



## Foreordained Failure: The Quest for a Constitutional Principle of Religious Freedom

By Steven D. Smith

Oxford University Press Inc, United States, 1999. Paperback. Book Condition: New. Revised ed.. 229 x 154 mm. Language: English . Brand New Book \*\*\*\*\* Print on Demand \*\*\*\*\*. Ever since the Supreme Court began enforcing the First Amendment's religion clauses in the 1940s, courts and scholars have tried to distill the meaning of those clauses into a usable principle of religious freedom. In this highly original work, Smith criticizes the main positions in the debate and explains their misconceptions. He argues that efforts to find a principle of religious freedom in the original meaning are fruitless because the clauses were purely jurisdictional in nature: they were meant to place authority over questions of religion with the states, and nothing more. Contending that the perennial quest to distill religious freedom into a principle, is futile, Smith advocates a fundamental reassessment of the premises upon which courts have proceeded in this area.



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