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December 26, 2012: One Man Promoting Gay Marriage And Religious Liberty

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Title: One Man Promoting Gay Marriage And Religious Liberty

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12/26/2012—Merry Christmas and Happy Holidays from snowy Pittsburgh. While many people are working to promote gay marriage in the US, and many more are trying to protect religious liberty, very few are working to promote both. One man who is, is Douglas Laycock, Professor of Law at Virginia and the single most influential voice in American law about all manner of church/state issues. I have been critical in this blog of Professor Laycock's views on religious symbolism. But now I must praise him for the rare and necessary work he is doing in terms of gay marriage. Professor Laycock leads a tiny group of law professors—I am one of them, but as far as I can see, he does all the work—who write to state legislators urging them to support gay marriage legislation containing broad protections for persons and even organizations that for religious reasons cannot recognize gay marriage. Professor Laycock's message is a simple one. To those who support gay marriage, he explains that rigorous religious exemption is the way to build political support for a controversial social change. All the legislation passed so far has contained some kind of protection for religious conscience. To those who oppose gay marriage, he explains that gay marriage is practically inevitable and therefore it is better to protect religious liberty than not to do so. Proponents of gay marriage need extra conservative votes to pass the legislation today and so are amenable to including religious protections. In the not so far future, they won't need those votes and past opposition from religious conservatives will not incline them to grant exemptions then. What is most impressive about the work that Professor Laycock is doing is that it does not seem to be motivated by tactics, either to gain gay marriage or to accomplish religious exemptions. Rather, Professor Laycock seems to me motivated by the hope for a future of common ground and mutual understanding. He seems determined to help both sides see the humanity of those they consider opponents. We can only hope that his larger goals can be realized.