

Judge Neil M. Gorsuch: Social Issues

- Judge Gorsuch has a solid record with respect to the protection of life and religious liberty and has been unafraid to take potentially controversial positions.
 - He wrote a [book](#) arguing that “human life is fundamentally and inherently valuable” and that “the intentional taking of human life by private persons is always wrong.”
 - In the [Hobby Lobby](#) case, he not only sided with Hobby Lobby in holding that Obamacare’s contraception mandate violates the religious beliefs of closely held corporations, he went even further in his own separate opinion where he wrote that the individual owners and directors likewise had valid religious freedom claims.
 - And in [Little Sisters of the Poor](#), Gorsuch defended the right of the nuns not to be forced to participate in actions related to Obamacare that violated their religious beliefs.
 - In [American Atheists v. Davenport](#) and [Green v. Haskell County](#), Gorsuch opposed decisions to prohibit memorial crosses and Ten Commandments displays in public spaces, arguing that the government has no right to prevent this religious expression.
- In his ten years on the bench, Judge Gorsuch has consistently and eloquently demonstrated adherence to [originalism, textualism, and our Constitution's system of checks and balances](#) and has been cited as [the most natural successor to Justice Scalia](#).
 - SCOTUSBlog says that “[l]ike Scalia, Gorsuch also seems to have a set of judicial/ideological commitments apart from his personal policy preferences that drive his decision-making. He is an ardent textualist (like Scalia) ... he is skeptical of efforts to purge religious expression from public spaces (like Scalia); he is highly dubious of legislative history (like Scalia); and he is less than enamored of the dormant commerce clause (like Scalia).”
- When the governor of Utah defunded [Planned Parenthood](#) because of videos showing them selling baby body parts and the majority of the Tenth Circuit sided with Planned Parenthood, Gorsuch dissented and forcefully argued that the court had reinvented the law to give Planned Parenthood the relief it sought.
- In 2005 he wrote a [National Review article called Liberals’ n’ Lawsuits](#) that criticized the left for constantly running to the courts to settle hot-button social issues, including same sex marriage.
 - “American liberals have become addicted to the courtroom, relying on judges and lawyers...as the primary means of effecting their social agenda on everything from gay marriage to assisted suicide...This overweening addiction to the courtroom...is bad for the country and bad for the judiciary.... Liberals may win a victory on gay marriage when preaching to the choir before like-minded judges in Massachusetts. But in failing to reach out and persuade the public generally, they invite exactly the sort of backlash we saw in November [2005] when gay marriage was rejected in all eleven states where it was on the ballot.”