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**The Bully Pulpit: Crossing the Line that Separates  
Church and State—Morality in the Age of Obama**

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Pastor Charles Worley of Providence Road Baptist Church located near Maiden North Carolina was videotaped from the pulpit of his church preaching the following message in pertinent part:

Build a great big large fence... put all the lesbians in there... Do the same thing for the queers and the homosexuals and have that fence electrified so they can't get out... And you know what, in a few years, they'll die out... Do you know why? They can't reproduce.<sup>2</sup>

He continued, in the same sermon, to belittle lesbians and gays by making fun of the idea that someone could be same gender loving. As he brought his message to a crescendo he theorized that when someone asks him who he would vote for in the 2012 presidential election he theoretically answered that he would not vote for a “baby killer” or a “homosexual lover”.<sup>3</sup> This sermon crosses the line that separates church and state. Undoubtedly his message about voting

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<sup>2</sup> [www.youtube.com/watch?v=w2839yEazcs](http://www.youtube.com/watch?v=w2839yEazcs)

<sup>3</sup> Ibid.

was aimed at countering President Barack Obama's recent acknowledgement regarding his changed stance on marriage equality. President Obama candidly confessed in an exclusive interview with ABC News that he had wrestled with the constitutional implications of marriage equality and had, over time, reversed his longstanding view that the conveyance of equal rights under the law could and should be made through civil unions as opposed to marriage in the conventional sense.<sup>4</sup> However, his change of heart came after much deliberation whereby he concluded from the interstices of his best moral self that same gender loving people are entitled to the same rights under the law as everyone else.<sup>5</sup> President Obama's moral responsibility in setting forth his changed position presumably evoked the death wishes of Pastor Worley. What happens when individual moral responsibility breaks down community? What is the appropriate corporate responsibility? And, how does 20<sup>th</sup> century theology navigate this corporate responsibility?

All across America pulpits are used, in part, to advance the political aspirations and agendas of the leaders who adorn them. It is no surprise; inasmuch as Karl Barth is credited with the phrase every preacher should "read the Bible in one hand and the newspaper in the other".<sup>6</sup> While Princeton University's Center for Barth Studies recently released an opinion that this phrase associated with Barth was not found in a reliable written source by the 20<sup>th</sup> century reformed theologian, its fervor cannot be denied. He spoke the sentiment into the atmosphere in enough traceable methods that its spirit is transmuted to Barth and is therefore a form of "gospel". Barth's intent was likely to spawn social consciousness among pastors. Some would, however, say it is a call to social justice. Justice represents the inimitable charge to "be prophetic" and to "speak truth to power". It is the thesis that undergirds Marvin McMickle's lament in *Where Have all the Prophets Gone?*<sup>7</sup> McMickle sought to compel

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<sup>4</sup> <http://www.youtube.com/watch?v=qecdYEAby5I>

<sup>5</sup> I use the term moral here in the Kantian sense when Kant declares "morality on its own behalf has no need of religion,"

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<http://libweb.ptsem.edu/collections/barth/faq/quotes.aspx?menu=296&subText=468>

<sup>7</sup> McMickle, Marvin A., *Where Have all the Prophets Gone?: Reclaiming Prophetic Preaching in America*, (OH: Pilgrim Press) 2006.

ministers to “restore prophetic preaching to a place of urgency in the life of the American church”.<sup>8</sup> *Where Have all the Prophets Gone* sets forth four challenges that impinge prophetic preaching:

a narrow definition of justice that does not extend beyond abortion and same-sex marriage, the emergence of an oxymoron called patriot pastors, the focus on praise and worship that does not result in any duty and discipleship, and finally, the vile messages of prosperity theology that seem to have overtaken the pulpits and the airwaves used by televangelists across this country.<sup>9</sup>

McMickle suggests here that authentic prophetic preaching should attend to a much broader corpus than same-sex marriage. However, there is still an implication that marriage equality is a proper topic for prophetic preaching. Nonetheless, McMickle does not advocate for the message of prophetic preaching that bullies people. Many of America’s pulpits are the hotbed for newsreel content and quite possibly the source of a great deal of “bullying”. While the kind of bullying evident in Pastor Worley’s pulpit is a growing phenomenon, bullying which has as its focus same gender marriage equality has evolved over a considerable period of time. The essential attack on same gender loving persons stems from three major contentions. Most argue that homosexuality is sin and therefore not sanctioned by the Bible. The other two arguments are off-shoots from this main argument: that God made Adam and Eve and not Adam and Steve; and that marriage is strictly conceived for one man and one woman. There are two counter-arguments that bear mentioning. First of all, marriage equality is a legal issue. Equal protection under the law for every human being is a matter of civil rights. Second, religion and religious institutions do not have the right under the law to impose their faith convictions upon the public.

Barth in his *Epistle to the Romans* speaks to a prophetic utterance that understands one important theological concept – the value of a resurrected Christ is to have *freedom* from sin. Consequently, the

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<sup>8</sup> Ibid, vii.

<sup>9</sup> Ibid.

argument that sexual diversity in its various forms is sin is rendered moot.<sup>10</sup> Barth writes

Know this that our old man was crucified with him, that the body of sin might be done away, that so we should no longer be in bondage to sin; for he that died is justified from sin...The dissolution of the body-thought of here as *Futurum resurrectionis*—which has come unseen within our horizon and is announced in the crucifixion of the old man, signifies that the power of sin has been done away. Since I am not identified with the old man who is wholly and irrevocably bound to this body, I can no longer be in bondage to sin. Sin like a fish out of water, is out of its element: in the concord of the new harmony it is a false note. Sin has no power over the new man, because his body is otherwise constituted.<sup>11</sup>

Barth suggests the life of the believer “in the KRISIS of the death of Christ” takes on the identical nature of Christ.<sup>12</sup> Unfortunately Worley’s style of prophetic preaching is the nemeses of those who promote all forms of advancement in the area of sexuality justice within the public sphere. In the name of all that is *holy* the Charles Worleys of the world make the pulpit a bully pulpit. This signifies an erosion of the shoreline that is the separation of church and state. In the face of so much rhetorical foreplay around hot socio-theo-political issues, why does Worley’s “church” get a bye when he weighs in on “state action” in the pejorative sense?

Any sexually diverse person hearing Pastor Worley’s message would feel bullied. Moreover, the psychological damage that springs from this violent rhetoric serves as an example of how bullying from the pulpit can break down community. Some of those who heard this message may have agreed with Pastor Worley. In that case this kind of message serves to breed hatred and contempt for others who are different. Others who heard this message may have felt despair but because of membership in the church were not able to speak out against “the man of God”. Still others may have felt personally attacked because privately he was ridiculing a true sense of their

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<sup>10</sup> This not to concede that sexual diversity is sinful; but, to contemplate that even for those who believe it to be sinful, the sin issue has been settled in the person of Jesus Christ.

<sup>11</sup> Barth, Karl, *Epistle to the Romans*, trans. Edwyn Hoskyns, (NY: Oxford University Press) 1968, 197-200.

<sup>12</sup> *Ibid.*

authentic self. In small communities especially, the ability to overcome such an attack is complicated by the heightened awareness that your difference is not tolerated. While Pastor Worley may have been operating in his own belief that he was speaking for God, this type of charged rhetoric causes a ramified reaction in the community. This very rhetoric has likely incited physical attacks on sexually diverse people. Some have experienced ostracizing, avoidance, public and private humiliation and genuine emotional harm. As a nation, there is an appropriate corporate response to this specious rhetoric. To allow Providence Road Baptist Church to maintain a status of “tax exemption” in the face of Pastor Worley’s obvious contravention of the law suggests that such a bully pulpit is sanctioned by the state. However, this speech constitutes a material impingement upon the line of demarcation purportedly established by the separation of church and state. Should this church lose its tax-exempt status when its leader actively attempts to influence his parishioners as to who to vote for and why? Or, should this Pastor go unchecked when he calls for the commission of hate crimes against fellow citizens because of their sexual diversity?

We live in an age where the election of the Commander-in-Chief comes under severe scrutiny principally around issues of religion. The campaign trail leading up to the 2008 presidential election was replete with inquiry, in pertinent part, surrounding the religious choice of Barack Hussein Obama *et al.* Then Senator Obama, though theoretically privileged to do so, would have committed political suicide to have raised his constitutionally protected freedom of choice to engage in whatever religious tradition met with his desire. Instead, this constitutional guarantee, in a twist of irony, lugubriously led to the presidential hopeful denouncing his pastor of 20 years, Rev. Dr. Jeremiah A. Wright, Sr. and separating from his church. Apart from the polarizing effect of the socio-theo-political pressure brought to bear upon presidential candidates pertaining to religious affiliation, the chord that sounds the dissonance speaks to the very nature of church and state relations in the 21st century. Rather than religious choice being a very private, protected right, it has morphed into a matter that can be easily manipulated in the public sphere. Contrastingly, that which was contemplated by the nation’s Commander-in- Chief, Thomas Jefferson, in his January 1, 1802 letter

responding to the good Baptists of Danbury, Connecticut lurks in the background when he wrote as follows:

Believing with you that religion is a matter which lies solely between Man & his God, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, & not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between Church & State. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural right in opposition to his social duties.<sup>13</sup>

The metaphor of a “wall” referenced in Jefferson’s letter suggests he contemplated the kind of separation between church and state evincing an identifiable line of demarcation.<sup>14</sup> Jefferson, a Deist<sup>15</sup>, infers a kind of distance between the affairs of men and the affairs of

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<sup>13</sup> Excerpt from President Thomas Jefferson’s correspondence to the Danbury, Connecticut Baptist Association dated January 1, 1802 retrieved from Bing search November 15, 2011 from <http://www.loc.gov/loc/lcib/9806/danpre.html>.

<sup>14</sup> This notion of a “wall of separation” is a likely echo from Roger Williams (1603-1689) who came from England to Massachusetts, established the first Baptist church and advocated for a "hedge or wall of separation between the garden of the church and the wilderness of the world" as recorded in a book written by Williams in 1644 entitled *The Bloody Tenet of Persecution*.

<sup>15</sup> "In consequence of some conversation with Dr. Rush, in the year 1798-99, I had promised some day to write him a letter giving him my view of the Christian system. I have reflected often on it since, and even sketched the outlines in my own mind. I should first take a general view of the moral doctrines of the most remarkable of the antient [ancient] philosophers, of whose ethics we have sufficient information to make an estimate, . . . I should then take a view of the deism and ethics of the Jews, and show in what a degraded state they were, and the necessity they presented of a reformation. I should proceed to a view of the life, character, and doctrines of Jesus, who sensible of incorrectness of their ideas of the Deity, and of morality, endeavored to bring them to the principles of a pure deism, and juster notions of the attributes of God, to reform their moral doctrines to the standard of reason, justice and philanthropy, and to inculcate the belief of a future state. This view would purposely omit the question of his divinity, and even his inspiration. To do him justice, it would be necessary to remark . . . that his system of morality was the most benevolent and sublime probably that has been ever taught, and consequently more perfect than those of any of the antient philosophers." (Ltr. to Joseph Priestly, Apr. 9, 1803.)

God. It is a non-Hegelian approach that narrates the affairs of the church without regard to state intervention in that the Hegelian theory of the state would locate this kind of mechanical construction of society outside of Hegel's "social organism".<sup>16</sup> Hegel favored Pantheism which would have viewed God as the center of all cosmic evolution and therefore nothing would have been thought to exist separate from God.<sup>17</sup> Of course God, as a phenomenological construct is "reason" under this theology. This foundational understanding of the components of the state helps to accentuate the composition of the church and establishes a way to view the separation of church and state in the context of 20<sup>th</sup> century theology. It is there that the formation of the fodder for the fire that burns inside when hearing such incendiary words as that of Pastor Worley starts to kindle.

When Rudolf Otto wrote *The Idea of the Holy* he set forth a theological position that there is a "wholly other" who is "beyond the sphere of the usual, the intelligible, and the familiar" which Otto called "noumen".<sup>18</sup> He establishes a way in which the encounter with the numinous generates a feeling that is "both daunting and fascinating".<sup>19</sup> He is careful to acknowledge that there is a difference between mere words that are attributed to the numinous and that which is inspired through the heart. He declares that the encounter "brings about a demonic dread".<sup>20</sup> Otto describes an experience that humbles and horrifies. I contend that is a very different experience than one in which persons are shamed. I draw this distinction here to place distance between the rhetoric of Pastor Worley and the kind of "conviction" felt by those who encounter the "wholly other". This distinction is important in our quest to discern an appropriate corporate response to Pastor Worley's moral ground.

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<sup>16</sup> Georg W. F. Hegel, *The Philosophy of History*, trans. J. Sibree (Buffalo, N.Y.: Prometheus Books) 1991, 40-41.

<sup>17</sup> Ibid.

<sup>18</sup> Rudolf Otto, *The Idea of the Holy: An Inquiry Into the Non Rational Factor in the Idea of the Divine*, trans. John W. Harvey, (NY: Oxford University Press), 1926, 26.

<sup>19</sup> Ibid, 31.

<sup>20</sup> Ibid.



While the jurisprudence in the last 200 years around the separation of church and state has variously attempted to build the metaphorical wall, nothing is more memorable than the words of Justice Black in the 1947 decision of the U.S. Supreme Court in *Everson v. Board of Education* when he wrote “the First Amendment has erected a wall between church and state. That wall must be kept high and impregnable. We could not approve the slightest breach”.<sup>21</sup> Undergirding this sentiment is the notion that within society there is the ability to distinguish the secular from the sacred. Noticeably absent from the instant understanding of the separation of church and state is an unequivocal definition of church and state. However, what the framers of the first constitutional amendment contemplated has been built upon for two centuries.

Moreover, that understanding has indelibly shaped the lives of countless numbers of Americans since that first case in 1878.<sup>22</sup>

In the introduction to *The Power of Religion in the Public Sphere*, Eduardo Mendieta and Jonathan Vanantwerpen suggest that traditional notions of what constitutes church and state are currently “myths”. This is to say traditional definitions of what is “church” and “state” have lost currency. They explain further that “religion is neither merely private, for instance, nor purely irrational. And, the public sphere is neither a realm of straightforward rational deliberation nor a smooth place of unforced assent.”<sup>23</sup> They argue for a retooling of the conceptualization of church and state in light of the outcry for faith-based intervention in governmental as well as private life. Certainly, this acknowledgment by the celebrated leaders in current philosophical thought gives rise to some fundamental theological concerns. What does it mean to live in a “secular age”? How is the “wall” that separates church and state being negotiated in light of what appears to be a comingling of purpose? The reliance by the public sphere upon religious institutional support confounds earlier pronouncements of the urgency to keep things separate. The

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<sup>21</sup> *Everson v. Board of Education*, 330 U.S. 1 (1947).

<sup>22</sup> *Reynolds v. U.S.* (1878).

<sup>23</sup> Butler, Judith, Jürgen Habermas, Charles Taylor, and Cornel West, *The Power of Religion in the Public Sphere*, (NY: Columbia University Press), 2011, 1.



historical mandate to build a “wall of separation” is antinomy in our present climate.

It seems to me the theo-ethical quagmires created by this concept cannot easily be remedied by metaphorical walls. The reality is that most of the puritanical ethos prevalent in society in the early 19<sup>th</sup> century has been displaced with pluralism in the church as well as the state that engenders a multifarious application of the human dynamics in national life as well as religious life. The separation of church and state is no longer an idiomatic phrase. It is more probably a misnomer. To view American culture with a single focus lens creates a moral void. It is evident that the separation of church and state, in its conventional connotation, has given rise to that moral void. Its conventional connotation differs from that of its inception in that now the church is regularly crossing the line that was once theoretically in place to protect the church from intrusion by the state such that the church is now postured as a purifier of the moral reasoning of the state. The problem with that is the representatives of the church who are most vocal seem also to be laboring under moral turpitude.<sup>24</sup> They claim to represent God.

The Enlightenment gave rise to an understanding of morality as the framework of religion. Immanuel Kant’s discourse on religious reason stood for the proposition that we cannot “*know noumena* or things-in-themselves that is, supersensible objects, for we lack the necessary cognitive organ. The categories of human understanding are limited to the domain of empirical experience, of phenomena, and although the mind can conceive of a supersensible object, the mind cannot produce knowledge of such a transcendent being”.<sup>25</sup> Kant therefore, sought to critique “rational theology”. There is a sense in which those who would propose to place human beings in concentration camps demonstrate the truth of this theological pronouncement. Inasmuch as no human being has the unbridled authority over the person of another, it is inconceivable that anyone and much less a Pastor of a Christian church would conceive of a plan to do so as rationally emanating from God. Yet, to call it irrational,

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<sup>24</sup> See fn 30 below.

<sup>25</sup> James C. Livingston, *Modern Christian Thought: The Enlightenment and the Nineteenth Century*, (MN: Fortress Press) 2006, 60.

makes the same action something that fits squarely in the theological framework of Hegel. Despite this controversy, I find Kant's connection to a rational faith instructive. Kant opines that "we respect the moral law because it is a law which we as rational beings legislate for ourselves. The moral law is not something imposed for without but it is that which we voluntarily obey. This is what Kant calls moral autonomy. Moral commands are not, then derived from some source outside the self, such as the Bible or the Church".<sup>26</sup> Dietrich Bonhoeffer would argue the corporate response to such a failure of morality is to conceive of a more communal understanding of difference. Bonhoeffer gives definition to the phraseology "embodied theology" in his classic work, *Life Together*, his theology serves as the quintessential formula for an ecclesiology commensurate with Christian Community. The centrality of Christian Community to the theology of Bonhoeffer is evident in all of his works. However, this text sets forth the contours in pragmatism often moving through traditional tropes such as meditation, intercession and confession through a matrix of prescription, proviso and praxis. Christian community describes the interaction of those who profess Christ in particularized social locations as well as their experiences while in the presence of their enemies. It contemplates a level of seclusion. It also calls for a commitment to work in hostile environments. Therefore the work of "the Kingdom is to be in the midst of your enemies".<sup>27</sup> Living in a community of other Christians is a privilege. As such, there must be a reverence for the ability to live life together. The attitude of those who live life together is that of joy, thanksgiving and contemplation.<sup>28</sup> Community life fosters the embodiment of Christ in the life of each believer because each recognizes the gift of grace given by God to experience the daily fellowship. And, those who are not so privileged develop an appreciation for those life-giving gestures such as visits or correspondence that connect them to the fellowship of believers.<sup>29</sup> There are three irreducible premises upon

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<sup>26</sup> Ibid, 63.

<sup>27</sup> Bonhoeffer, Dietrich, trans. John W. Doberstein *Life Together: the Classic Exploration of Christian Community*, (Harper One: NY) 1954, 17.

<sup>28</sup> Ibid., 19

<sup>29</sup> Ibid., 20

which Christian community forms: a) through and in Jesus Christ; b) not an ideal but a Divine Reality; c) a spiritual not a Human Reality. A community through and in Jesus means “that a Christian needs others because of Jesus Christ” and “that in Jesus Christ we have been chosen from eternity, accepted in time, and united for eternity”.<sup>30</sup> These are foundational truths that evolve from “the Biblical and Reformation message of the justification of man through grace alone, this alone is the basis of the longing of Christians for one another”. Moreover, our ability to come together is only ripe in Christ as Christ alone serves as our peacemaker enabling the reconciliation of “God and man and between man and man”.<sup>31</sup> Consequently, Jesus’ incarnation assumed “out of pure grace, our being, our nature, ourselves” so that “we are in him and belong to him in *eternity* with one another.<sup>32</sup> Christian community therefore becomes the proving ground for Christian sanctification.<sup>33</sup> The presence of Jesus Christ is a spiritual (*pneumatic*) presence and not a psychic one. The binaries such as love and lust (i.e. *agape* over *eros*), good and evil, light and darkness, flesh and spirit demarcate the manifestation of Jesus Christ within the life of the community. Jesus is the “unity” of the community.<sup>34</sup> In order for the corporate response to take root there must be a reasonable foreground for why humanity must respect the created order. The theological discourse most evident in this evolution starts with thinkers like Wolfhart Pannenberg. Clearly, the basic understanding of what it means to be human has been lost on some pastors, in recent times; Worley, mentioned above, is prototypal. When Pannenberg wrote *Anthropology in Theological Perspective* he was wrestling with a “decisive turn” in the anthropological grounding of creation. The nexus examined is that of the “decisive turn” whereby anthropology followed the Darwinian “theory of the origin of the species”. Pannenberg maintains “the method of contemporary anthropology postulates continuity between human and animal”. He postulates that “the decisive breakthrough came when psychologists

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<sup>30</sup> Ibid., 21

<sup>31</sup> Ibid., 30

<sup>32</sup> Ibid., 24

<sup>33</sup> Ibid., 30

<sup>34</sup> Ibid., 32-39

no longer sought access to the psyche through introspection but through observation of *external behavior*”<sup>35</sup>. In order to characterize the uniqueness of humanity” he explores this breakthrough in conversation with the behaviorist approach and its critics probing whether the structure of behavior is peculiar to the species. To this question he theorizes, in conversation with Scheler and Gehlen that ‘the concept of openness to the world’ is central to what is known as ‘philosophical anthropology’. Pannenberg distinguishes philosophical anthropology from behaviorism in that the former places humanity in its “special place in the domain of animal life”. Helmuth Plessner refers to this same phenomenon as “exocentricity”.<sup>36</sup> It is the basic notion of “self-reflection” whereby the microscopic examination of oneself causes one to be “self-conscious and therefore spirit”/ual. Pannenberg uses J.G. Herder as the point of departure for modern philosophical anthropology by engaging the theme of the image of God. On this theme Herder opines 1) just as instinct guides the behavior of animals, the image of God guides human beings; 2) The image of God is impressed ‘on the mind’ of human beings and causes them to function as a teleological concept; 3) initially human beings possess the disposition to reason, humanity, and religion’ and through the process of education reach self-hood<sup>37</sup> ; 4) in the education process three things are pivotal: ‘tradition and learning,’ ‘reason and experience,’ and ‘divine providence – faith in the rule of providence that justifies for Herder the idea of education of the human race toward a goal’.<sup>38</sup> Pannenberg concludes through his evaluation of Herder that “only in the context of faith in the providence does Herder’s conception of the image of God in human beings become fully intelligible. As such it is the “plan of divine providence” which beings about “the formation of human beings”.<sup>39</sup> “What God has joined together let no man put asunder”. I use the archaic language of marriage here to illustrate how absurd it is to think anyone could hinder the union of human beings in covenant to one another. Mercy

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<sup>35</sup> Pannenberg, Wolfhart, trans. Matthew J. O’Connell, *Anthropology in Theological Perspective*, (PA: Westminster Press), 1985, 28.

<sup>36</sup> Ibid., 35

<sup>37</sup> Ibid., 45

<sup>38</sup> Ibid., 46

<sup>39</sup> Ibid., 47

Amba Oduyoye gives instruction for how the corporate response may be conceived when she states “theologians throughout the world who felt a call to speak more relevantly to their age and generation freed themselves from traditional dogmatic and systematic theology and focused on life issues. Instead of telling people what questions to ask and then furnishing them with the answers, theologians began to listen to the questions people were asking and then seek answers”.<sup>40</sup>

We need the trifocals of a progressive type lens to acculturate America. Multiculturalism, replete with diversity in race, ethnicity, gender and sexuality perspicuously converge in our society. America has become a complex social stratosphere with imperatives flowing from attendant social and spiritual implications. It is simply no longer sufficient to think in terms of “man and his God”. The socio-theopolitical demand for complete inclusivity for every person in every aspect of American life who practice various religions and who do not fit traditionally heteronormative identifiers in public and private life begs the question. Moreover, our societal understanding of the separation of church and state must be demythologized to reflect the growing need for new and innovative vistas of learning for the multiplicity evident in American culture.

*Engendering Judaism* is written by a Jewish feminist steeped in law, Judaism and the interrelationship between theory and praxis. Rachel Adler dares to go where no woman has gone in the presentation of a transformed *halakhah* or Jewish law. In this theological treasure chest is situated the moorings of a transformative theology where counterintelligence informs a new way of thinking about and practicing the same old things. The *aggadah* or Rabbinic stories endemic to Judaism are alarmingly patriarchal. Adler sets out to establish a theological and ethical mechanism for enculturation for women in a tradition that objectifies them.

Adler frames her argument around the absurdity evident in some of the rabbinic stories whereby men are said to have mythically been exorcised from the influence of the female nature. In response to such a prejudiced view of women, Adler writes about a mythical figure “Skotsl” who climbs a human tower reminiscent of the Tower of

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<sup>40</sup>Oduyoye, Mercy Amba, *Hearing and Knowing: Theological Reflections on Christianity in Africa*, (Orbis Books: NY), 1986, 3.

Babel to ascend to heaven and talk with God about the mistreatment of women. In the story the tower, singly constructed of women, suffers a collapse. Skotsl is never seen again. In the irony, Adler suggests the women are continuing to wait for “Skotsl.” This is to say the women are still waiting on God to speak and correct the injustices they have endured in Judaism. Adler uses this story as a foundation point for launching a critique of Judaism on two primary grounds. First, women are no longer positioned the way they were in Ancient Israel. They are engaged in affairs outside the home and the strict construction of the law is obsolete in this respect. Second, both men and women can acknowledge that their proximal relationship has significantly changed from that of ancient times. As such, the law is not serviceable, as interpreted and applied, to modern families. Consequently, Adler purposes to address two glaring implications of this analysis: 1) to engender Judaism such that it becomes “fully attentive to the impact of gender on the texts and lived experiences of the people Israel,” and 2) that Judaism addresses “the questions, understandings, and obligations of both Jewish women and Jewish men”.<sup>41</sup>

The challenge for Adler is to construct a reconfiguration of the traditions that she knows and loves to repurpose it for women who have been marginalized. She opines that this is achieved by treating “*halachah as praxis—a holistic embodiment in action...of the values and commitments inherent to a particular story*”.<sup>42</sup> She quickly concludes however that the way to maximize this “*halachah*” is to create a methodology. Her methodology is law. She consults legal theorist, Robert Cover, to develop this trope. Cover suggests that Law is created by “a *nomos*, a universe of meanings, values, and rules. A *nomos* is not a body of data to master and adapt but, a world to inhabit”.<sup>43</sup> Cover delineates law in two distinct ways: “the *paidaic* of world creating mode and the *imperial* or world-maintaining mode”.<sup>44</sup> Moreover, “*paidaic* activity effects *jurisgenesis*, the creation of a

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<sup>41</sup> Adler, Rachel, *Engendering Judaism*, (Philadelphia: Jewish Publication Society) 1998, 24.

<sup>42</sup> *Ibid.*, 26

<sup>43</sup> *Ibid.*, 34

<sup>44</sup> *Ibid.*

*nomos*, a universe of meaning out of a shared body of precepts and narratives that individuals in community commit themselves to learn and to interpret”.<sup>45</sup> I raise Adler’s work to suggest that if the *halachah* can be re-written to include women, certainly we can find a way to be inclusive of same gender loving people in the marriage vows.

Unlike the narrowly cast vision in a historical period when the primary motivation for the doctrine of separation of church and state was the protection of the basic right to freely attend the church of one’s choosing without fear of reprisal from militia, the gravamen has shifted. Consequently, on the one hand there is the need for greater definition as to the roles of church and state. On the other hand, the specificity with which one attaches value to this dichotomy must be adjusted to engage the full complement of what it means to be a part of this national heritage at the present moment. In the same way biblical interpreters read the Bible using the historical critical method, or any other method for that matter and with a hermeneutic of suspicion, so must an evaluation of this doctrine undergo scrutiny imbued with the wisdom of post-modern society. Consequently the philosophical opinion of John Locke who, I contend, heavily influenced Thomas Jefferson in his stance on this matter must be evaluated in light of current philosophical discourses which embrace the present age formulation of society.<sup>46</sup>

Charles Taylor offers, in his seminal work, *A Secular Age*, the theoretical framework for critical thinking on this subject. Taylor, a Canadian catholic philosopher, traces the historical, political and cultural development of secularity as revealed through many socio-theo-political perspectives. Essentially, Taylor argues from a Hegelian thought that secularism evolves from a dialectic mechanism within the context of culture and politics in America.<sup>47</sup> Taylor delves into the current religious landscape of America to access the structural components that make up her moral fabric. He explores the dialectic between belief and unbelief to dissect the social, religious and political practices that give rise to American culture. While I agree

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<sup>45</sup> Ibid.

<sup>46</sup> Taylor, Charles, *A Secular Age*, (MA: Harvard University Press), 2007, 160.

<sup>47</sup> Ibid, 161.



with his theory in part, I reach the conclusion regarding the corresponding transcendence of the Spirit of God from a different hermeneutical approach. Catholicism, as an example, like western Christianity, suffers from a particular pathology. That is to say, the very things which many religious communions claim from the standpoint of piety and purity have historically been at the core of their own instability and separation from the lived experiences of people at the margins of sex and gender politics – there is a detachment from reality. For instance, Thomas Jefferson owned slaves. Yet, he is considered to be an American hero in having championed the Constitutional mandates with which the state continues to operate. Despite his being a Deist who rejected the doctrine of the Trinity<sup>48</sup> he is presently associated with the notion that America is a “Christian nation”. Another example is Catholicism. It has engaged in a massive cover up of sexual perversion within the ranks of its clerical community. Yet, as a church institution it lobbies Congress and actively supports political efforts against marriage equality. Both are highly honorable icons in religious hierarchy. The Catholic Church wields a great deal of power in political life in this country. Moreover, this country has constructed a monument to Jefferson where many go to worship. This type of religious power is not separate from the state. It is very much a part of the “state apparatus”. It is intricately aligned with the state. In many instances Catholic elites, among other male-dominated religious institutions, are called upon for testimony as to legislative projects. In fact it was a contingency of Catholic priests, Jewish Rabbis and protestant clerics who were summoned to Capitol Hill to testify in a legislative hearing regarding female contraception, with not a single woman among them.<sup>49</sup> As such, I suggest for the power and control emanating from these religious icons, especially when they advocate for discriminatory treatment of others within society whom they cannot tolerate, they should, in the words attributed to Jesus, “render to

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<sup>48</sup> Letter to Derieux July 25, 1788.

<sup>49</sup> Washington Post.com, 2/16/2012 posted 9:22 pm ET by Susan Brooks Thistlethwaite.

Caesar the things that are Caesar's".<sup>50</sup> The proper corporate response is taxation.

The Catholic Church should be taxed and so should every religious-political entity that creates a bully pulpit around similar lines of reasoning. The religious hypocrisy that promotes unbiblical, ungodly practices produced by a state established religious construction is taxable. As these communions take to the airwaves in the form of televangelism or to the halls of Congress in the form of lobbyists to advance their political agendas, they should be divested of non-taxable status. By example, Fox News aired an attack on President Obama for failing to “thank God” during his annual Thanksgiving Day speech to the American people. In a bit of overkill Fox ran no less than three shows where public officials were consulted for their reaction to this alleged omission. One such consultant was a catholic priest who univocally lambasted the President.<sup>51</sup> Clearly, this strategic speech was designed to form potential voter opinion around the issue

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<sup>50</sup> Mark 12:17 KJV

<sup>51</sup> <http://nation.foxnews.com/president-obama/2011/11/25/obama-omits-god-thanksgiving-address>; See also, Full transcript of comments captured from Pat Robertson, host of Christian Broadcasting Network's *The 700 Club* and founder of the Christian Coalition of America, called for the assassination of Venezuelan President Hugo Chavez.

From the August 22 broadcast of *The 700 Club*:

ROBERTSON: There was a popular coup that overthrew him [Chavez]. And what did the United States State Department do about it? Virtually nothing. And as a result, within about 48 hours that coup was broken; Chavez was back in power, but we had a chance to move in. He has destroyed the Venezuelan economy, and he's going to make that a launching pad for communist infiltration and Muslim extremism all over the continent.

**You know, I don't know about this doctrine of assassination, but if he thinks we're trying to assassinate him, I think that we really ought to go ahead and do it. It's a whole lot cheaper than starting a war.** And I don't think any oil shipments will stop. But this man is a terrific danger and the United ... This is in our sphere of influence, so we can't let this happen. We have the Monroe Doctrine, we have other doctrines that we have announced. And without question, this is a dangerous enemy to our south, controlling a huge pool of oil, that could hurt us very badly. **We have the ability to take him out, and I think the time has come that we exercise that ability. We don't need another \$200 billion war to get rid of one, you know, strong-arm dictator. It's a whole lot easier to have some of the covert operatives do the job and then get it over with.**

of the President's religious beliefs and or his commitment to "the church." This kind of speech should not be constitutionally protected against taxation. Moreover, it is unforgettable the political tirade made a few years ago by the Reverend Pat Roberson calling for the assassination of Venezuelan President Hugo Chavez.<sup>52</sup> This political speech insights evangelical fundamentalists to violence and should be held to taxable responsibility for its import and influence. In contrast, the model for religious entities which should retain their tax-exempt status follow the typology set forth in Luke 2. As we reflect upon the image of a "wall of separation" there is a presupposition that a wall separates two spaces in the same house. Two spaces in the same house characterize the machinations that have created such a thoroughgoing connectivity between the religious institutions and the state which established them. However, as we examine the birth of Jesus as told by Luke, this baby could find no room in the established house. For Jesus and his family, "there was no room for them in the inn".<sup>53</sup> Western Christianity was derailed early on from the message and posture of the baby Jesus. This typology holds for the inclusion of "whosoever will". Jesus was born outside the house of establishment. The house that Jesus built has no walls of separation, all are welcome to the table; lesbians, gays, bisexuals, transgendered, queering and inquiring. There is no debate about who can participate because there is no "subtraction theory" that will eliminate anyone. The speech allegedly made to Peter when Jesus asked him "who do men say that I am" presupposes that humankind will name something of Christ or as Christ based solely upon their understanding of who Christ is. However that "isness," I contend, in the tradition of Paul Ricoeur, is a revealed knowledge. Before there is a clear relationship that validates the naming there must be an encounter with the transcendent spirit that makes that knowing a reality. As such, the ability to declare a truth about God comes from God. Therefore, Jesus declares that which is revealed to be the truth and it is upon that truth that Christ's church is built. Everyone may partake. Everyone. And, within the economy of God through Christ there is no hierarchy of power and

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<sup>52</sup> <http://www.youtube.com/watch?v=q9sj8uWpMb8>

<sup>53</sup> Luke 2: 7 KJV.

control. There is a unity (as opposed to a separation) that regards all with equality of purpose.

Christ's church is taxable only with a moral responsibility to do good, love neighbors with a love that believes all things, endures all things, is not puffed up, does not envy, and does "others" no harm. Through this love the formation of the beloved community is possible. The beloved community is constitutive of people who embody the creativity of God. These are they to whom God reveals God's self without limitation and free from the shackles of flesh and spirit binaries. In this church there is a mandate to walk in a liberty that frees one from such dualisms such that peaceful cohabitation with those who are not identical to us is palatable, natural, and spiritual. It connotes an embodiment of spirit. It models morality. It is the appropriate corporate response when individual morality breaks down community. *The Way of Love* seeks to give definition to the "wisdom of love" as a modality for the communication between human beings that are different. It is written from the philosophical position that "a philosophy which involves the whole of a human and not only that mental part of ourselves through which man has believed to distinguish himself from other kingdoms" must needs be "cultivated" in light of the relationality between the two parts of the human, the one and the other.<sup>54</sup> This task involves the acknowledgment that there is no universal language capable of effectuating this communication. This "interaction...calls for a relation between subjective and objective where the one could never assume nor integrate the other because the one and the other are two" and as such "the Being of each of its parts and of their common world no longer belong to a traditional ontology". The two "interpenetrate and transmute each other such that the dichotomy between them no longer exists."<sup>55</sup> They are ever "becoming". In this way, philosophy and theology have a reunion.

Luce Irigaray critiques Western philosophy in that it has not given the requisite attention to "the relations of speaking between subjects". At the core of this depiction of a theo-philosophy for love

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<sup>54</sup> Irigaray, Luce *The Way of Love*, trans. Heidi Bostic and Stephen Pluháček, (Continuum: NY), 2002, viii.

<sup>55</sup> *Ibid.*, 11

is the notion that a new speech emerges from the silence between the two where “their language-house finds itself questioned, even abandoned, in order to uncover the still mute domains of Being”.<sup>56</sup> This leads to a “gesture of reciprocal recognition” which serves as an opening for the two to interrelation with one another.<sup>57</sup> Another problem of Western philosophy is confronted in this exchange. In its historical construction, humanity has given deference to the masculine. Irigaray confronts this tendency by characterizing this as a default to the “things of the world” as contrasted with a preoccupation with the “Being of another subject”.<sup>58</sup> (88-89) She opines that “to consider this relation as a co-belonging of man and woman in the constitution of human identity requires rethinking what being-in-relation itself implies”. (90) Language then becomes a tool (*techné*) for producing meaning in much the same way that art brings forth meaning, though unstated. That would be a variegated speech. She further states:

To experience this co-belonging implies leaving representative thought and letting oneself go in the co-belonging to Being which already inhabits us, constitutes us, surrounds us. It presupposes, in fact, dwelling 'there where we truly already are' . . . In order to have access to it man has to leave his own world, or rather to partly open its limits. It is not in his house, including that of language, that he will find out how to enter a new historical era, a new speech. The feature referring to the specificity of man has to change place--passing from the relation to things to the relation to the other."<sup>59</sup>

In effect, Irigaray is arguing for a tangible love that transcends the boundaries of the two to a new ground of understanding where each participates without presupposition.<sup>60</sup> This is the way of love – to envelop the difference between the sexes in a communication not bound by the differences. It is the goal of this work “to construct the possibility of an intersubjective relation between masculine and

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<sup>56</sup> Ibid., 47

<sup>57</sup> Ibid., 88

<sup>58</sup> Ibid., 88-89

<sup>59</sup> Ibid., 90

<sup>60</sup> This is so with one clarification; Irigaray states “I am not you and you will forever remain the other to me, such is the necessary presupposition for the entering into presence of the one and the other, of the one with the other. The search for a link requires the respect for the strangeness of the one to the other, the recognition of ta nothing in common calling into question the proper of each one”. (168)

feminine subjects that is founded on love, and, more specifically, on a particular formulation of love that could provide the basis for a new socio-political order”.<sup>61</sup> She believes it is the task of the philosopher to provide this framework. She challenges the traditional role of philosophy and specifically the Hegelian approach which she contends “tries to free philosophy from the exteriority of History itself”.<sup>62</sup> Additionally, she converses with Heidegger, among others, who she claims ignores the life giving forces such as air and breath that make communication possible in favor of an exhausting preoccupation with language. Her theology makes room for God who is involved with human interaction.

Irigaray concludes *The Way of Love* with a chapter entitled “Rebuilding the World”. In it she sets forth a call to action which focuses upon love across the differences that are found in the masculine and the feminine. This love is not subject to reducibility to sameness that characterizes much of Western philosophical discourse on love; but rather, the love that gives currency to the irreducible differences between the sexes. This love reframes Western philosophical notions by re-appropriating it from a construction of desire dependent upon possession, submission and confinement to that of celebration of difference with fluidity and respect for the other. The object of this love is not hierarchical in the sense of an empire where there is the master and servant; but, one that captures the essence of the two as embodied equivalents.

Irigaray would say that love is measurable when there is an appreciation for both embodied selves whereby neither is displaced by the presence of the other and both are valued in the exchange. Moreover, she states “God, in this sense, really represents the transfer of the other into the beyond. As invisible, he acts as guarantor of alterity as such. God is waiting for our encountering and entering into relations with him or her. God is “a beyond” (God is transcendent) with regard to our discoveries and homologations, cultivations and fabrications, reductions to the One and to the same, where energy of or for the other is used without recognizing their irreducible

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<sup>61</sup> Ibid., 105

<sup>62</sup> Ibid., 94

emergence”.<sup>63</sup> I end with Luce Irigaray as a charge to humanity to regard all humans with dignity and respect and to “do unto others as you would want others to do unto you”. It is our best moral response to the needs and desires of our fellow human beings.



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<sup>63</sup> Ibid., 156-160