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WHEN JUSTICE GETS RELIGION: THE ROLE OF THE ECCLESIA IN THE PUBLIC SQUARE

**work in progress summary
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INTRODUCTION

This work in progress is pointed toward publication of a book on the subject of religion in the public square. The focus envisioned for the book is applied theology: making explicit the theological issues embedded in various kinds of justice controversies in which religious communities might feel called to become involved. This focus would make the book neither a “how-to” manual for organizing the justice work of such communities nor a classically theological text on justice (*e.g.*, Walter Wink’s The Powers That Be). Rather, it would aim to provide guidance for religious communities in deciding which issues are worthy of their involvement and which postures of involvement appropriately express their distinctively religious character.

The impulse for such a book is my perception that for many churches, being a church in the public square entails, first, being a church, and second, being present in the public square, with nothing more. The “something more” that I believe is badly needed is engagement with justice work in a way that is true to the character of a religious community, rather than adopting the same patterns of engagement that secular contenders have followed.

OVERVIEW

The starting point for this treatment has to be to identify the salient intersections of religion and justice that seem likely to move a religious community to become involved in a justice controversy. Laying this foundation also makes it possible for the book to be valuable to the broadest possible range of religious communities. (Section I below)

With these conceptions in hand, the next step is to describe the range of views of religion in the public square observable in recent controversies. The best way to accomplish this is to identify the polarities of that range. On one end is the view often referred to as American civil religion, which seems to leave little or no active role for religious communities in justice controversies. On the other end is the view that there should be little or no distinction between the way religious communities comport themselves in such controversies and the way secular contenders do. (Section II below)

This review of the existing landscape sets the context for the view of religion in the public square the book would recommend. This view calls upon religious communities to be in the public square but not of it – to engage the secular world fully without surrendering to its rules of engagement. The most important contribution the book aims to make on this subject is to trace out the specific implications of this idea for how religious communities play their role in justice-making – for example, how they advocate so as to maintain their singular voice, whom they ally themselves with, and how they define success and efficiency. (Section III below)

The prescriptions offered for the “how” of justice work by religious communities will be of greatest value if they can be applied to apt “teaching examples” of current interest. The last portion of the book will consider such examples. (Section IV below)

I. KEY POINTS OF INTERSECTION BETWEEN RELIGION AND JUSTICE

This discussion of essential elements may strike Collegium members as too basic. The envisioned book needs to be rigorous and to pay sophisticated attention to existing scholarship on the subject. At the same time, its target audience is not scholars *per se*, but rather, religious communities struggling with decisions about whether and how to become involved in justice controversies. Part of the aim of the book is to urge greater attention to the connection between the theology of the religious community and the particulars of the justice work. That requires going back to the basics, over and over again, of why the “ecclesia” felt called out in the first place.

The “essential elements” discussion is designed to maintain some order and discipline in the ongoing dialogue the book aims to stimulate. Without it, the discourse is likely to have that Alice-in-Wonderland quality of every participant insisting that “religion and justice mean whatever I say they mean.” There is no such thing as a neutral “meta-description” of the essential elements of religion and justice. The intention of the description here nonetheless is to propose a shared understanding broad enough to make room at the table for all of the likely participants.

Focusing on the relevant essentials of religion and justice is also a necessary foundation for making a critical appraisal of what religious communities and others are actually doing in justice controversies. Some institutions act like religions even though not denominated as such; and some religions stray quite far from their essential religious character, even though they are denominated as such. To comment critically on these departures requires a basic conception of what makes religions religious and what makes justice justice.

A. Essential Elements of Religion That Intersect with Justice

There are at least four essential elements of any religion that seem particularly likely to cause a religious community to feel it should intervene in a justice controversy: (1) its view of human nature; (2) its view of the spiritual realm of the universe (what lies beyond the material realm); (3) its hierarchy of values; and (4) its spiritual practices. Other elements of religion may also intersect with justice – for example, particular aspects of its epistemology (view of faith as a form of knowing other than reason or science); teleology (view of the purpose of human life); missiology (particular way of using the gifts of its adherents to serve its values), and ontology (view of time and mortality). The four discussed here seem to deserve the most attention.

1. View of Human Nature. The first is its view of human nature. A religion that views human nature as fundamentally good is likely to focus on ethical issues associated with whatever might block the unfolding of that nature in human life. A religion that views human nature as fundamentally bad is likely to focus on maintaining tight, coercive controls on human behavior. The readiness of a religion involve itself in social efforts to improve the culture and environment of human living is likely to be affected by whether it views the human capacity for choice as constrained to a greater or lesser degree by these influences.

How a religion views the human capacity for noble action and susceptibility to brokenness is likely to influence its hierarchy of values and the spiritual practices it considers necessary to heal brokenness. For example, some religions see noble action as an expression of a spark of the divine found in every person; and see brokenness as a condition of disconnection or separation from the divine, to be remedied by practices such as worship and prayer. All of these aspects of a religion's view of human nature are likely to impact its view of justice controversies.

2. View of the Spiritual Domain. Whether characterized as a god in personal form or a universal spirit that manifests as a form of energy, every religion has a conception of something of great importance that lies beyond the finite, material realm – beyond what can be detected by human senses and measured in terms of time and space. Parallel to the religion's view of human nature, this conception must include a view of the fundamental nature of this infinite being – such as whether it is good or bad, or concerned with or indifferent to humanity. The religion's view of whether and how humans might connect with this being is likely to affect its hierarchy of values, spiritual practices, and conception of the ultimate purpose of its involvement in justice work. These are important constituent parts of its spiritual conception of what makes justice work important from a religious perspective.

3. Hierarchy of Values. Its views of human and divine natures are closely related to a religion's values. It is characteristic of religions to insist on a hierarchy of values, at the apex of which is an ultimate or uppermost value that orders the relative importance of all the other values in the hierarchy. This ordering role depends on there being only one ultimate value (as the word "ultimate" itself denotes), and on it not being mediated with any of the others. Otherwise, it loses its power to mediate.

A religion's values hierarchy is the element of its character most likely to have a direct impact on whether and how it involves itself in justice controversies. Among the reasons why this is so is the fact that for virtually every religion, justice itself is one of those subordinate values that must be ordered by the ultimate value. This is reflected poetically in Clarence Darrow's conception of justice:

Justice never can be a lofty ideal. It has no emotions or passions. It has no wings. Its highest flight is to the Blind Goddess that stands on the courthouse roof. It savors of syllogisms and fine distinctions which have no meaning or value in the important matters of life. But there is no uncertainty in the meaning and effect of . . . sympathy, or generosity, or of understanding. Without these," this observer said, "a person is dead...These emotions grow from his associations with his fellow humans. They are the children of imagination. They spring from sensing the weakness, the troubles, and the sorrows of all those who live. They make the whole world kin.

Whether he intended to or not, Darrow – a committed atheist – also provided a poetic conception of at least a kernel of religious impulse in his references to imagination, compassion, and "making the whole world kin," which resonate with the concept of wholeness and healing. His conception of justice as subordinate to this wholeness value does not diminish it. As C.S. Lewis famously said concerning religious values, "when first things are put first, second things are not

diminished but increased.” From a religious perspective, justice work is not diminished by being shaped by an ultimate religious value like wholeness, but rather, is ennobled.

It is in the nature of ultimate values that they resist definition. Religions use a wide variety of concepts and language to give some shape to them. For the purposes of this treatment, it may be helpful to suggest that wholeness seems to be an important concept in the ultimate values of most religions. Without getting into definitions *per se*, wholeness might be described as a condition of being a part of, rather than apart from, all with which we belong. The root of the word wholeness is the same as the words holy and healing. Wholeness may be a helpful way to talk about the end at which healing the sundered, separated condition of humanity is aimed.

Introducing the idea of belonging into the conception of ultimate religious values requires an answer to the question, belonging with what? The answers of most religions would include our own inner selves, our fellow humans, the natural world, and some expression of a divine being like God or a universal spirit. Most religions view their purpose as engendering reunion or reconnection with these. The very word religion comes from the Latin verb “ligare” meaning to connect or bind, like a ligament. Etymologically, religion is about a reconnection or binding up that heals the fragmented, separated condition of humanity and makes the universe whole again.

4. Spiritual Practices. On the basis of this framework of values and its views of human and divine natures, every religion pursues its basic work: seeking out and refining the spiritual practices that it believes will bring all those involved with it closer to the value it declares to be uppermost. A religion may see particular injustices as hindering the flourishing of those spiritual practices. Some religions see justice work itself as a spiritual practice. So the connection between a religion’s views of spiritual practice and justice work is strong.

B. Essential Elements of Justice That Intersect With Religion

There are at least four essential elements of any justice system or culture that seem particularly likely to affect a religious community’s decision to intervene in a justice controversy: (1) its conception of fairness; (2) its foundation of community consent; (3) its reliance on rights and obligations as expressions of its policies; (4) its reliance on coercion to uphold its values; and (5) its focus on the negative side of human nature. Other elements of justice may also intersect with religion, such as its epistemology (its complex rules of what kinds of evidence may be used to administer justice, in contrast to the readiness of religion to valorize reliance on faith; its deliberate blinding of itself to irrelevant facts, in contrast to the readiness of religion to consider every particular); and its ways of establishing categories of sameness and difference, or equality and inequality. The five discussed here seem to deserve the most attention.

1. Fairness and consent. A justice system relies on a conception of fairness, usually one grounded in the mutual self-interest of members of the community. This fairness conception may reflect some impulses that could be identified as religious in nature, such as compassion, generosity, or kindness. Oliver Wendell Holmes referred to law as “the witness and external deposit of our moral life. Its history is the history of the moral development of the race.” Whatever moral or religious impulses may be discerned in a justice system, however, are of a

limited character. They reach no further than what the members of the community consent to recognize as the community's mutual interests and shared purposes. Religion, the reach of which is cosmological, cannot respect these limitations when they conflict with its imperatives.

2. Rights and obligations and coercion. It is the essence of justice systems to establish rights and obligations. It is the essence of rights and obligations to depend on coercion for their vitality. Rights and obligations are not relevant when members of the community do of their own volition what the justice system would have them do. This is why, in setting up a system of justice, members of the community cede to its authority a monopoly on the use of force, retaining the right to use it in only in rare circumstances, such as self-defense.

3. Human nature. In one sense, systems of justice are agnostic concerning human nature. It is not their office to opine on such subjects. On the other hand, the justice system has no purpose outside reckoning with what people might do if not coerced to behave as the community believes they should. This singular focus on a perceived bad side of human nature is starkly captured in Holmes' famous essay, "The Path of the Law":

You can see very plainly that a bad man has as much reason as a good one for wishing to avoid an encounter with the public force, and therefore you can see the practical importance of the distinction between morality and law. A man who cares nothing for an ethical rule which is believed and practised by his neighbors is likely nevertheless to care a good deal to avoid being made to pay money, and will want to keep out of jail if he can. . . . If you want to know the law and nothing else, you must look at it as a bad man, who cares only for the material consequences which such knowledge enables him to predict, not as a good one, who finds his reasons for conduct, whether inside the law or outside of it, in the vaguer sanctions of conscience.

10 Harvard Law Review 457 (1897).

II. THE EXISTING LANDSCAPE OF RELIGIOUS ACTIVISM

In America there are two conventional schools of thought about whether and how religion should be involved in justice controversies. The traditional one is known as civil religion. The more recent one has no agreed upon label; but, as the bookend to civil religion, it might be called religious civics.

A. Civil Religion

This is a conception of the relationship between religion and public policy in which, in the words of the postmodern philosopher Stanley Fish,

religion is essentially a private transaction between you and your God and therefore is, at least in principle, independent of your actions in the public sphere, where the imperatives you follow might be political, economic, philanthropic, environmental--imperatives that could be affirmed or rejected by persons independently of their religious convictions or of their lack of religious convictions.

The civil religion concept is colloquially captured in Jefferson's comment that "It does me no injury for my neighbor to say that there are twenty Gods or no Gods; it neither picks my pocket nor breaks my leg."¹ Jefferson's writings on religious freedom are important sources of the civil religion perspective, even though that name was not widely applied until Robert Bellah brought it into the vernacular of sociology of religion in the early 1960s.

Of particular importance is Jefferson's letter to the Danbury Baptist Association in 1802, in which he equated the Establishment Clause of the First Amendment to the Constitution with the creation of "a wall of separation between church and state." The Free Exercise clause of the First Amendment makes it clear that religions are not expected to observe any such wall. They may petition the government for redress of grievances, exercise rights of free speech and free association, and otherwise urge that their religious convictions be reflected in public policy. Establishment Clause issues are raised only when the government so codifies religious doctrine and lends it the coercive power of law that it has officially "established" one or more religions to the disfavor of others or to the disfavor of nonreligious or antireligious points of view. Notwithstanding Jefferson's effort to gloss the First Amendment with his philosophical view, the Constitution provides little or no guidance for how religions should or should not be involved in justice controversies.

Defenders of civil religion call it the "true religion," the "American national religion." They see it as consisting of "our nonsectarian belief in the freedom of the individual to think, speak, and act in his or her best interests." Although the phraseology sounds like a defense of choice of beliefs, Stanley Fish rightly sees this position as "a belief in the evil of any sectarian belief whatsoever, of any belief that asserts itself strongly and is jealous of its priority." It is an attack on "belief in general, at least as it commits you to the truth of a conviction or the imperative of an action. The only good belief is the belief you can wear lightly and shrug off when you leave home and stride into the public sphere."² (The context for Fish's characterization indicates that by "belief" he means religious belief, since robust contention over secular beliefs are certainly sanctioned by the concept of civil religion.)

Proponents of civil religion have made a religion of civics. They would insist, no doubt, that it is a specialized one, rather than a universal one, designed to operate only in the public square. In the privacy of their circle of family and friends, civil religion leaves citizens remain free to have their own religion – to worship one god or twenty, in Jefferson's phrase. To confine a religion of the kind described in Section I above to the private sphere, though, is tantamount to killing it. That kind of religion is indeed "jealous of its priority" in public matters as well as private ones – cosmologically jealous, one might say. Civic religion is likely to leave us – and for the most part, has in fact left us -- with religious belief that is as thin in the private sphere as civic religion would have it be in the public sphere.

¹Stanley Fish, "Postmodern Warfare: the Ignorance Of Our Warrior Intellectuals", *Harper's Magazine*, July, 2002 pp. 4-5.

²Stanley Fish, "Postmodern Warfare: the Ignorance Of Our Warrior Intellectuals", *Harper's Magazine*, July, 2002 p. 6.

B. Religious Civics

The civil religion paradigm has been most defiantly rejected by activist churches on the religious right. Far from being “worn lightly,” their publicly professed beliefs have the quality of ideological and political armor. Their ultimate values are principles or ideas that can be translated into public policy backed by the coercive power of the government. A religion that idolizes ideas in this way is inherently fundamentalist. The religious right would gladly establish a polity organized around such ideas. We could call it a theocracy, or an ideocracy, or, where the authority for the ideas is claimed to reside in the Bible, a bibliocracy (government by book – the one and only “good book”). On the whole, liberal religions have been slower to move in this direction, but in recent years they have gone a long way toward matching the ideological and political armor of the religious right.

Regardless of name, the important point is that on both ends of the spectrum, such churches are not only “in” the public square, but also thoroughly “of” it – as shown by the following examples.

1. Jerry Falwell’s political bargain with Newt Gingrich. In the spring of 2007, Jerry Falwell blessed Newt Gingrich’s short-lived presidential candidacy. But not before Gingrich begged forgiveness for something the Religious Right considered to be a grievous sin. When Gingrich was Speaker of the House of Representatives in 1998, he led the charge to have President Clinton impeached. Nine years later, Gingrich contemplated running for president. He made a public confession that he had been having an extramarital affair while he was leading the impeachment charge and asked Falwell to bless his candidacy. Falwell obliged, declaring Gingrich’s confession to be genuine. He compared Gingrich to Ronald Reagan, saying: “I well remember the challenge we evangelicals faced in 1980 when our candidate, Ronald Reagan, was the first presidential candidate who had gone through a divorce. We wisely made allowance for God’s forgiveness, and America was the beneficiary of this great champion.”

The medieval Catholic word for what Falwell gave Gingrich is an “indulgence” – the formality of forgiveness, dispensed by a church in exchange for value given. The value given by Gingrich was a commitment to remain in alignment with the political positions enshrined in Falwell’s religion. The essence of the Falwell/Gingrich bargain was “I’ll forgive you for offending one part of our religion and smile on your candidacy if you’ll promise to support the political positions of our religion going forward -- as a public officeholder.” This kind of horse-trading happens all the time in politics; but Falwell and his followers claimed to be a church, not a political party.

2. The Sojourners and the Network of Spiritual Progressives. Jim Wallis is the editor of the liberal religious magazine Sojourners and the head of a religious group by the same name that describes its mission as being “to articulate the biblical call to social justice, inspiring hope and building a movement to transform individuals, communities, the church, and the world.” A few years ago he wrote a book about religion and politics called God’s Politics. He begins with a battle cry for liberals to “take back our faith” from the Religious Right. It is a “fight fire with fire” manifesto. Wallis faults the Religious Right for claiming to know God’s political views on every issue -- but ignoring what he calls “the subjects that God seems to care the most about.”

We have to ask, of course, “seems to whom?” The answer evident from his book is Jim Wallis, who claims to speak for God every bit as much as the Religious Right does. His vocabulary for this is the same as the one used by the Religious Right: proof texts from the Bible. They’ve got theirs, he’s got his. It’s hard to imagine a process less spiritual, less transformative, than these cannonades of Biblical citations.

Wallis offers no transcendent theology to guide spiritually grounded justice-making. This is most evident in the political advertisement Wallis and his magazine, Sojourners, ran during the 2004 national election campaign, entitled “God is not a Republican. Or a Democrat.” But the text of the ad makes it clear that Wallis does think God is a liberal, and we do know how liberals tend to vote. The ad goes through a familiar list of liberal positions, adding supporting citations to Bible verses. Wallis’ approach is all about changing issue outcomes. It is not about changing people. And it is about using religion in an instrumental way, as the servant of those issue outcomes. From the religious perspective outlined in Section I above, this stands the proper relationship between justice-making and religion on its head.

Rabbi Michael Lerner is editor of the liberal religious magazine Tikkun and founder of a social justice organization called the Network of Spiritual Progressives. He too has a recent book, called The Left Hand of God, which lays out what he calls “The Spiritual Agenda for American Politics.” Like Wallis, he treats religion as an instrument of politics.

Lerner describes the secular left as “consistently disarm[ing] itself of what could be its most powerful weapon: a spiritual vision of the world.” He wants the Democratic Party to make a declaration that “Yes, we actually take the teachings of Moses, Jesus, Buddha, and other spiritual and religious traditions seriously, and we are going to implement them in the real world because we see ourselves as part of one united human family.” He urges them to do this in order to “win majority support and hold it for many decades to come.” By doing this, he predicts, the Left “will be able to build a movement and a political party that will be in a position to bring about all the good things liberals and progressives have fought for with such limited success over the past hundred years.”

From a religious perspective, the best way to murder a spiritual vision is to practice it in order to win something. To embrace political success as one’s ultimate value is to make a religion of politics. A religion that aspires to nothing more transformational than enacting the liberal political reform agenda of the past 100 years has set its sights woefully low. Moses, Jesus, and Buddha had something of a wholly different order in mind.

III. THE THIRD WAY: A CHURCH IN THE PUBLIC SQUARE, BUT NOT OF IT

A. The “What” of an “In But Not Of” Church’s Role in Justice Controversies

What path is open to a religion like the one described in Section I above, if it concludes – as it surely must -- that its religious character requires it to turn away from the preceding two models, both of which elevate politics over religion? Obviously such a religion would reject the demand of civic religionists that churches stay out of the public sphere altogether. It would go

into the public square to call on the powers and principalities, and the entire polity standing behind them, to honor its transcendent ultimate value – the one that transcends all things in this world and therefore partakes of the “not-of-this-world” (*i.e.*, spiritual) realm. The essence of this kind of transcendent ultimate value is that if it were to be realized, the need for justice-making would disappear. A truly religious transcendent value is one that brings eschatology into view. Grant Gilmore, a legal scholar Darrow-like in both stature and humility concerning his calling, has said as much:

As lawyers, we would do well to be on our guard against any suggestion that, through law, our society can be redeemed, purified, or saved Law reflects, but in no sense determines, the moral worth of a society. The values of a reasonably just society will reflect themselves in a reasonably just law. The better the society, the less law there will be. In Heaven, there will be no law, and the lion will lie down with the lamb. The values of an unjust society will reflect themselves in an unjust law. In Hell, there will be nothing but law, and due process will be meticulously observed.

(Grant Gilmore, quoted in Dennis Michael Patterson, *A Companion To Philosophy Of Law And Legal Theory*, p. 115)

American civil religion has no such transcendent value. It is concerned with an ideology – addressing such subjects as the organization of economic markets, maintaining order, preserving an appropriate balance between individual freedom and civic responsibility, and public welfare in a limited, purely secular sense. These are the values of liberal democracy and nothing more. This conclusion is unaffected by the allowance civil religion makes for a “stay-in-the-closet” version of private religion. Nor is it affected by Oliver Wendell Holmes’ apt characterization of the law as “the witness and external deposit of our moral life.” The morals in question remain secular morals rather than religious ones. In Darrow’s vernacular, they will never fly higher than the Blind Goddess that stands on the courthouse roof.

Religious civics of the kind urged by some on religious right and the religious left is also bereft of any transcendent ultimate value. They both employ the rhetoric of transcendence, of course; but the rhetoric is belied by their willingness to horse-trade their values and silence their prophetic voices for the sake of incremental this-world gains. The transcendent is subordinated to the objectives of their this-world agendas. Jesus is just a rhetorical precinct captain, or at most another endorser, like the labor unions, the chamber of commerce, or the police officers’ association. If not theocratic outright, both the religious right and religious left reek of theocratic sensibility. They yearn to be an “ocracy” of one description or another. Transcendent religion, on the other hand, is inherently and committedly “nonocratic.” Its essence is not of this world.

This is the essence of the stinging rebuke of religious civics hurled down by the liberal Catholic theologian Garry Wills in “Christ Among the Partisans,” his 2006 New York Times op ed piece. (<http://www.nytimes.com/2006/04/09/opinion/09wills.html>). Reacting to the Democratic Party’s recent efforts not to be “outJesused” by the Republicans, Wills declared “There is no such thing as a ‘Christian politics.’ If it is a politics, it cannot be Christian.” Wills should not be read as calling for religious communities to withdraw from the world and be

inwardly focused. He sees Jesus as the foundation-shaking radical he really was – someone so incendiary that the Roman Empire had him killed. Jesus repeatedly took up the cause of the poor, the downtrodden, the despised. His inflammatory power, though, flowed not from any political prowess, but rather, from the opposite: his refusal to play politics, to wheel and deal, to settle for mere policy reform.

When Jesus was brought before Pontius Pilate to be tried and then crucified, he said, “my reign is not of this present order.” The Romans were shocked and disturbed by this foreswearing of political ambition in favor of something far more dark and demanding – a transformative conception of love and community that would render the politics-as-usual reign of Rome utterly irrelevant.

And likewise, today, the reign of Washington, D.C. Secular leaders are baffled and terrified by anyone who cannot be bought.

Jesus’ advocacy for the poor took the form of asking his followers to love the poor -- not out of any sense of justice-based duty, or even morality; but rather, because their hearts had been swung open so widely by an experience of God within them that they could not possibly do otherwise. As Wills points out, “no government can propose [this] as its program.” That is so because the love Jesus preached is radically anti-programmatic. It would be reduced to lifelessness if someone tried to programmatize it. It is too expansive, too explosively transformative to be contained within the crude structures by which government must do the secular work of applying standards of fairness.

Jesus is a valuable teaching example because in America much of the writing and thinking about religion in the public square is addressed to the situation of Christian religious groups. What can be said of Jesus can also be said of any religion that fits the “essential elements” description in Section I-A above. That kind of religious community would see justice controversies as demanding that they call on all concerned to honor its ultimate value, rather than seeing that ultimate as merely one more useful weapon in a battle for secular justice.

Social behavior that does not even satisfy secular standards of fairness, of course, will also fail to meet the dramatically higher standards reflected in a transcendent ultimate value such as wholeness. But the mission of a religious community is lost if this value is compromised for the sake of progress toward secular fairness.

Religious communities can and in fact must advocate for justice. They can do so and remain true to their religious identity, but only if they always articulate the connection between the justice issue and the community’s uppermost value. Otherwise there will be a great temptation to sacrifice the less concrete spiritual value for the “bird in the hand” of the justice issue “result.”

B. The “How” of an “In-But-Not-of” Church’s Role in Justice Controversies

This conception of what it means to be religious in a justice controversy has important implications for how the social justice work must be done. Here is a nonexhaustive list of such implications.

First, religious communities must insist on changing the hearts of people rather than simply winning political battles. This extends to the people doing the justice work as well as those to whom their advocacy is directed. Religious people working for justice can develop a strong conviction that their hearts do not need any opening – even to the point of telling themselves that it would be “selfish” to focus on this. The truth is that no one is beyond the need for spiritual growth through opening his heart wider. Justice work is an essential focal point for spiritual growth, for those who commit or suffer from abuses of power, and for those who work for justice. The worth, dignity, and nobility of human beings are starkly revealed by injustices that violate these basic human attributes. A person who turns toward rather than away from such suffering by working for justice is taking a huge step toward opening his own heart, increasing his capacity for compassion, and having a transcendent experience of the holy within him.

Second, religious communities must confront hard choices about the “how” versus the “what” of justice work. They must insist on a sense of ethics that reflects their uppermost value. For example, rhetorical language can be used to flatter or terrify people in order to manipulate them into supporting an issue position. Secular justice work often focuses singlemindedly on the what, on the so-called outcome. A religious community views “the outcome” in the broadest possible terms, including so-called “means” as well as “ends.” It is not willing to “fight fire with fire,” even when euphemistically characterized as “reframing” an issue, as liberal advocacy consultants like George Lakoff have done.

Third, because religious communities are more concerned with how than what, their work in justice controversies sometimes will look “inefficient” from a conventional outcome-oriented perspective. Such communities will divert energy from the “throughput” of the work, stopping to ask how those doing and opposing the work are being affected by it spiritually; to ask hard ethical questions about how the work should be done. They will do this because for a religious community, this IS the work.

Fourth religious communities must resist the temptation to sponsor political proposals. In his book, God’s Politics, Jim Wallis deplors what he calls “the politics of complaint.” He declares that religious people “should always point and concretely connect to viable policy alternatives that could actually solve the issue at hand.” (emphasis added) This, he insists, is “in the tradition of the prophets.” For him that has meant testifying before the Platform Committee of the Democratic Party and offering a six-point plan for averting war in Iraq. Michael Lerner is of the same view – acting as an adviser to Bill Clinton during his presidential campaign and offering his “Spiritual Agenda for American Politics” and his eight-point “Spiritual Covenant with America.”

But leaders with a radical spiritual vision never offer any six-point or eight-point plans. . They have a profoundly different sense of what “the issue at hand” really is. They are talking

about something much less programmatic, much more radical, and much more transformative than “the issue at hand”: the awakening of all people to love, healing, wholeness, or ultimate values of comparable nobility. Religious communities cannot take responsibility for political proposals and be responsible to their own transformative missions at the same time.

This does not mean that such a community must remain neutral in a justice controversy. Spiritual justice-making requires taking a stand, but always with reference to the religion’s uppermost value. There is a subtle but essential difference between giving encouragement to measures that move the community toward healing and wholeness and actually writing or sponsoring proposals for the secular powers and principalities to adopt. The latter lifts responsibility off the shoulders of the secular powers. It inherently carries with it a message that the proposal exhausts the need for further attention on the subject. For a religious community, however, “the subject” is never simply “the issue at hand.” “The subject” is always its ultimate value and the need for attending to that value is never exhausted. This is the essence of Garry Wills’ point about the folly of trying to programmatize religious values. The voice of a religious community is always a critical one, because in this world, not-of-this-world values are never fully realized.

Fifth, spiritual justice-making requires great care concerning political alliances. A religious community must preserve the clarity and singularity of its message. Political alliances have a tendency to pull the participating groups into a “least common denominator” message – reflected in the drafting of public statements, position papers, press releases, and the like. Even the very existence of the alliance itself may blur the identity of the religious community in public perceptions (and with that, its message), as the identities, values and positions of its allies “rub off” on it.

All of these “how” issues reflect a view of the relationship between incremental improvement and radical, transformative change. A religious community cannot mediate these. If it does, it has violated the first principle of its values hierarchy, which is never to mediate its ultimate value with lesser values, lest that ultimate value lose its mediative power. A religious community can respond positively to incremental improvement, but never at the cost of silencing or diluting its prophetic voice. The role of that voice is to proclaim the meaning of the ultimate value in the world and declare the urgency of embracing it.

These are concerns over which secular justice-making organizations do not need to agonize. Their missions are clearer and simpler: vindicate rights, achieve issue outcomes, defeat opponents, period. A religious community has higher and more complex aspirations to which it must be faithful. It sees every injustice in terms of a triangle composed of those targeted by the injustice, those committing it, and those witnessing it – either standing by silently, or protesting it. It sees all three groups as wounded by injustice; and it gladly accepts responsibility for moving all three toward healing and wholeness or whatever it claims as its ultimate value.

IV. THE “IN BUT NOT OF” MODEL APPLIED TO CURRENT JUSTICE ISSUES

A. The Marriage Amendment Controversy In Virginia

An anti-same-sex marriage initiative appeared on the ballot in Virginia in November, 2006. Many Unitarian Universalist churches opposed it, and in doing so, allied themselves with churches from other denominations and various secular groups that felt the same way, for a wide variety of reasons. A group of these churches prepared an “Open Letter” stating their position and offering a detailed set of reasons why the ballot proposition should be defeated.

Only about a quarter of the Open Letter actually addressed oppression of gays and lesbians. The rest of the text focused on collateral consequences of the ballot proposition for various other groups – custody rights for unmarried parents, health benefits for single people, hospital visitation rights, and restraining orders against domestic violence by involving unmarried persons. This emphasis conveyed an impression that the main objection to the ballot proposition was overbreadth – not that it was fundamentally wrong as an attack on gay and lesbian people, but rather, that its language was so broadly worded that it swept in many other groups and had many unintended consequences. The point that the proposition hurt gay and lesbian people was there in the text, but it was given a low profile.

This emphasis was a conscious political strategy on the part of the sponsoring churches. A principal author of the Open Letter said as much in an article in *Interweave World*, a newsletter published by a Unitarian Universalist affiliate group devoted to bisexual, gay, lesbian, and transgender concerns. He declared that the sponsoring churches wanted to “shout to the whole state, ‘don’t you get it? Marriage is a civil right, for God’s sake!’”, but then embraced the political realities this way:

“[B]eating a referendum measure requires recruiting the largest number of votes, and that means appealing to all kinds of people and doing coalition politics. This can be uncomfortable. You’re not only sleeping with strange bedfellows (the Libertarian Party of Virginia, for example), you have to make them coffee in the morning. So, that’s what we’re doing.”

(emphasis supplied) The writer insisted that the Open Letter did not compromise Unitarian Universalist principles, because they were always mentioned in the public statements of position by the sponsoring group of churches – including in the Open Letter. He acknowledged, nonetheless, its strategic emphasis: “only toward the end of our Open Letter do we spell out how we understand marriage equality to be a fundamental civil rights matter.”

As a secular political strategy, the approach taken in the open letter is unexceptionable. It is not consistent, though, with the description of religious communities offered in Section I of this summary. That kind of community would have met the bigotry of the proposed legislation head-on, probably by asserting that marriage is not simply a civil right, but rather, a sacred right – because marriage itself (deep commitment in an intimate relationship) is a blessed state. Celebration of the marriage thus brings blessing not only to the marrying couple but also to the entire religious community witnessing it.

The churches sponsoring the Open Letter did not take this approach, and it has to be said that this is only consistent with the fact that it would have been difficult to find a theological foundation in Unitarian Universalism for doing so. Unitarian Universalists have long been passionate on the juristic issue of the right to form (and dissolve) marriages. No Unitarian Universalist flag is planted, though, in the territory of how marriage relates to ultimate religious values, such as wholeness, the holy, spiritual healing, or love; or for that matter, how to have a good marriage once those rights have been exercised – articulating what is “good” by relating marriage to such values. (See “Time to Commit,” by William J. Doherty, *UU World*, January/February 2005, for an excellent treatment of this subject.) This religion does not declare marriage to be a sacrament or otherwise sacralize the rites of marrying or the state of being married. In fact, to call it a “civil right,” as the author of the Open Letter does, would seem to be a disavowal that marriage is considered sacred by the sponsoring churches or their national religious movement. If nothing sacred was at stake in this justice controversy, it is difficult to see the religious basis for the churches in question to join issue on it in the first place.

To sacralize marriage would, or should, have significant consequences for Unitarian Universalism. If sacred, then marriage surely would have to be regarded as an “estate” or condition into which none should enter lightly, and by the same logic, none should dissolve lightly. It is doubtful that as an ecclesia, Unitarian Universalists would have been prepared – or are now prepared – to take such a step.

To leave marriage unsacralized has significant consequences too – including, possibly, for whether laws like the Virginia ballot initiative infringe the constitutional right of Unitarian Universalists freely to exercise their religion. Were they ever to claim such an infringement, surely a court would inquire into whether the religious community itself treated marriage as a religious exercise – by sacralizing it or otherwise marking it with holy significance.

An alternative religious basis for becoming involved in this justice controversy would have been that denial of equal protection of the laws on the basis of a classification like sexual orientation is itself a serious offense to religious values because it treats members of the community as less than fully human – just as other similar forms of discrimination such as race- and gender-based ones do. This approach to the controversy might have been more theologically sound in terms of Unitarian Universalist values (e.g., the inherent worth and dignity of every person). The approach taken by the Virginia churches, though, would have been vulnerable to the same objection already described above: failure to meet the offense against religious values head-on, choosing instead to obscure it for reasons of political strategy within a broad litany of claimed objectionable effects on populations other than the gay and lesbian people at whom the law indisputably was aimed.

B. Rampage Killings – the Chickens Come Home to Roost Again and Again.

In 1967, a high-performing University of Texas student named Charles Whitman climbed to the top of a thirty-story tower on the campus and opened fire on whomever happened to be walking by below. The saga of Charles “Texas Tower” Whitman brought rampage killing into

the public consciousness in America. Over a hundred such rampage killings have occurred since.

What have we learned?

In the days following the Virginia Tech rampage killing by one its students, Cho Seung-Hui, on April 16, 2007, there arose a cacophony of recommendations. Many were for tighter gun control laws or better procedures for identifying mentally ill, violence-prone individuals. President Bush ordered various cabinet secretaries to investigate the broader issues raised by the killings. On June 13 they issued a 22-page report. It recounted meetings with experts on law enforcement, mental illness, and college and university security. No real changes were proposed. The language in the report concerning gun control repeated almost verbatim the call made by President Johnson forty years earlier – after the Texas Tower rampage killing -- for better laws to prevent “the wrong persons” from obtaining firearms.

Neither the investigative panel assembled by the Governor of Virginia nor the groups convened by President Bush’s cabinet secretaries included any sociologists or religious leaders.

The recommendations of the official investigative panels focused almost entirely on containment strategies – public safety and mental health involuntary commitment procedures designed to assure that the private hells of the Cho Seung-Hui’s of the world remain private. They treated the suffering going on in those private hells as beyond the scope of community concern.

This approach otherized the killer, relieving the fear that he might actually not be so different from “our kind” as the local and national communities would like to believe. It conformed to the containment model of medicating, incarcerating, or otherwise incapacitating those whose who act out their internal torment. This equated the “presenting patient” with the underlying cause of the violent behavior. Often that patient is reflecting the impact of serious emotional problems that originate elsewhere in the community. Keeping the official investigations focused exclusively on the “presenting patient” was a turning away from the deeply disturbing possibility that the community itself, and the culture it has spawned, are themselves emotionally toxic.

The spiritual issue presented by Cho Seung-Hui is identity. The most basic question every person asks himself is “who am I?” And since identity is not formed in a vacuum, but rather in community, the answer to the “who am I” question depends on the answer to the question, “who are the we of me?” The answers Cho got from our society were hostile to the development of a healthy identity.

Here was a person who lived on the fringes of the village, psychologically speaking; writing bleak poems and plays about death; and no one came to visit. No one put an arm around a shoulder and said “come on, you don’t have to be a big talker to join in. You’re one of us.” For him there was no village. No “we.” The upshot of society’s messages to him was “you’re nobody. You’re nothing.” Certainly nothing of value. Certainly nothing noble.

Writing of young people making the transition to adult identity, the mythologist Michael Meade observes “the most lost and dangerous people in this world are those not emotionally bonded to family, community, and humanity as a whole” Each has a deep self that will not give up on expressing itself in the world – even if it seems like the only way is through violence. This can be described as mental illness, but there are broader cultural and spiritual explanations that deserve to be considered.

Since 1966, over 100 people – most of them young males – have committed rampage killings. If the inner agonies of this many have erupted in violence, a large multiple of this number undoubtedly have turned to less spectacular forms of perverted self-affirmation, like gangs, crime, drugs and alcohol, or machismo blood sports. In turn, a large multiple of that number undoubtedly have simply suffered in anonymous, miserable silence. The official response to the Virginia Tech massacre signals that this suffering is acceptable, so long as the messy private tragedies and struggles do not spill over onto the comfortable constituencies of our society.

Instead of accepting the massacres as some kind of inevitable concomitant of postindustrial society, someone needed to ask what it would have taken, in terms of culture and community, to address the situations of those who have committed rampage killings over the past forty years before they became so isolated and hopeless. An answer on which religious communities might have focused public attention is that it would have taken a village, or many villages, to borrow an old African expression made famous in America by Hilary Clinton. It would have taken a communitarian ethic that insisted on communal, institutional vessels in which the essential pieces of adult identity could held: overarching traditions out of which identity could be fashioned, and cohorts of elders to introduce the young people to the traditions and to their own place in them.

The mortal coil in which we find ourselves is that it does indeed take villages, but we have none. The cultural distance opening up between one generation and the next in the United States is increasing exponentially. In our mobile, hyperindividualistic society, we have little in the way of tradition to hand down from generation to generation; and little in the way of a tradition of elderhood to do the handing down.

The issues of identity and community presented by the ongoing pattern of rampage killings are connected to religious values such as wholeness. The Virginia Tech massacre would have been a justice controversy worthy of the attention of religious communities. It appears to have received little or none on a national level. The National Council of Churches had nothing spiritual to say about it, issuing a perfunctory press release joining the chorus of secular liberals demanding tighter gun control. The response of the Unitarian Universalist Association was silence – literally, one moment of it at a UUA Board meeting shortly after the fact.

The lone example of a visible response to a rampage killing by a religious community occurred just a few months before the Virginia Tech massacre, in the extraordinary behavior of the Amish in Nickel Mines, Pennsylvania to the shootings that occurred at a one-room schoolhouse, killing five children and critically wounding five others. The Amish parents immediately conveyed personal expressions of forgiveness to the family of the killer. They

accounted for more than half of the seventy-five people who attended his funeral and established a support fund for his family. The mass media reaction to the forgiveness was overwhelming but brief. Over two thousand news stories about it appeared within a week. Within three weeks, information concerning the Amish forgiveness had appeared in three thousand news stories and on over half a million websites. And then public attention moved on.

CONCLUSION

Grist for the book envisioned by this summary is unending. On September 28, thirty-three ministers across the country participated in a campaign to defy Internal Revenue Service requirements that churches refrain from endorsing candidates in order to retain their tax exempt status. In late July, the rampage killing pattern continued, this time targeting a Unitarian Universalist church in Knoxville, Tennessee. The response of the Unitarian Universalist Association in running full-page ads in national news media once again left issues of identity and community unaddressed.

The financial liquidity crisis that now threatens to pitch the entire economy into a tailspin is evoking the usual unimaginative responses: tinkering with the technical economic machinery or imposing regulatory lockdowns as an antidote for greed. These jurismanic remedies have a long history of ineffectuality – from the savings and loan crises of the Seventies and Eighties to the pension defaults of the Nineties to Enron and on to the subprime mortgage crisis that generated the liquidity pandemic. Jim Wallis is back on the radio talk shows offering the usual liberal demonologies, saying that God is angry; that “the CEOs should be paraded down Wall Street in sack cloth and ashes;” in effect, that the solution is just a matter of purging some bad apples from corporate boardrooms. No one is asking the troubling cultural questions about why some people are behaving greedily, what the complicity of the community might be, and what might be demanded of everyone for religious values to be reflected in the way business is done.

A prophet is someone who knows what time it is. It is time for serious reflection on the role of religion in the public square.