

## Should I Be For or Against Gay Marriage?

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### The Challenge

On Tuesday, May 8, 2012, North Carolina voters passed an amendment to their state constitution defining marriage as solely between a man and a woman. The intention was to make gay marriage illegal. Rev. Billy Graham, who at 93 years of age is still a leading representative of evangelical Christianity, was featured in full length newspaper advertisements backing the amendment. However, President Obama and former President Clinton, who have also identified themselves as Protestant Christians, expressed support for gay marriage. The measure was passed by 61% of voters. But not much was likely to change. North Carolina and nineteen other states already had laws prohibiting not only same-sex marriages, but same-sex civil unions. Same-sex couples were denied legal benefits that are enjoyed by opposite-sex couples who are legally married, like tax benefits, visitation rights, and so on.

Yet in states like Massachusetts where gay marriage is legal, problems have become rather quickly apparent as well. In 2005, when David Parker of Lexington, MA – the father of a kindergartner whose teachers were discussing homosexuality and transgenderism – insisted on being notified when teachers were discussing those subjects with his son, the school had him arrested for trespassing and put in jail overnight. In 2006 the Parkers and another family filed a federal civil rights lawsuit to force the schools to notify parents and allow them to opt-out their elementary-school children when same-sex-related subjects were taught. But the federal judges dismissed the case, ruling that because same-sex marriage is legal in Massachusetts, the school had a duty to normalize homosexual relationships to children, and that schools have no obligation to notify parents or let them opt-out their children. In Massachusetts, acceptance of homosexuality has become a matter of good state citizenship.

There are Jewish, Christian, Muslim, Hindu, and Buddhist people who are of the opinion that opposite sex marriages are the norm for people of their traditions. We tend to be more aware of Jewish, Christian, and Muslim reasoning from their sacred texts on this issue. For Hindus, see Manu-smriti 11:174. For Buddhists, see the Dalai Lama's comments in San Francisco in June, 1997 at a meeting of Buddhists. Will these people be able to be parents and teachers of students in public schools?

'She told her 1<sup>st</sup> graders how she and her lesbian spouse spent their weekend,' said my friend Tanisha\*, a Christian teacher in a public school. Her fellow teacher was in a lesbian marriage. 'She can *'bring her whole self'* to the classroom,' she said, repeating the ethos her school promoted, 'but I can't talk about the fact that I'm a Christian and what my beliefs are about marriage.' Tanisha taught in Boston, MA, the first state to legalize gay marriage. She was feeling the effects of that legislation. 'These kids are being indoctrinated without any other voices to present other views. If I were a parent, and wanted my own kids to not have their Christian worldview attacked, I might pull them out of the public school.' Her words were telling. Sure enough, by next fall, many Christian families did pull out.

It seems that militant secularists, inside and outside of the gay community, want to drive debate about values and religion out of public spaces like public schools. That is, they want a monolithic secular state when it comes to the issue of marriage. Thus, some public agencies and funds no longer give to charities that discriminate on the basis of sexual orientation. State or municipal governments want Catholic Charities to place adoptive children in *all* families, including gay or lesbian couples. This is matter of much concern.

Christians with a traditional, orthodox view of sexuality have a variety of responses to this movement. Some, the 'sensitive evangelicals,' sympathetic to the political hopes of their gay friends, tend to be regretful about the history of Christians oppressing others. They see conversations about politics as interfering with evangelism. Others, the 'culture warriors,' are concerned about the decline of culture and the increasingly inhospitable climate in the public square for religious commitments. Hence, they take legal and political actions, for example, proposing a constitutional amendment to define marriage as between a man and a woman. As of this writing, most Christians and other conservatives in North Carolina just passed a marriage amendment outlawing gay marriage. Others, the 'prayer warriors,' see the issue as part of a spiritual battle. They respond by praying and calling Christians to more faithfulness, expecting the political dynamics to change by God's intervention. Yet which option is the most biblically faithful?

## A Parallel Incident

Let me draw on an incident that parallels the tense discussions happening in Massachusetts at the state level. In the year 2000, a student in the Tufts Christian Fellowship (TCF) student organization expressed that she was lesbian in orientation, though she was not actively engaged in the lifestyle. Furthermore, she expressed her belief that the Bible would actually uphold *any* loving marriage relationship – including a lesbian one – as a faithful expression of God’s ideal for Christian marriage. Since she was a leader in TCF, she was asked to step down from leadership of the group because the group’s constitution, other student leaders, and staff advisors with InterVarsity Christian Fellowship held that this was an unorthodox position. She was welcomed to continue in TCF as a member, but not a formal leader. The student in question approached the student government and administration of Tufts University, which called the actions of TCF discriminatory and against the constitution of the University. Tufts University de-recognized TCF from being a legitimate student organization. This meant that TCF could not receive funding from the University, nor could it reserve rooms on campus for meetings. TCF was effectively kicked off campus. Thus began a dialogue, and battle of sorts, between the University and TCF.

Tufts University framed the issue as one of discrimination and individual civil rights. Didn’t the lesbian student have a ‘right’ to continue as a leader of TCF? Wasn’t she the victim of discrimination based on sexual orientation? More generally speaking, didn’t the student have a ‘right’ to live within a political environment that is ‘safe’ for her beliefs and lifestyle choices? This followed the somewhat customary tactic of the gay community to make sexual orientation equivalent to race or ethnicity, therefore making it a discrimination issue as far as civil rights are concerned.

TCF, however, framed the issue as one of ‘freedom of religion’ and the rights of groups. Doesn’t TCF – as originally founded and defined in its constitution – have the ability to define what criteria to put forward to qualify or disqualify a person for leadership in TCF? By comparison, reversing the situation would make the matter clear. Would it make sense for the Gay, Lesbian, Bisexual, Transgender student organization (or, for that matter, a Buddhist, Jewish, or Muslim group) to drop its requirements for leadership, so that by some freak accident, or an intentionally calculated move, a large group of Christians could swoop into the group and place themselves in office? Leadership, not membership, was the issue.

TCF wound up winning the day. Tufts University backed down and dropped its charges against TCF, re-recognized them as a student organization, and welcomed them back onto campus. In response to TCF’s evangelical and orthodox profession, a new liberal Protestant student group was formed; it believes that the active gay lifestyle is theologically acceptable. This is constructive in a number of ways.

The situation taught me and many other observers a critical lesson: Christians do not want to drive gay and lesbian organizations off campus in a political sense. But neither do we want to be kicked off campus ourselves in the same way. Thus, the answer that courtesy and mutual respect demands is a form of political pluralism.

## The Political Spectrum

It may be helpful to see a spectrum of possible responses on the issue of gay marriage, in order to help clarify my approach to the topic. Here are seven possible legislative ways for Christians to interact with this issue, ranging from most stringent to most lenient:

1. Make sodomy itself illegal (it was in 13 States of the U.S. until *Lawrence v. Texas* 2003).
2. Make sodomy legal, but deny civil unions to gay couples.
3. Make civil unions possible for gay couples, with no tax and legal benefits.
4. Make civil unions possible for gay couples, with full ‘marriage-like’ benefits without using the word ‘marriage’ to label it. Retain the word ‘marriage’ for straight couples.
- 5. Make civil unions for all couples, straight or gay, Christian or not. Get the state out of the struggle to define ‘marriage’ because ‘marriage’ is defined differently by various religious groups; hence, ‘marriage’ and its definition is a First Amendment religious issue.**
6. Make gay marriage, not just civil unions, possible in the public square, but not in the church community.
7. Make gay marriage possible everywhere, including in the church community.

Here is how I evaluate these options, and why I believe option 5 is the best option:

*Position 7* is biblically indefensible from an orthodox view of Scripture.

*Position 6:* I believe position 6 is naïve and will, because of the mechanics of establishing definitions at the state and federal levels, lead to the exclusion of religious discourse in the public sphere, and therefore Christians should oppose it. I believe that ‘sensitive evangelicals,’ who would stand in position 6, are too quick to withdraw from the public square. They might underestimate how strongly Christians are effectively muzzled in public discourse about values, and how it feels to be a parent of young children. My wife and I live in a lower-income urban area and want to be involved with and bless the struggling public school system out of our Christian convictions about social justice. But if the Christian teaching we give our children is consistently undermined or attacked in a one-sided manner, and they are ostracized for bringing our beliefs into the classroom, how will we be able to keep them in public schools?

*Position 5:* I believe position 5 could become a good equilibrium point for public policy, and be a point of necessary but limited contention when it comes to evangelistic outreach to the gay community. I appreciate how Stephen Carter, an African-American Christian law professor at Yale, focuses on First Amendment ‘freedom of religion’ issues. Can the state regulate a Christian sacrament? Why should it? Should it regulate the sacrament of communion? Baptism? What the United States has long recognized about having ‘freedom of religion’ on these matters of worship needs to be applied to ‘marriage.’

Let me speak to Christians who are ‘culture warriors’ because I anticipate the most resistance from them. The little recognized and underappreciated fact is that the church has *always* taken a stance of political pluralism on the issue of marriage. Jesus reversed ‘hardness of heart’ for his followers (Mk.10:1 – 12, Mt.19:3 – 12), making it possible *for his followers alone* to go back to the creational ideal of no divorce and overturn Moses’ permissive attitude towards divorce. Whether we like to hear this or not, the real Christian definition of marriage *forbids divorce in most cases*. Even if we interpret Matthew’s ‘exception clause’ (Mt.19:9) as permitting *divorce and remarriage* on the grounds of ‘adultery’ (*porneia*), that is still a very high standard: sexual infidelity as a violation of the one-flesh-one-body union (and probably physical abuse as well, since that too violates the body) alone gives a grieved spouse grounds for divorce. Only Christians can be held up to this ethic. Perhaps this is why Jesus and the apostles never suggested that Christians legislate a definition of marriage in the societies they encountered. So when have Christians in the U.S. ever had a truly Christian definition of marriage in U.S. public policy? Never. The U.S. laws defining marriage have never been ‘Christian.’ At best, they can be said to be ‘Jewish,’ and the lenient variety of Rabbi Hillel at that!

In fact, to cite one political irony, according to Jesus’ definition in Matthew 19:3 – 12 and critique of adultery, Republican Newt Gingrich’s third marriage to Callista is not truly a marriage in God’s sight either. Newt began an adulterous relationship with Callista when he was still married to his second wife Marianne Ginther. After Marianne reportedly refused to grant Newt an ‘open marriage,’ Newt finalized his divorce from her. He married Callista four months later. It is unclear to me why Newt Gingrich’s third marriage (not to mention his second marriage, which also began with adultery) should qualify as a ‘marriage’ by Jesus’ definition. Yet Christians of all stripes have tended to simply overlook that fact. Why is it that Newt and Callista Gingrich qualify for the legal benefits of a legal ‘marriage’? Simply because they are male and female? John the Baptist told King Herod that his marriage to Herodias was not valid, perhaps because they were uncle and niece but also because it was adulterous. John the Baptist said, ‘It is not lawful for you to have her’ (Mt.14:1 – 12). Has anyone said that to Newt and Callista? I don’t think their relationship is a marriage. So why do I need to call it that?

Furthermore, since the apostle Paul regarded voluntary sexual sins (i.e. not rape) to be sins against one’s own body (1 Cor.6:18), I think civic law is an extraordinarily poor way for Christians to address this question. Civic law protects people from being harmed against their will by another person or entity. It is very limited in preventing a person from harming herself or himself. Seatbelt or helmet laws are appropriate because victims of car or motorcycle accidents need medical care, which is a public resource. But consider making a law against suicide. Of what value or efficacy is such a law? Suicide can be and usually is treated as a health concern. But is it a criminal issue punishable by the courts and jail time? No, for it is categorically inappropriate. Similarly, legislating against sexual acts fits into the same category. Legislating against underage sex and pedophilia is appropriate given the concerns adults have about the personal judgment of minors. But civic law is incapable of preventing an adult person from harming herself or himself. I explain my position on this because I wish my readers to know that this is not an issue of political power for me. It is an issue of truth.

For it's not just the relationship between the teacher and the students that is in question, but the relationship between the teacher and the parents, the teacher and the principal, the teacher and those higher up in other places of supervision. I would want the same protections for people in a gay marriage/civil union in North Carolina, that they be protected if they ever mention their spouse/partner in casual conversation or even as an illustration, which straight teachers often do anyway. So I am arguing for equal protection, effectively.

This will affect not just Christians, but Muslims, conservative and orthodox Jews, and perhaps others. I think that the public sphere needs to be a place where different ideas are brought into dialogue. Apparently, some want to create a monolithic secular state in response to the monolithic 'Christian state' of the early Puritans and (in a limited but real sense) the Religious Right. But I'm for political pluralism because I want to help Muslims and observant Jews maintain a space in public discourse, which is valuable in Christian witness to them also. We would err if we thought that the only dialogue happening in public space is one between Christians and secularists. So I want to preserve a space for others in public discourse, but I also want a space for me. I think the original vision of the First Amendment is exactly for that purpose, and I believe we cannot force our definitions of marriage on one another through the legal system because we would infringe on each other's First Amendment rights.

Thus, I believe we should get the government out of the 'marriage' business. We should restrict the government to performing civil unions for everyone. I can be for civil unions for gay couples with the tax benefits and spouse-like rights. In fact, Jesus and Paul gave us a vision for singleness (Mt.19:10 – 12; 1 Cor.7:17 – 35), so Christians ought to be on the forefront of designing hospital visitation rights and so forth *with single people in mind*, not just married people! Shouldn't single people be allowed to designate a community of friends to care for them, not just family? I think that is the more compassionate route. But I think the word 'marriage' should not be defined by the government because marriage is fundamentally a faith-informed question. Different faith traditions have different definitions of marriage, and I think there needs to be some room in the public square for these different definitions. The problem I have with those pressing to define 'marriage' as 'between any two consenting adults, regardless of gender' is that this definition will then be used as *the* standard in public schools and other public spheres. So a gay teacher, for instance, can talk about a gay/lesbian partner in front of 1<sup>st</sup> graders, but a Christian teacher won't be able to talk about what she believes about marriage. This makes the public school system hostile towards faith communities, as it already is in some instances. As a parent of young children, will I be able to tell my kids that they can disagree openly with their gay teachers in front of the classroom?

*Positions 2, 3, and 4* may be pragmatically possible, but will probably lead to a large amount of Christian resources being devoted to maintaining them, since aggressive liberal secularists will not be content until 'marriage' is defined as 'between any two consenting adults' because they want a thoroughly secular public sphere, which I have discussed above. The 'culture warriors,' however, seem to want to set up a Christian political theocracy on this particular issue, which is completely arbitrary from a biblical standpoint. They will also lead to the one-sided politicization of an issue that will hurt us in evangelism, as it arguably already is hurting us. They will probably also lead to people leaving the church, especially those who struggle with same sex tendencies themselves; these people might otherwise remain in Christian fellowship and receive some measure of healing.

Thus, I do not agree with a 'marriage amendment' to the Constitution, such as the one proposed by President Bush: I view this as technically possible from a logistical standpoint, but I oppose it on both pragmatic and theological grounds. Again, I see 'marriage' as involving different definitions based on what faith community one stands (or does not stand) in. Therefore, I believe 'marriage' is a First Amendment issue, and I understand a 'marriage amendment' as an encroachment on what the First Amendment stands for. In my limited understanding of constitutional law and its outworking, I think that position 5 is the only equilibrium situation politically. Also, as stated earlier, I am pragmatically concerned for how Christian resources are used and how people might be alienated unnecessarily from Jesus. Constitutional amendments can be passed, true, but they can also be repealed (e.g. prohibition) and Christians are likely to lose this battle, too, after dedicating a lot of unnecessary resources towards it and alienating a lot of people.

*Position 1* is arbitrary and hypocritical; why is this sin singled out? We have no record of the early church taking up this type of role in political discourse and no biblical grounds for the church to play such a polarizing role in local politics.

## **The Creative Tension between Political Pluralism and a Defense of Common Humanity**

Pragmatic arguments considered, I am first and foremost led to this opinion theologically. Biblically, the New Testament sets the church not on the trajectory of political theocracy (where laws are ‘based on an ancient, unchanging text that implacably dictates the understanding of human nature held by its followers’<sup>1</sup>) but of political pluralism – not *theological* pluralism, but *political* pluralism and tolerance. This is no mere intellectual exercise – had the church got this right, it would have saved millions of lives and perhaps won millions more to Christ.

I firmly believe that a ‘Christian restorative justice’ model of political involvement is the most faithful way for Christians to engage with law and policy.<sup>2</sup> Such a posture involves striking a creative balance between protecting the vulnerable from harm from others and allowing religious tolerance in a wide but limited sense. What constitutes ‘harm’ to people, and who even counts as a human being in the first place, inevitably draws from a theological foundation.

Within the realm of other-harm, is the principle of limited religious tolerance. One major political question Christians faced, especially after Constantine, was that of ethnic Israel living as a Diaspora community among the Gentile ‘Christians’ (since the Roman Empire became nominally Christian). Should Diaspora Jews be disadvantaged for not believing in Jesus and following certain Christian conventions? The apostle Paul’s answer would have firmly been no. Paul firmly believed that ethnic Israel was the ongoing object of both compassion and evangelistic mission (e.g. Romans 11). However, caring for ethnic Israel at the political level would have led to not creating civic penalties for Diaspora Jews refusing to profess allegiance to Jesus. This trajectory would have led to Christians extending political toleration to other religions as well, so various religious communities could co-exist. Cambridge University professor of theology Oliver O’Donovan, in *The Desire of Nations*, argues convincingly that the shift from political theocracy to political pluralism would have saved Europe all the wars of religion! If Protestants were politically tolerant and pluralistic with Catholics, and vice versa, how much bloodshed could have been saved?

Now if someone wanted to sacrifice their children in the name of Molech, I would use every legal and probably physical means of non-lethal force at my disposal to stop that practice. So religious tolerance is not an absolute. It takes its place underneath an explicitly Christian principle of trying to prevent other-harm. Self-harm, as in consensual sexual acts by adults, should not be legislated against. In what seems to me as a fairly sensitive and intelligent position, the early Christian theologians legally tolerated prostitutes, although some prosecuted the (male) customers who frequented the brothels.<sup>3</sup>

Also, as another example of limiting other-harm, the rich might take advantage of the poor in many ways, not least of which is usury. I take the ancient Jewish, ancient Greek, classical Christian, and Muslim position on usury. At the very least, the poor should be given access to zero percent interest loans. This conviction may or may not be shared by secular thinkers, but it is certainly a viable Christian position. The rich exploit the poor through interest rate lending.

Yet many Christians have gone far in the other direction to build a Christian political theocracy where the church uses state power for the special interests of the church, rather than for the common good, or for the protection of the vulnerable, or for a broadly human rights-oriented social justice approach to policy. In 385 AD, Spanish bishops called upon Emperor Maximus to execute Priscillian, bishop of Avila, for the charge of witchcraft. Probably his real position was sympathy with Gnosticism which resulted in his severe asceticism. Priscillian and six of his company were tried with their confessions used against them, tortured, and executed. But Augustine provided the intellectual rationale for actions like this in the future. Although he had initially been skeptical about the use of state force in

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<sup>1</sup> Quoted from Rev. Roberto Miranda, *A Costly Silence*, p.2, with whom I respectfully but earnestly disagree.

<sup>2</sup> See my paper, *Christian Restorative Justice: A Response to American Christian – Libertarian Synthesis*; <http://nagasawafamily.org/article-christian-restorative-justice-critique-of-libertarianism.pdf>. More resources are found here: [http://nagasawafamily.org/archives\\_question\\_politics.htm](http://nagasawafamily.org/archives_question_politics.htm).

<sup>3</sup> Leah Lydia Otis, *Prostitution in Medieval Society: The History of an Urban Institution in Languedoc* (Chicago: University of Chicago Press, 1987), p.12 – 13 writes, ‘Despite its condemnation of all premarital and extramarital sexual activity, the Church recognized prostitution to be an inevitable feature of worldly society, which it had no hope or ambition to reform. Saint Augustine even warned that the abolition of prostitution, were it possible, would have disastrous consequences for society; the practice, he believed, was a necessary evil in an inevitably imperfect world. Canonical wrath was focused, rather, on those who profited from this commerce, for, while prostitution was regarded as a social phenomenon distinct from the sin of fornication, procuring was considered by the Church to be synonymous with the sinful act of encouraging debauch...’

dealing with the schismatic Donatists,<sup>4</sup> Augustine had seen an instance where ‘fear of imperial edicts’ caused them to recant and rejoin the Catholic Church.<sup>5</sup> ‘More stringent civil laws were now enacted against them, banishing the Donatist clergy from their country, imposing fines on the laity, and confiscating the churches. In 415 they were even forbidden to hold religious assemblies, upon pain of death.’<sup>6</sup> Although he opposed the death penalty for heresy, Augustine opened the door to using imprisonment, fines, threats, banishment, and floggings against heretics. The Donatists argued that the apostles never looked for help in the Roman imperial powers; Augustine replied that the age of the apostles had been different. ‘Everything has its season,’ he said.<sup>7</sup> Hence, doctrinal confession became regulated by state power. Heretics were punished by the sword. Paganism was driven underground. And the Diaspora Jewish community became the victim of Gentile Christian anti-Semitism everywhere in Europe except Catholic Poland, which, significantly, did not have a tradition of strong central government – this is one of the primary reasons why Jewish refugees could flee to Poland during the 13<sup>th</sup> – 18<sup>th</sup> centuries, find safety there, buy land (the Polish nobles did not have a nationalized view of land) and nurture the Jewish renewal movement that resulted in Hasidic Judaism.

Protestant communities became ‘Holy Roman Empires’ on a smaller scale. They were initially ‘nation – state churches,’ too. By far the easiest to observe are Henry’s Anglican Church and Gustavus Vasa’s Swedish Church. In both countries, the king was the head of the national church and claimed apostolic succession. The nationalism and the dependence on the state are obvious. Luther fostered a German Christian nationalism that lasted until Hitler took advantage of it under the Third Reich. Calvin and the Reformed tradition developed a new theological approach to it: divide up the Mosaic Law into three parts<sup>8</sup> and activate the so-called ‘civil laws.’ Virtually all the Reformers used various national or municipal governments to duplicate the actions of the Holy Roman Empire allied with the Roman Catholic Church. Ulrich Zwingli and John Calvin provide interesting case studies. Both tightly identified the physical nation with the church. Ulrich Zwingli was a tyrant in Zurich as Calvin was later in Geneva. Both Zwingli and Calvin saw to it that the national government strictly governed morality and passed extremely stringent laws. In Zurich, as early as 1525 the Anabaptist Christians were persecuted under Zwingli, where one of their earliest communities sprouted. Considered heretics, some leaders were drowned, others were banished. In Geneva, Calvin was exiled once by the Genevese because they revolted against him. His response was to return with more power. He brought together in a single institution Emperor and Pope, which the Roman system had kept separate. The consequence? ‘A girl who sang vulgar songs was sent into exile; a couple whose adultery was uncovered could be publicly disgraced and punished...To make such a system work, spies and informers were needed; and a grosser evil was sometimes introduced in order to chastise a lesser one.’<sup>9</sup> Attendance of church was mandatory for all inhabitants of these cities.

Puritanism extended this Reformed legacy and explicitly reintroduced the concept of the Old Covenant community, the ultimate and final biblical symbol of the ‘nation’ covenanted with God and supposedly under God’s authority. This image was applied to Protestant England and later Protestant America. For instance, John Winthrop preached his *Model of Christian Charity* sermon from the ship *Arbella*, repeating Deuteronomy as if the Puritans were making a ‘national covenant’ with God.

Consequently, missions to Native Americans almost never happened. This was not just because of other factors, like their need to survive, or their lack of funds, etc. It was because of a theological posture the Puritans had of trying to keep their nation ‘covenanted.’<sup>10</sup> They simply couldn’t allow ‘savage pagans’ (in their own words) to live among them. This ‘national covenant’ seems incompatible with the incarnational principle of missions (taking another culture onto yourself in some way) shown by God taking on flesh to enter our world in Jesus. It is also grossly incompatible with Jesus’ ethic of hospitality, of welcoming outsiders. Not surprisingly, people who did not

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<sup>4</sup> Augustine, *Letter #23* to Maximin, dated to 392 AD, and *Letter #35* to Eusebius, dated to sometime before 400 AD

<sup>5</sup> Augustine, *Letter #93 to Vincentius; Sermon 112; De Correctione Donatistarum*; Perez Zagorin, *How the Idea of Religious Toleration Came to the West* (Princeton: Princeton University Press, 2003), ch.2;

<sup>6</sup> Philip Schaff, *History of the Christian Church, Volume III: Nicene and Post-Nicene Christianity, AD 311 – 600*, ch.70;

<http://www.ccel.org/ccel/schaff/hcc3.iii.ix.iii.html>

<sup>7</sup> Maijastina Kahlos, *Forbearance and Compulsion: The Rhetoric of Religious Tolerance* (Gerald Duckworth & Co, 2009), p.126

<sup>8</sup> This three part division of the Mosaic Law is questionable; see Bahnsen, Kaiser, Moo, Strickland, and VanGemenen, *Five Views on Law and Gospel* (Grand Rapids, MI: Zondervan, 1993) especially Douglas J. Moo’s argument; and more recent work by Christopher J.H. Wright, *Old Testament Ethics for the People of God* (Downers Grove, IL: InterVarsity Press, 2004) who works much more sensitively with themes of land, redemption, and power with a practical purpose

<sup>9</sup> Lewis Mumford, *The Condition of Man* (New York: Harcourt Brace Jovanovich, 1944, 1970), p.189

<sup>10</sup> Mark Noll, *America’s God: From Jonathan Edwards to Abraham Lincoln* (Oxford: Oxford University Press, 2002), chs.1 – 3

believe in the Puritan theocracy of Massachusetts Bay were the ones to evangelize the Native Americans. Roger Williams of Providence, Rhode Island is the earliest example of this, and he paid for it with persecution from the Puritans. Williams, the true founder of religious liberty in the U.S., also helped start the first Baptist church and the first Jewish synagogue in the Americas.

Not only did the Puritans not evangelize the American tribes peoples, they necessarily viewed them as hindrances and threats to the purity of their ‘national covenant.’ Hence, it was incredibly easy for White American Protestants to drive out the Native Americans and sometimes slaughter them as the American Christians pushed westward, just as the ancient Israelites drove out the Canaanites. Whether all these White American Protestants were serious Christians or not, we have no way of knowing, but what is important is that the image of Israel’s theocracy had already been stamped as a political ideal upon White American Protestant minds as a whole. Americans said they had crossed a wide body of water fleeing religious and political persecution, just as Israel had crossed a wide body of water fleeing the same. Americans said they had ‘inherited the land’ of North America, just as Israel had inherited the promised land. Where else could myths like ‘manifest destiny’ come from?<sup>11</sup>

The logistics of trying to preserve such a ‘national covenant’ demonstrates its sheer inadvisability. A nation is more fluid than static, at times geographically but especially demographically, considering the reality of immigration. How can the U.S., or New England for that matter, be ‘in covenant’ with God when its population and ethnic make-up is changing constantly? Earlier, the White Americans of the Puritan Reformed persuasion struggled with this and erred on the side of strict immigration laws facing out and racism facing in. This contributed to why pre-Christian African-Americans, Jews, Catholic Irish and Italians, Buddhist Asians, and Catholic Latinos had such a hard time in this country. It was feared that they would somehow ‘dilute’ the ‘national covenant.’ My concern is that this ‘national covenant’ easily becomes a pretext for racist, ethnocentric and nationalistic agendas. Thus, President Woodrow Wilson, a Presbyterian, said that the U.S. would really be home to only Whites. He was probably right in his assessment. Today, as some Hispanic evangelicals advocate, are we now to *favor* Catholic Latino immigrants in order to enlarge a conservative political constituency?<sup>12</sup> I am generally for Latino immigration, but not for this reason, since such a motivation would negatively affect our posture towards other immigrant groups and other ethnic communities. Wouldn’t this be yet another way religion and racism would *converge*?

Finally, since a ‘nation–state’ in Enlightenment terms is in fact an ‘imagined community,’<sup>13</sup> it is a source of group identity that competes with the church universal. Just as the first Exodus out of Egypt and the Mosaic covenant created *one* covenant community, Israel, so the new Exodus out of sin and the new covenant inaugurated by Jesus creates *one* covenant community, the church, made up of both Jew and Gentile. The church worldwide exists by *one* covenant alone. Any attempt for one segment of the church universal to forge an additional ‘covenant’ with God on behalf of themselves or their ‘nation’ is misguided. Correspondingly, Jesus – through his ethic of radical hospitality and love for enemy – called his community of followers to be a transnational reconciliation movement. That is, the church exists in multiple nations at once without ever becoming a ‘nation–state’ itself, or defending itself as such.

### **A Concrete Political Strategy**

We cannot sit idly by while various forces would attempt to legislate a redefinition of marriage. But we must be clear on our objectives as well as our methods for reaching those objectives.

First, we ought not work for the inherently unstable goal of a constitutional amendment defining marriage as one man and one woman. With various liberal religions sanctifying gay marriages, the First Amendment will eventually force the U.S. government to recognize those religions’ sacraments as having equal legitimacy. This will leave us in the worst possible position in which the broadest definition of marriage (including polyamorous marriages) becomes legitimized by the government.

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<sup>11</sup> Robert Bellah et.al., *The Good Society* (New York: Knopf, 1991); Robert Wuthnow, *God and Mammon in America* (New York: Macmillan, 1994) are Christian sociologists who explore this problem

<sup>12</sup> As suggested, e.g. by Rev. Samuel Rodriguez Jr., president of a group supposedly representing 15 million Hispanic evangelical Christians; see [http://www.boston.com/news/nation/washington/articles/2006/03/06/hispanic\\_evangelical\\_offering\\_gop\\_a\\_bridge\\_to\\_future](http://www.boston.com/news/nation/washington/articles/2006/03/06/hispanic_evangelical_offering_gop_a_bridge_to_future). Rev. Miranda has also suggested this.

<sup>13</sup> Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (Verso Publishers, 1983, 1991)

Second, we should work towards a way to make hospital visitation rights, etc. broad and flexible. It should not be restricted to couples legally 'married' or joined by a 'civil union.' What about single people? The church should take seriously the apostle Paul's counsel that singleness is an honored way of life, just as married life is. So we should honor single people. On issues like hospital visitation rights, I think we need to allow people to designate members of their community to have those rights.

Third, we must therefore unite towards the sustainable goal of removing the government from the marriage business altogether by advocating for universal civil unions. Civil unions in this scenario could retain all the legal and economic benefits of marriage, even allowing for polygamy. Am I not concerned about Mormon polygamy? The reality is that we financially subsidize Mormon second and third wives for raising children, because our 'marriage policy' does not recognize them as legally married, but only single mothers! So it makes more sense to me to have Mormon polygamous families bear their own financial weight. So the title and conferred power of legitimizing "marriage" would be removed from state authorities.

Fourth, the strength of our argument and of our political influence hinges on our ability to rally vast segments of the church to respond to an emotionally provocative event. Similar to the Tufts case, we should wait for an inevitable and egregious violation of the church's rights over the issue of same-sex marriages. This would be picking up Martin Luther King's biblically inspired strategy of using civil disobedience to expose the evil in a society.

Finally, in the intervening time, we must continue to build our networks and our ability to work together so that we will be able to mobilize when the time is right. As we know from history, the Enemy always oversteps his reach, and in doing so will give us this terrible but necessary opportunity to bring our laws to the best possible place in our increasingly confused world. Let us come together around the most important things for today so that tomorrow we might stand together in creating a true political pluralism that protects our theological unity.

Sandy, I do take seriously your larger argument about shifts in people's moral thinking. And I value any and all of the social science research, for example on the Catholic website you linked to, on the subject of parenting and childraising, mental health, and so on. But just for the record, Ezekiel prioritizes the many reasons why God rained fire on Sodom and Gomorrah, and it's not quite as clear as you suggest: 'Behold, this was the guilt of your sister Sodom: she and her daughters had arrogance, abundant food and careless ease, but she did not help the poor and needy. Thus they were haughty and committed abominations before Me. Therefore I removed them when I saw it.' (Ezk.16:49 – 50) In the wider context of the vital debates about political, economic, and social issues, what are we to make of Ezekiel naming materialistic indulgence and lack of concern for the poor over all the other 'abominations' that are simply lumped into a broad category? No doubt the male-male gang rape intended by the men of Sodom in Genesis 19 qualifies as one of those 'abominations.' But notice that you have to assume that you can isolate the same-sex intention as the factor that draws God's displeasure, and not the rape or the gang aspects of this incident. Hence, I don't think that this incident of Sodom and Gomorrah really helps you make your point here.

Besides that, the Catholic website also says heterosexual marriage needs special government protection and incentives. Doesn't this raise the question for the political conservative, ironically, of whether we need such a nanny state? And doesn't this way of arguing the case leave that particular position vulnerable to the idea from the left that homosexual marriage needs *extra-special* government protection and incentives – above and beyond what straight couples get – to counteract the apparent tendency gay and lesbian couples still have to break up easily?

My point is this: making an argument against gay marriage from the standpoint of 'the good of society' or 'tradition' just doesn't pass muster. At some point, it will be for 'the good of society' that couples NOT have children because of overpopulation. That's already happened in China with their one child policy. India may soon follow. The problems we will soon have with our water and food supply, ecology, and so on will make us

completely rethink procreation. And then, where will all these arguments go that are based on ‘the interest the state has in the family’ or ‘the good of society’?

Your argument from ‘the good of society’ doesn’t even factually represent the past. For instance, you also cited the Roman Empire’s decline, ostensibly for reasons of moral decadence. But the Roman Empire ‘declined’ (if that is what it was) at the same time Christianity expanded. The English historian Edward Gibbon famously made that point, much to Christians’ embarrassment. He argued that the chief reason for Rome’s ‘decline’ was the spread of Christian faith and its social ethic which radically questioned not only Rome’s decadence, but also weakened its military strength, challenged its political order, and threatened its male-dominated social cohesion. We would do well to consider his claim, however much it is contested. I actually accept the basic premise of Gibbon’s argument, though there is much to debate otherwise. For neither Jesus nor the apostles made arguments for their ethical positions based on ‘the good of society’ or ‘the common good’ or some such thing. When Paul spoke in Athens and Corinth, for example, he did not argue about the biblical ethic of marriage from the standpoint of ‘what’s good for children,’ but simply from the resurrection of Jesus (Acts 17; 1 Cor.15), which affirms God’s original creation order for marriage, and the nature of human beings as bodies and not simply souls.

Yet today, there is an assumption in both liberal and conservative circles that Christian faith should serve some larger political purpose that can be construed as ‘American.’ On the one hand, the left-leaning liberal wants Christian faith to support universal human dignity, human rights, civil rights, the importance of the individual over the family of origin, a therapeutic approach to criminal justice, the education industry, etc. On the other hand, the right-leaning conservative wants Christian faith to support militarism and global order, nation-building, the idea of ‘natural law’ to support ‘the rule of law,’ the sovereignty of individual liberty, especially in the service of economic development, and so on. The reality is that Christian faith can sometimes support those things, but not always. On many other occasions, Christian faith grossly challenges them. And it can and does place the Christian community deeply at odds with ‘individualism’ and ‘nationalism’, the left and the right. Christian faith is simply not reducible to ‘the good of society.’

‘The good of society’ is not a stable platform on which to make a moral argument, Christian or otherwise. We must debate this issue strictly on the basis of revelation alone.