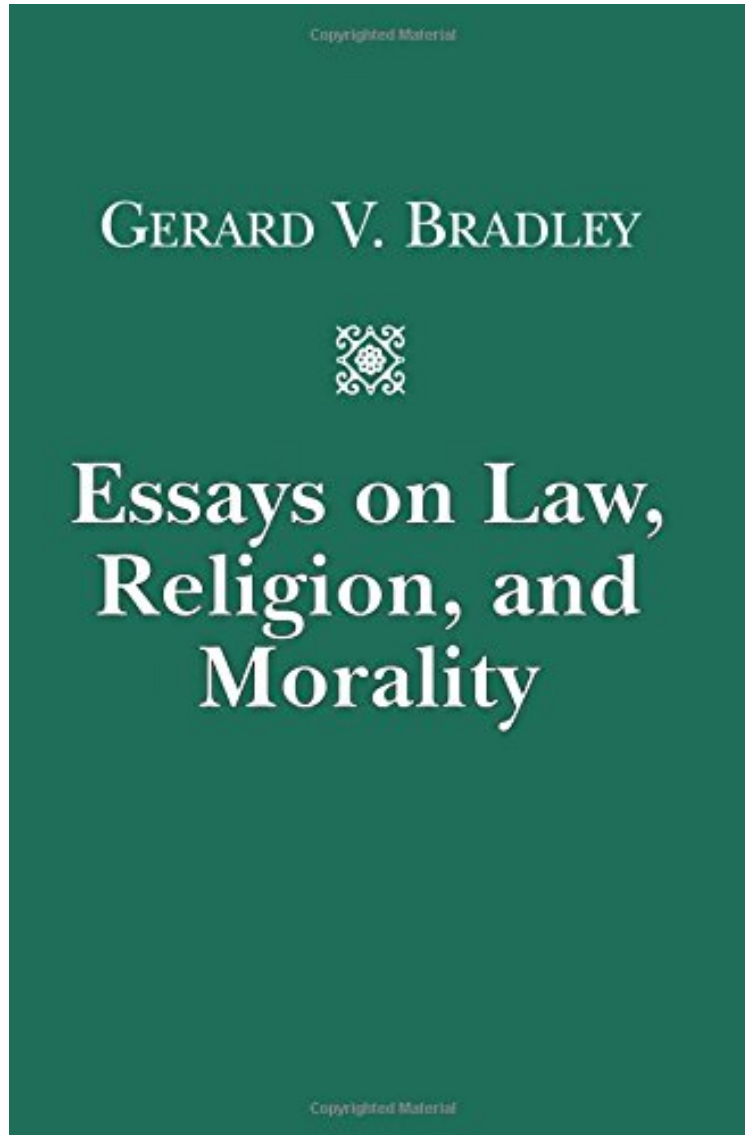


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Essays on Law, Religion, and Morality

Gerard V. Bradley

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0 of 0 people found the following review helpful. Readable rigorBy TKGerard Bradley consistently takes on some of the most difficult and central questions facing the public today. His treatment is as readable as it is scholarly, and a well-informed person simply must consider his viewpoint on the questions he discusses.

The most controversial foundational issue today in both legal philosophy and constitutional law is the relationship between objective moral norms and the positive law. Is it possible for the state to be morally neutral about such matters as marriage, the family, religion, religious liberty, and as the Supreme Court once famously phrased it the meaning of life? If such neutrality is possible, is it desirable? In this volume of essays one of our countrys leading constitutional lawyers answers no to both questions. In the first three chapters, Gerard Bradley investigates the central moral justification of punishment, the morality of plea bargaining, and how the criminal justice system should treat the family. These essays reflect both Bradleys decades as a teacher of criminal law as well as his earlier experience as a trial prosecutor in the Manhattan District Attorneys Office. The second triptych of papers has to do with the raging controversy over same-sex marriage, and the broader movement toward a socially sanctioned orthodoxy about sexual orientation of which the marriage movement is one part. These papers reflect the authors years of philosophical work on the marriage question, as well as his more practical experience as a popular debater and expert witness. Finally, Bradley takes up the questions of religious liberty and how our democratic polity should treat religion. These chapters cover the original meaning of the First Amendments Establishment Clause, the role of Catholicism in the post-World War II controversies over movie censorship as they played out in the Supreme Court, and emerging challenges to religious liberty in the 21st century.

About the Author Gerard V. Bradley is Professor of Law at the University of Notre Dame, where serves as Co-Direcor of the Natural law Institute and as Co-Editor of The American Journal of Jurisprudence. Bradley is also a Visiting Fellow at the Hoover Institution of Stanford University, and a Senior Fellow of the Witherspoon Institutue in Princeton, N.J. He was for many years President of the Fellowship of Catholic Scholars.