



The Impossibility of Religious Freedom

By Winnifred Fallers Sullivan

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The Constitution may guarantee it. But religious freedom in America is, in fact, impossible. So argues this timely and iconoclastic work by law and religion scholar Winnifred Sullivan. Sullivan uses as the backdrop for the book the trial of Warner vs. Boca Raton, a recent case concerning the laws that protect the free exercise of religion in America. The trial, for which the author served as an expert witness, concerned regulations banning certain memorials from a multiconfessional nondenominational cemetery in Boca Raton, Florida. The book portrays the unsuccessful struggle of Catholic, Protestant, and Jewish families in Boca Raton to preserve the practice of placing such religious artifacts as crosses and stars of David on the graves of the city-owned burial ground.

Sullivan demonstrates how, during the course of the proceeding, citizens from all walks of life and religious backgrounds were harassed to define just what their religion is. She argues that their plight points up a shocking truth: religion cannot be coherently defined for the purposes of American law, because everyone has different definitions of what religion is. Indeed, while religious freedom as a political idea was arguably once a force for tolerance, it has now become a force for intolerance, she maintains.

A clear-eyed look at the laws created to protect religious freedom, this vigorously argued book offers a new take on a right deemed by many to be necessary for a free democratic society. It will have broad appeal not only for religion scholars, but also for anyone interested in law and the Constitution.

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Editorial Review

From [Booklist](#)

The First Amendment is stirring second thoughts among scholars wary of the social and legal consequences of religious liberty. Herself a witness for the plaintiffs, Sullivan recounts the tangled courtroom drama in a Boca Raton case in which a group of Catholic, Protestant, and Jewish families unsuccessfully sought a religious exemption to city ordinances prohibiting any vertical cemetery memorials (including upright crosses, statues, candles, and Stars of David). What emerges from Sullivan's carefully documented analysis of the case is the irreducible diversity of American religions-and the profound difficulty of accommodating such a wide range of beliefs, especially when individual convictions and practices diverge from official orthodoxies. Consequently, in reluctantly ruling against the Boca Raton plaintiffs, the judge voices perplexities now all too typical of American jurists trying to balance the rights of individual conscience against the demands of public order and democratic governance. *Bryce Christensen*

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Review

"A smart-and in the present circumstances, sobering-little book."--**Christopher Caldwell**, *Financial Times*

"Sullivan's book has the great virtue of placing abstract legal dilemmas in the concrete realities of everyday life."--**R. Laurence Moore**, *American Scholar*

"Scholars or lay-people intrigued by the status of religion in contemporary developed nations will find Sullivan's study very useful."--**John M. McTaggart**, *International Review of Modern Sociology*

"Drawing on her expertise in law and religion, Sullivan argues that religious freedom in America is impossible. . . . [She] succeed[s] in arguing that religious freedoms are not as free as one might think."--**Library Journal**

"Sullivan's examination of the judicial process is only one important aspect her book. The most important contribution is her discussion of the problems of how law defines religion and through its definition impedes religious liberty."--**Bryan K. Fair**, *Journal of Law and Religion*

From the Inside Flap

"This is a remarkably fine work that discusses the way religion is perceived and dealt with in the United States. The subject is of great moment not only in America but also in the world at large, and Sullivan has treated it with considerable analytical skill and ethnographic detail. The result is a powerful and convincing argument."--**Talal Asad**, City University of New York Graduate Center

"Provocative. Engaging. Valuable. Sullivan has created a kind of analytical triptych that captures some of the most important features of religions and law in the United States. It is a finely crafted portrait of an incredibly suggestive trial, a meditation on the political/legal status of folk religions in the United States, and a theoretical intervention into contemporary studies of religion jurisprudence."--**Jason Bivins**, North Carolina State University.

"*The Impossibility of Religious Freedom* is an astonishing book. Winnifred Sullivan once again demonstrates her flair for extracting a big lesson from a seemingly small event--in this book, a controversy over the

allowable style of grave markers in a public cemetery in Boca Raton, Florida. To the town, the issue was the ease of mowing the cemetery and making it look tidy; for the survivors of the dead buried in the cemetery the issue was the appropriate expression of religious faith. This case looks like a simple church-state controversy, but Sullivan (an expert witness in the case) deftly explains why the federal court and the First Amendment really cannot cope with the issues involved. Separating church and state requires defining what religion is. The devil here is in the definition. Sullivan offers an important challenge to the easy assumptions to the current propensity of federal courts to accommodate religion. What is religion anyway? Read this fascinating story to see how challenging that question is."--Stanley N. Katz, Princeton University

"Sullivan's exploration of unofficial religion is elegant, moving, uncompromising, and profoundly important. By examining religion literally from the ground up, it challenges all of the familiar pieties about religious liberty in America."--Philip Hamburger, author of *Separation of Church and State*

Users Review

From reader reviews:

Debra Richardson:

Information is provisions for individuals to get better life, information today can get by anyone with everywhere. The information can be a expertise or any news even a huge concern. What people must be consider when those information which is inside the former life are challenging to be find than now is taking seriously which one would work to believe or which one often the resource are convinced. If you obtain the unstable resource then you get it as your main information there will be huge disadvantage for you. All those possibilities will not happen with you if you take The Impossibility of Religious Freedom as the daily resource information.

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