Q & A with the Experts: Michael J. Perry

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Q: What attracted you to the Center?

A: The Center of course, is the most important center for the study of law and religion anywhere in the United States, in the world, as far as I know. And my work is directly concerned with issues of law, and morality, and religion, and human rights, so it was a natural for me.

It’s a dream for me to have the best center for the study of law and religion anywhere.

Q: Tell us about the roundtable series you lead for the Center.

A: We look for a book that is far enough along so that it can provoke interesting productive conversation, but that is not so far along that the conversation won’t be useful to the author.

So, we’re looking for maybe the penultimate draft of a manuscript and that’s terrific. We have philosophers, theologians, political theorist, academic lawyers sit around a table and discuss the work intensely and, I hope from the perspective of the authors of the work, productively. Actually, my most recent book was the subject of, I think, the third round table, a book called Toward Theory of Human Rights. And so, it was a terrific opportunity for me to present the penultimate drafts of the chapters to this variety of academics and see what they had to say about it.

Many of the same people attend the roundtable from year to year because they’re the best at what they do, and they’re now friends of the Center, and they understand what the roundtable series is about.

Q: How has being part of the Center affected your work?

A: Being at the Center has been a terrific thing for me because I tend to be relatively monkish in my style. Monk, as in trapist monk. Left to my own devices, I would rarely come out of my office. I don’t coauthor pieces. Everything I’ve ever written I’ve written by myself.

Unlike John Witte, I’m not at all entrepreneurial. John is not only a magnificent scholar, but entrepreneurial as well. So, this is sort of a marriage made in heaven. I come to Emory, I am a senior fellow of the Center, I am doing the work that I love to do, and John Witte appears at the door from time to time and says, “Michael, why don’t you think about doing this,” the
roundtable series for example, or “Why don’t you join us in this conference? Why don’t you play this role in this gathering?”

And so, he brings me out of my monk cell where I can talk with others about my own work, which is a terrific opportunity, but perhaps even more importantly, I have an opportunity to engage other scholars with respect of their work.

Q: How does the Center enhance the law school or its students?

A: The Center has had a very important affect on the law school. In particular, because students come here – some students come here, who would not otherwise come to Emory precisely because of the opportunities the Center provides. These are students who are getting both law degrees and graduate degrees in religion, whether of the department of religion here, the graduate department of religion, or more commonly at the Candler Divinity School.

And the Center has institutionalized that, so every year there are students who come here pursuing joint degrees. And those students are in all of the other classes that the other law students take, but they bring, I think, a unique perspective because of their interest in religion and theology.

I teach a course that has various names from time to time, but essentially it’s always a course about the relationship of law and morality, and morality and religion, and religion and politics, abortions, same sex unions, capital punishment.

And you can imagine what a difference it makes in those classes to have students who are up to speed with respect to their religious tradition, theology and the like, and contribute that perspective. So, it’s been very important to me.

Q: How do you think the Center has influenced Emory University?

A: I think that the fact that the Center for the Study of Law and Religion was already here and people could see the many wonderful ways in which it added to the life of the law school, the intellectual life of the law school, it made people much more open than they might have been.

And now, I think there’s an eagerness to think about other centers, maybe a center for law and health policy, which will bring us into a greater contact, more intimate and productive contact with the health sciences, which loom so large at Emory University. So, that’s an important way in which the Center has had an influence -- simply modeling how important interdisciplinary work can be and how successful a center can be in facilitating that work.

The two things the Center has been most successful at doing, first, identifying scholars who are doing important work that at least in some sense, can fit under the rubric of law and religion. In bringing them here to discuss their work, to interact with other scholars, that’s invaluable I think.
And then I think more concretely, the Center itself is responsible as I’m sure most of you know, for many, many books, I mean, hundreds of books I suspect have been produced under the auspices of the Center and its programs, which have been funded by Pew, Lilly, and so forth.

So, I think the two things I would emphasize are the identification of those who are doing relevant important work, bringing them together to interact with one another, and then, nurturing the discussions and the conversations to the point where actually many books and series of books are published, that would not otherwise be published. So, it’s a very concrete contribution.

**Q: What role does religion play in your scholarship?**

A: I am very interested in the work of the United States Supreme Court and especially interested in what it has to say about issues that involve religion, and the relationship of law and religion, and law and morality. It’s hard to think about those constitutional issues without beginning to think about the relationship with morality and law. And when you begin thinking about the relationship of morality and law, it seems to me a very short step to be thinking about the relationship of law and religion, or morality and religion, law and morality in a religion because for most Americans, not in the academy, but in the real world, for most Americans, their moral views are imbedded in a set of religious views.

So, their moral views are religiously grounded. So, I don’t know how you think about the proper role of morality in the law and politics of the United States or any other liberal democracy without thinking very quickly about the proper role of religiously grounded moral beliefs in the law and politics of the liberal democracy.

**Q: What issues are most important for the Center to address in the next 25 years?**

A: Our society’s becoming much more diverse religiously, so we’re called to be tolerant of and treasure religious liberty across a much broader range now than before. It’s one thing when it’s just other protestant denominations, that’s a challenge, but the challenge I want to emphasize right now is that there are many people in our society, a growing number of people in our society, their consciousnesses are not going to be religious consciousnesses in any traditional self-conscious way.

These are going to be people who have deep convictions about many matters, but they’re not going to identify themselves as members of a particular religious tradition, certainly not as members of a church, of an institutional church. And so, I think that as just in the past we have tried to understand, we’ve treasured and tried to understand, the importance of a right to freedom of religious practice, we need to broaden that and think about a right to freedom of moral practice.

And I think the implications of that right at least in our political culture could be quite profound in terms of reorienting the way we think about people who live their lives differently from the ways some of us would live our lives. I mean, this issue of same sex unions for example, same sex marriage -- the generation of our students are much more accepting of that development than
their parents are, but I think still the people that call the shots in our society at the moment are their parents.

And I’m struck by how little sympathy there is for the fact that we’re dealing with people who have moral convictions about how it is important for them to live their lives. How it is good or right for them to live their lives and how little patience people have with the importance of letting people live authentically, so long as they don’t harm the common good, the commonweal.

So, this is a long-winded answer, but I think that we need to be thinking more broadly, not about our right to freedom of religious practice, but a right to freedom of moral practice and how we might understand and institutionalize that in our politics and our political culture.

Q: Any other important focus areas for the future?

A: I think in the next 25 years, the Center will do well to bring a wider range of religious voices to the table. I’m thinking in particular about Buddhist, Hindu voices, the religions other than religions of the book, the Abrahamic religions. So, that it seems to me, is a Challenge the center faces and needs to think very concretely about.