matters of ultimate meaning can still agree to respect each other's liberty of conscience. Nussbaum writes engagingly and with generosity; her critiques, particularly those of opinions written by Justices Scalia and Thomas, are pointed but respectful, and she demonstrates warm regard for Supreme Court plaintiffs who have braved persecution as they have followed the dictates of conscience. (*Feb.*)

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From [Booklist](#)

Despite codification in the Declaration of Independence and the Constitution, the U.S. has long struggled with the concept of freedom of religion. Nussbaum, ethical philosopher at the University of Chicago, plumbs the historical, political, philosophical, and legal debates surrounding religious freedom. She recalls troubling times in U.S. history when, fueled by xenophobia, Americans—even the Supreme Court—acquiesced in some curtailment of the religious freedom of others, including suspicions and attacks against Catholics, Jehovah's Witnesses, Mormons, Seventh Day Adventists, and atheists. She explores issues surrounding the word God in the Pledge of Allegiance, gay marriage, prayer in school, the influence of Christian fundamentalism, and fear of Islamic fundamentalism. Nussbaum documents the ways, large and small, that the Bush administration has actually subverted religious freedom, from faith-based initiatives that flirt with favoritism to actual proselytizing by prominent officials. At a time of unprecedented religious diversity and tension within the U.S., this is a thoughtful and penetrating look at religious freedom. --Vanessa Bush

About the Author

**Martha Nussbaum**, one of the leading moral philosophers of our time, holds appointments in the Law School, Divinity School, and Philosophy Department at the University of Chicago and is a board member in the university's Human Rights Program. She is the author of twelve previous books on philosophy and ethics. Her book *Cultivating Humanity* won the Grawemeyer Award for Education. The recipient of twenty-two honorary degrees from universities around the world, she lives in Chicago, Illinois.

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