



From Disgust to Humanity: Sexual Orientation and Constitutional Law (Inalienable Rights Series)

Martha C. Nussbaum

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A distinguished professor of law and philosophy at the University of Chicago, a prolific writer and award-winning thinker, Martha Nussbaum stands as one of our foremost authorities on law, justice, freedom, morality, and emotion. In *From Disgust to Humanity*, Nussbaum aims her considerable intellectual firepower at the bulwark of opposition to gay equality: the politics of disgust.

Nussbaum argues that disgust has long been among the fundamental motivations of those who are fighting for legal discrimination against lesbian and gay citizens. When confronted with same-sex acts and relationships, she writes, they experience "a deep aversion akin to that inspired by bodily wastes, slimy insects, and spoiled food--and then cite that very reaction to justify a range of legal restrictions, from sodomy laws to bans on same-sex marriage." Leon Kass, former head of President Bush's President's Council on Bioethics, even argues that this repugnance has an inherent "wisdom," steering us away from destructive choices. Nussbaum believes that the politics of disgust must be confronted directly, for it contradicts the basic principle of the equality of all citizens under the law. "It says that the mere fact that you happen to make me want to vomit is reason enough for me to treat you as a social pariah, denying you some of your most basic entitlements as a citizen." In its place she offers a "politics of humanity," based not merely on respect, but something akin to love, an uplifting imaginative engagement with others, an active effort to see the world from their perspectives, as fellow human beings. Combining rigorous analysis of the leading constitutional cases with philosophical reflection about underlying concepts of privacy, respect, discrimination, and liberty, Nussbaum discusses issues ranging from non-discrimination and same-sex marriage to "public sex." Recent landmark decisions suggest that the views of state and federal courts are shifting toward a humanity-centered vision, and Nussbaum's powerful arguments will undoubtedly advance that cause.

Incisive, rigorous, and deeply humane, *From Disgust to Humanity* is a stunning contribution to Oxford's distinguished *Inalienable Rights* series.

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