

SHANNON GILREATH

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Wake Forest University

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TEACHING

Primary Courses: Constitutional Law (Individual Rights & Liberties); Sexual Identity and the Law; Gender and the Law; Pornography & Free Speech; Freedom of Religion; Insurance Law; Introduction to Women's and Gender Studies

SCHOLARSHIP

Books and Parts of Books

- *The End of Straight Supremacy: Realizing Gay Liberation* (Cambridge University Press, Forthcoming, 2011).
- *Sexual Identity Law in Context: Cases and Materials* (West, American Casebook Series, 2007) (with updates). (2nd ed., forthcoming, 2011)
- *Sexual Politics: The Gay Person in America Today* (University of Akron Press, Law, Politics, and Society Series) (2006). ALA Stonewall Prize for Gay/Lesbian Non-fiction Nominee; Lambda Literary Foundation Notable Book (non-fiction); Scribes Prize Nominee.

Representative Reviews of Sexual Politics:

This brave and honest book calls gay Americans and Americans generally to resistance to the injustice of American homophobia that blights our religion, our politics, and our constitutionalism. Its moving personal story and compelling analysis call for the importance of a more open gay voice as an urgent imperative of a personal and political life based on the values of justice all Americans share.

—**David A.J. Richards, Edwin D. Webb Professor of Law
New York University**

The perspective Gilreath brings to bear--the horizon from which he speaks--is quite distinctive. Though the literature of gay and lesbian studies is growing exponentially, I am aware of no other book quite like this one: thoughtful, passionate social commentary with elements of a memoir added for good measure . . . Gilreath's book should be read by anyone who wants to think about "the gay person in America today."

—**Michael J. Perry, Robert W. Woodruff Chair in Law
Emory University**

Gilreath offers a timely retrospective and call for future action in this brilliant and provocative study of gay Americans' interaction with contemporary politics and culture. He brings an important new voice to the field.

—**Bryan H. Wildenthal, Professor, Thomas Jefferson School of Law
(San Diego)**

In his solid analysis of the contradictory status of "the gay person" in the United States at this moment, and the strategies that might advance the cause of social and legal equality, Shannon Gilreath shows himself to be well-armed with both knowledge and political passion, and with a gift for finding the right word.

—**Harvard Gay and Lesbian Review**

- “Constitutional Status of Gay Marriage,” in Michael K. Curtis, J. Wilson Parker, et al, *Constitutional Law in Context* (Carolina Academic Press, 2010) (and 3rd ed.).
- “Same-Sex Marriage and Religious ‘Liberty’: A Collision Course,” in Simeon Ilesammi, et al, *The Rule of God and the Rule of Law* (University of Virginia Press, 2012, forthcoming).

Law Journal Articles

- Patriarchal Religion, Sexuality, and Gender: An Introductory Essay (criticizing “new natural law” theory and introducing the inaugural symposium of the Wake Forest Journal of Law and Policy, forthcoming, 2011).
- [Against Same-Sex Marriage](#) (my portion of a published debate with Professors Nelson Tebbe and Deborah Widiss, published as Shannon Gilreath, Debate, *The Argument for Same-Sex Marriage*, 159 U. PA. L. REV. PENNUMBRA 21 (2010) (available at <http://www.pennumbra.com/debates/pdfs/Marriage.pdf>).
 - Nominated for the 2011 Law and Society Association's Article Prize
- [Not a Moral Issue: Same Sex Marriage and Religious Liberty](#), 2010 U. Ill. L. Rev. 205 (2010).
- [Some Penetrating Observations on the Fifth Anniversary of *Lawrence v. Texas*: Privacy, Dominance, and Substantive Equality Theory](#), 30 *Women’s Rights Law Reporter* 442-478 (2009).
- [“Tell Your Faggot Friend He Owes Me \\$500 for My Broken Hand”: Thoughts on a Substantive Equality Theory of Free Speech](#), 44 *Wake Forest Law Review* 557-615 (2009). I also chaired the symposium of which this article was a part: “Equality-based Perspectives on the Free Speech Norm: 21st Century Considerations.”
- [Transforming Teenagers into Sex Felons: The Persistence of the Crime Against Nature after *Lawrence v. Texas*](#), 43 *Wake Forest Law Review* 155-221 (2008) (with Michael Kent Curtis).

- [Sexually Speaking: “Don’t Ask, Don’t Tell” and the First Amendment after *Lawrence v. Texas*](#), 15 *Duke Journal of Gender, Law, and Policy* 127-193 (2008).
- [Of Fruit Flies and Men: Rethinking Immutability in Equal Protection Analysis—with a View toward a Constitutional Moral Imperative](#), 9 *Journal of Law and Social Change* 1 (2006).
- [The Technicolor Constitution: Popular Constitutionalism, Ethical Norms, and Legal Pedagogy](#), 9 *University of Texas Journal on Civil Liberties and Civil Rights* 23-44 (2003).
- [Cruel and Unusual Punishment and the Eighth Amendment as a Mandate for Human Dignity: Another Look at Original Intent](#), lead article, 25th Anniversary edition, 25 *Thomas Jefferson Law Review* 559-592 (2003).

Representative Essays and Op-eds

- Know Thine Enemy, *PRIDE and Equality Magazine* (Jan./Feb. 2006) (discussing Gay service men and women in the Iraq war effort).
- Why Marriage? *PRIDE and Equality Magazine* (July/August 2005) (discussing the importance of civil marriage to the socio-legal status of Lesbian and Gay Americans).
- First Amendments, *New Humanist Magazine*, Vol. 120, no. 3, 10-11, May/June 2005 (discussing the intermingling of religion and American politics).
- Gay Rights and the Religious Right (and Left?), *Whosoever Magazine*, Vol. 9, No. 5, March 2005.
- Outing Sponge Bob: The Mis-Education of America’s Gay Youth, *Queer Day*, February 21, 2005.

Representative Lectures and Presentations

- Introduction and Chair, Symposium: “Patriarchal Religion, Sexuality, and Gender” (the inaugural symposium of the Wake Forest Journal of Law and Policy), October, 2010.
- “What Gay Pride Means to Me,” Keynote Address, North Carolina Pride Celebration, Durham, NC, September, 2010.
- “Litigation Strategies of Successful LGBT Youth Advocacy,” Annual Meeting of the LGBT section of the American Bar Association (“Lavender Law”), August, 2010, Miami, Florida.
- “Radically Gay: Stonewall & Recalling What Gay Liberation Forgot,” November, 2009 (Keynote address, Conference for the Fortieth Anniversary of the Stonewall Riots, Pace University, New York City).

- “Pornography, Prostitution, and Inequality,” October, 2009 (Talk at the Sixth International Conference on Prostitution, Sex Work, and Human Trafficking, University of Toledo, Toledo, Ohio).
- “Same-Sex Marriage and Religious Liberty,” April, 2009 (A Debate with Professor Robin Wilson, Washington and Lee Law School) (for the Federalist Society).
- “The Rights of Gay Youth: A Talk to Teachers,” April, 2007, University of North Carolina-Greensboro.
- “The New Equal Protection” (based on *Of Fruit Flies and Men* (above)) March, 2007, Presentation at University of North Carolina Law School.
- “Sexual Politics and the Law,” keynote address (based on *Sexual Politics*), March, 2007, University of Akron, Akron, Ohio.
- “Why Gay Rights Matter,” Lecture Series (5 lectures) sponsored by the Equality North Carolina Foundation, 2006.
- “Will the Courts Set Us Free?” Continuing Legal Education Panel Discussion, with Prof. John D’Emilio, March 17, 2006, Durham, North Carolina.
- “Founding Fictions: Politics, Equality, and the Disappearing American Past,” lecture for the Canterbury Club of NYU presented at New York University, December, 2004.