

God Forbid

Religion and Sex in American Public Life



EDITED BY

Kathleen M. Sands

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*January 2000
Boston, Massachusetts*

K. M. S.

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Introduction

We Americans have subjected ourselves to many a public conjunction of religion and sex. First came the Moral Majority in 1979, the rise of the Religious Right, and the minting of family values as the new currency of politics. Religious and moral values were invoked by Supreme Court justices in 1986 when they decided that homosexual sodomy was not entitled to constitutional privacy. Since the Defense of Marriage Act became federal law in 1996, religious authority has been called upon by social conservatives as they attempt, state by state, to legislate an exclusively heterosexual definition of marriage. Opposition to sex education in public schools has become a key organizational point for the Religious Right, which often establishes school boards as its local base. Abortion and gay rights remain the social issues in regard to which religious groups are most politically visible and have become ideologically (if not logically) linked with the whole agenda of religious conservatism, from school prayer to reduced taxation and diminished government. In the 1990s teen pregnancy and single motherhood in general have been invested with tremendous social significance and, particularly with the Personal Responsibility Act of 1996, remanded to the special care of “faith-based” organizations.

We could list many more conjunctions of this type, but the culmination (let’s hope) was the unprecedented spectacle of a president forced to confess a sexual affair on television. Although Bill Clinton’s initial response was to insist that the matter was private,¹ he was quickly given to understand that nothing less than an altar call would be politically demanded of him. And that he performed at the prayer breakfast of September 21, 1998, in the language of “a broken and contrite heart,” which he cited from his personal Bible, followed by well-publicized sessions with a

team of spiritual counselors. For a short season, clergy and theologians of every sort enjoyed an unusual opportunity to issue judgments from the highest of mountaintops, something even progressive religionists found hard to resist. Nor was this outpouring of religious language confined to religious leaders. In every quarter, the public discourse surrounding the Lewinsky scandal was as much dominated by the language of forgiveness and repentance as by that of crime and punishment, as if Clinton had cheated on his constituency rather than on his wife. Triple-bound by the public conflation of sexual propriety, religious rectitude, and political legitimacy, Clinton within another couple of months was being accused of misusing the language of repentance for political purposes.² However, *why* he should have been using the language of repentance in the first place, what bearing this sexual fling bore on his obligations as president or as a citizen, what judicial machinations had to be deployed to drum these furtive genital acts into a constitutional crisis—these questions disappeared whenever religion descended into the discussion.

Although the polls told us that most Americans were sick unto death of this affair well before its end, it was also clear that we did not have a robust ethical language in which to express this dismay. The best that Clinton's religious allies could do was lament his sins as a mirror of America's own moral decay, or humbly confess that there but for the grace of God go we all.³ Most public objections to this inquisition, however, were plainly cynical: disgust for Clinton's character was more or less counterbalanced by disgust for the prurient moralism of his political opponents. History may well include some such judgments in its memory of this president. But it is the freedom of Americans and the maturation of our political ethics that are important about the Lewinsky scandal, not the personal legacy of a president. For sexual privacy is a vital social good that few of us are willing to do without, and that is not because sexual behavior is trivial. Quite the contrary, it is because our choices about sexuality are so vital to our life projects. For that reason, a society that does not allow the widest possible latitude for those choices cannot, for most Americans, be a good enough society. Plainly, that latitude is empty unless it includes the freedom to make choices that are unconventional, that prove misguided, or that violate personal promises. This does not mean that people should not try to influence each other's sexual ethics by ordinary social means, just not by coercion, intimidation, or force. Who among us would really want to live with the alternative?

In these and countless other instances, public discourse in the United States is making ever more rapid and unreflective equations among politics, conservative religion, and conventional sexual mores. In the process, a host of obvious questions go unasked. How do the sexual acts of individuals—say, acts of a particular physical structure, or that betray a relationship, or that touch a partner of the same gender—bear on the *public* good? Or do they? And why are particular, widely contested sexual mores now being made politically requisite? Why, for example, is the father-dependent, heterosexual, nuclear family being made the basis of law and public policy, exactly when this model of family is less and less reflective of American reality or of a moral consensus?

Parallel questions can be posed about religion. How can the weight of religion be placed against abortion rights, or same-sex marriage, or sex-positive public

school curricula, when religious groups are profoundly divided, within themselves and among each other, on these very questions? Why is it that religionists with progressive views on sexuality—and there are many, as these chapters document—cannot garner anything like the public authority that is granted to conservative views under the auspices of “religion”? Even if Christians agreed amongst themselves (and they do not) or if Jews agreed amongst themselves (and they do not) about marriage, or reproductive ethics, or homoeroticism—why would the Bible or the “Judeo-Christian tradition”⁴ have political authority in our presumably secular society? Why are religious freedom and sexual freedom construed as if they belong to different camps, as if the ground gained by one were always lost by the other? Is not every citizen entitled to both, and do they not both attach to the First Amendment?

Finally, there are questions to ask about sex. Why are sex and reproduction now taken as the central concerns of religion, such that “family values” covers the entire political agenda of religious conservatives, while the social concerns of religious progressives get almost no public hearing? Why has “the family,” with all that encodes, become a point of doctrine across the political spectrum, so that hardly anyone dares attempt public office without pledging fealty to this term? When did Americans agree to relinquish the freedom to work out our sexual and reproductive lives according to our individual consciences and dreams? Or did we ever really have this freedom?

Worst of all, the invocation of religion only makes it harder to answer or even ask these questions, as if “religion” were not only a conversation-stopper but a thought-stopper as well. This sclerosis of dialogue and rationality is among the most unfortunate aspects of what has been called the de-privatization of religion. Whether this de-privatization represents a reentry of religion into the public sphere or simply a new degree of visibility, whether it promises to fulfill the best of modernity’s promises or threatens a regression to authoritarian domination—all of this can be disputed.⁵ In any case, it would be too simple to trace its origins to the rise of the Religious Right in the 1980s. The involvement of religion in the civil rights movement is the most common counterexample, but it is certainly not the only one. The longer the historical view, the less clear it is that religion in the United States ever has been or could be simply “private.”

The question, then, is not when and why religion in the United States went public, but in what forms has religion enacted itself publicly and to what ends has it done so. Putting the question this way, we could notice three distinct developments in the past two decades. First, there has been a dramatic shift from left to right in the political force exerted by religion in America. Secondly, under the authority of “religion,” the feminist critique of sexual arrangements has been suppressed and individual compliance with “traditional” sexual morality has taken on explicit and incomparable public significance. Thirdly, the de-privatization of religion in America is now correlated with the *privatization* of government, and sexuality is the vehicle for this exchange of public functions.

The inefficacy of religious progressivism is part and parcel of the inefficacy of the U.S. Left in general, but it also has dimensions specific to the representation and misrepresentation of religion. For although our popular media do not evince

much interest in the social concerns of the Left, they are ever more interested in “religion.” In television and film, the current religious impulse is entirely sentimental and nostalgic, absorbed with angels and heaven rather than with the ambiguities of mere earthly existence. As Mark Silk has shown, the news media are driven by their own religious apologetic; their stories of religion exemplify a handful of simple morals, all based on the premise that religion is a good thing.⁶ Judging from the stories we tell ourselves nowadays, Americans by and large expect religion to be a source of comfort and conventionality, and to have the family, not society or politics, as its locus. Contrast, for example, the attention slathered on the conservative statements of the U.S. Catholic hierarchy concerning homosexuality with the relative inattention to their far more progressive statements on the economy, war, and peace.

The result is an astonishingly distorted public profile of religion. How many Americans are aware, for example, of the gay and lesbian groups that exist within virtually every religious denomination in the United States? Or of the Religious Coalition for Reproductive Choice, which has more than forty affiliates? Or the feminist organizations within dozens of religious groups, and their various alliances, such as the WomenChurch Convergence? When such groups draw the ire of religious conservatives, as was the case with the “Re-Imagining Conference” of 1993, then, evidently, they become newsworthy.⁷ Yet their continuation and growth over decades, although profoundly altering the face of religion in the United States, have registered barely a blink of the public eye.

Certainly, the most important reason for the relative invisibility of progressive religion is the political and economic power that has now rallied behind conservative religion. However, there are also several reasons pertaining to progressive religion itself. One is that religious progressives and liberals, informed by the social sciences, understand that the lines of causality run as much or more from social and economic structures to individual lives as in the opposite direction. So it is those structures upon which their public statements most often focus. Moreover, when it comes to sexuality and reproduction, progressives tend to express their views in secularist terms, such as the separation of church and state. For progressives, this is very much to the point, for they do not believe that religious and political ethics are precisely coterminous. However, having made this distinction, over which the Religious Right rarely pauses, religious progressives are faced with the problem of reformulating exactly how these ethical dimensions *are* to be related. Like libertarians across the political spectrum, religious progressives are reticent about public regulation of sexuality, whether or not they regard the behavior in question as moral. But how does this political orientation—or does it—reverberate on sexual ethics as part of religious ethics? How does a commitment to gay civil rights, for instance, affect the traditional religious privileging of heterosexuality? How does the social commitment of religious progressives to gender equality challenge their religious models of the family? If a denomination were to support the decriminalization of prostitution, what would that imply about their moral estimation of sex work? Or would it imply anything? Progressive religious groups often lack clarity about the morality of these controverted acts, about the public goods (if any) that are at stake in them, about the role and limits of their own religious traditions and authorities in

the determination of law and policy around these issues. That is often due to a lack of internal consensus on the substantive religious issues. Unfortunately, it can weaken their libertarian impulse, for few groups (other than the American Civil Liberties Union) can demonstrate hardy support for civil rights, the actual exercise of which they are unable to confidently condone.⁸

The particular inaudibility of progressive religion on issues of sexuality and reproduction has a tremendous cost now, when these have become at once the site of religion's greatest authority and the ideological centerpiece of politics. The bearing of children within or outside marriage, one's patterns of childrearing, the gender(s) of one's sexual partner(s), the choice to continue or to terminate a pregnancy, the sexual exclusiveness or non-exclusiveness of marriage partners, the chastity of youth, even the aesthetic style of one's sexual acts—these and other intimate decisions have become the matters of the greatest public moment. Everywhere, “family” is the icon of goodness and the standard of value. Even my YMCA is filled with self-advertisements boasting its success in “Building Stronger Families.” Neither “building stronger people” nor “building stronger communities” will do, evidently; only this singular manner of molding American bodies into American society.

Contrast with the 1960s is instructive here, as it is in regard to the political location of religious activism. One blanches to contemplate what a multimillion dollar investigation would have turned up about the sexual adventures of a John F. Kennedy or even a Martin Luther King, Jr., or how any leader of their time might have responded if entrapped into choosing between perjury and revealing his intimate improprieties to the world. In their time, though, these sorts of confessions and penances had not yet been appended to the job description of president or social prophet. This is not to deny that the heterosexual, married lifestyle was the requisite public image then as much as now, nor to propose the 1960s as a golden age. The salient difference is that then it was possible for routine, practical contradictions of public sexual mores to flourish in the shadows—at least for those (usually men) who benefited from the moral compliance of others (usually women). The room for contradictions, in fact, was what made the ideal appear to work. This old bargain does not work so well, however, when the ideals themselves are openly contested rather than secretly compromised. That is just what has occurred in the interim, through feminist critique of the double standard and the father-headed family, through the social decline of the nuclear family, and through the emergence of new sexual and reproductive patterns. In order to suppress those critiques and alternatives, something new and extraordinary is occurring: actual compliance with the old ideals is beginning to be enforced on everyone, from welfare mothers to the president.

From one angle, this reimposition of conservative sexual mores amounts to the *de-privatization* of religion, which, as the supposed guarantor of family values and personal responsibility, becomes a new keystone for public life. From another angle, it is the *privatization* of government. For example, what were previously public obligations, requiring public funds, become the voluntary activities and charitable expenditures of civic institutions and private business. The effect of shifting public attention to the private and civic spheres is to dismantle the commitment to social

analysis upon which the Great Society and the New Deal before it were based. In this way, an important piece of ideological work is accomplished for the political economy, which is shielded from scrutiny as to its structural inequities. Practically, too, the “downsizing” of government (the term itself a testimony to the triumph of market values) removes the chief obstacles to the expansion and consolidation of capital and repositions government as the facilitator of these economic trends, nationally and globally. These economic and political shifts certainly do not serve families very well, even “traditional” ones, as the chapter by Rosemary Ruether in this volume shows. Nor are the interests of social conservatives, among whom the Religious Right belongs, exactly the same as those of the economic conservatives now championing an ever-less-regulated global market. The rhetoric of family values elides those contradictions, thus sanctifying and safeguarding the uneasy marriage of social and economic conservatism, as Janet Jakobsen astutely argues in chapter five.

Social provision is a vivid example of this current exchange of public and private functions through the medium of sexual mores. Attributing poverty to moral turpitude in the form of “illegitimate” childbearing, the Personal Responsibility Act proposes that the answers to poverty are marriage and wage work. Because the answers are situated at the level of individual morality, especially sexual morality, religion is thought particularly suited to execute this program; under the Charitable Choice Provision, it is given vastly expanded opportunities and incentives to do so. The program, of course, hinges on the assumption that the childrearing of one parent (guess which) can be adequately subsidized by the paid labor of the other, thus presuming as normative the marginalization of childbearing women from public life. The economic impossibility of this arrangement for those at the bottom of the economic ladder is explained by the bite of taxes into paychecks, while liberal Democrats call ever more weakly for a higher minimum wage, a more equitable health care system, and affordable child care. Needless to say, the reduction of taxes happens also to hasten the diminishment of government and its reduction to an agent of corporate capital.

It is tempting to try to resolve these controversies by appealing to familiar distinctions between the public and the private, or the religious and the secular. Against the Religious Right’s attacks on sex education in public schools, liberal secularists typically argue that religion as such has no place in public schools. Against attempts to restrict abortion or deny civil rights to gays, they claim that sexual behavior as such is private and must not be subject to public scrutiny. Conservative religionists, interestingly, also use metaphors of intrusion. They contend that the state oversteps religious freedom when public school curricula offend the religious sensibilities of parents, or when law permits or policy condones sexual behavior that dominant traditions presumably condemn. However, the twin dichotomies of private and public, religious and secular are part of the problem because these terms, most often, are highly ideological. That is, they proclaim positions but do not explain how anyone else might reasonably arrive there. Ideology of its nature is protean; it adjusts itself to cover social critiques or to preserve power relations under changed social circumstances. So it is the powerful who are least interested in rendering ideology transparent. And there are powerful interests

on both sides of these dichotomies. They conspire to support the boundaries between private and public, religious and secular, even if they fight over just where those boundaries should be placed.

The language of sexual privacy is a good illustration. Depending on whether or not one enjoys a position of privilege, privacy can mean that one is *not compelled* to expose something to the public eye, or that one is *not allowed* to expose something publicly. Heterosexuals are free to think of sexuality in the former way, an assumption that was judicially confirmed in the *Griswold* decision (1965), which conferred the penumbra of privacy upon contraception, and in the much disputed *Roe* decision (1973), which did the same for first-trimester abortions. Socially and culturally, however, heterosexuality is hardly “private,” since it is on ubiquitous public display. Paradoxically, it is the very ubiquity of heterosexual display—its *pervasive publicity*—that renders it invisible to straight people, who may actually believe that they are quite “private” about their sexuality. In contrast, gay and lesbian people cannot afford to overlook the fact that heterosexuality is publicly normative. If they display even the mildest of sexual expressions (say, holding hands with a lover while strolling down Main Street), it will be complained that they are flaunting their sexuality in public. If they are punished for this with social ostracism and discrimination, they will in most states have no legal recourse.⁹ The coup de grâce is that, in addition to lacking a social right to public existence, homosexuals also are denied (since the *Bowers* decision) a constitutional right to sexual privacy. The lesson is not hard to discern: those with power own both the public and the private, while those without have neither.

The religious/secular dichotomy is subject to similar incoherences, which nonetheless do not weaken the dichotomy itself. For example, as constitutional scholar Stephen Carter has argued, religious beliefs, symbols, authorities, or institutions are often excluded from or marginalized within public life, simply by virtue of being “religious.” Why is it, Carter asked, that a group representing a particular ethnicity can demand representation within a public school curriculum, while a religious group, simply because it *is* religious, cannot? Why would belief in “a woman’s right to choose” be acceptable within public discourse, while belief in “the sanctity of [fetal] life” not be?¹⁰ And why, religious conservatives ask, has America’s political commitment to secularism been applied with particular rigor against Christianity? Why has disestablishment, in their view meant largely to enable religious freedom, come to be applied in ways that perversely abridge the religious expression of what is still the majority of Americans?

However, while religionists rely upon the special privileges conferred by the religious freedom clause of the First Amendment, they often want to evade the special exclusions that are linked with those privileges and that are inscribed in the no establishment clause. This is so for religious groups across the political spectrum. The most remarkable illustration in recent history is the wildly diverse coalition that allied in support of the Religious Freedom Restoration Act of 1993 (RFRA), in the wake of a Supreme Court decision (the “peyote case”) limiting religious freedom. RFRA, which the Supreme Court struck down in *Boerne* (1997), claimed extraordinary latitude for religiously motivated action, even in violation of facially neutral law.¹¹ Its supporters included the Christian Coalition, the

Native American Church, the Baptist Joint Committee, the National Council of Churches, the Union of American Hebrew Congregations, the Unification Church, and the U.S. Catholic Conference. Just as notably, the RFRA alliance was joined by two of the most devoutly *secularist* organizations in the United States—People for the American Way and the American Civil Liberties Union. It mattered not for these odd and temporary allies whether one's institutional tent was pitched on the secular or the religious side of the border, whether one was more interested in protecting state from church or church from state. The RFRA coalition demonstrated that even those who fiercely disagree about where the wall between church and state should be placed can nonetheless join forces in raising that wall as high as the heavens.

Despite very different investments in “the religious” and the “secular,” then, there are shared interests among secularists, religious conservatives, and religious progressives in making much of this dubious distinction. Religious progressives, for example, may at times experience church-state separation as a limitation upon themselves, but more often they experience it as a way to curtail the influence of their religious opponents on those “secular” spheres wherein religious progressives feel at home. In this, they have something in common with secularists, most of whom work on principles that snugly complement those of religious conservatism. Instead of demanding the privileges of religion without the exclusions, secularists often want religion to be specially excluded but deprived of its special privileges. An illustration is the study of religion in public schools, an obvious way (one would think) to promote better public discourse around the issues discussed in this book, as well as many other public issues. Strangely enough, while disagreeing strongly on the *practice* of religion (i.e., prayer) in public schools, secularists and religious conservatives share a mistrust, sometimes disdain, for the academic *study* of religion. The reasons are different, but they fit as tightly as puzzle pieces: conservative believers often fear that religious faith will be harmed or demeaned by scholarly dispassion, while many secular academics suspect the study of religion will impugn the objectivity of the academy as a whole.

Herein also lies one reason why secular progressive groups—especially those dealing with sexual and reproductive issues—have been so slow to make alliances with religious progressives. In the 1990s this has changed somewhat. The Human Rights Campaign honors gay and lesbian religious leaders; the National Abortion Rights Action League's website links with the Religious Coalition for Reproductive Rights, and so forth. Still, the many years of simplistic caricatures and uninformed hostility about religion within the gay rights, reproductive rights, and feminist movements released a long-acting toxin that can still be tasted in colloquial discourse. There are many reasons, some very good, for the tension between these movements and “religion” as they have known it. But there is also a bad reason: the deeply rooted tendency of liberal thought to authorize itself precisely as secular, that is, as “not religion.” Popular liberal rhetoric thereby avoided articulating a social ethic of its own. This avoidance has been most marked in areas of sexuality, where liberalism retreated to the fortress of “privacy,” insisted on its own moral neutrality, and rained constant accusations of intolerance on the heads of its opponents. No wonder, then, that conservatives can win so many political battles simply

by framing the issues as moral or ethical. Once those rhetorical guns roll out, secularists are forced from the field.

The historical roots of the secularist antipathy to religion go deep. Modernity is, in so many ways, a freedom from religion—the freedom of government from ecclesiastical authority, of inquiry from the ecclesiastical magisterium, of the market from the consolidated wealth of church and crown (and, we might add, from religious constraints against usury or religious demands on behalf of the poor). Modernity thus recreated “religion” as a new thing under the sun—new not only because qualitatively different cultural formations (e.g., Hinduism, Islam, and Christianity) were to become, as “religion,” the same thing, but also because this monolith called “religion” was now constructed as modernity’s inner contradiction. Religion, in this particular sense, really cannot be “modern.” Rather than providing direct legitimation for the social order, as did Christianity in the Middle Ages, religion in the modern era came to provide a sort of negative legitimation, validating modern secularity as “not religious.” It is in precisely this negative form that religion has remained ideologically necessary for modern American society.

This is also how the double wedding of these ideological pairs was effected, so that the dichotomy of private and public came to supplement that of religion and secularity. While religion offered negative legitimation to modernity, the private filled in the positive legitimation. Like “the religious,” the “private” became an ideological absolute, set beyond the bounds of inquiry, the reach of history, or the vicissitudes of society. As the religious relies on the law of God, so the private relies on law of nature and purports to supply sure foundations for social order. Certain human traits, posited as universal, became the basis of equality claims; certain human differences, also posited as universal, became the basis of social roles. Among the differences, gender was particularly salient, for the division between public and private was simultaneously a division of gender, consigning women to the domestic sphere—on the authority, if not of God, at least of nature.

It is commonly noted that modernity is in crisis. In the United States, one manifestation of that crisis has been the realigning of the private and the public, the religious and the secular, around the theme of family. That realignment has been provoked through deep, sustained critiques and alterations of the private. Just as the modern era was initiated when the authority of religion was disrupted, so the post-modern moment begins with threats to the private, particularly in the forms of capital and “traditional” sexual arrangements. Under these circumstances, religion returns as a direct, positive legitimation of the social order, an ideological reinforcement of privacy.

The critique of private capital and the free market exposes the undue influence of private capital in the public arena. The public, then, is in danger of being exposed as not really public at all. At the same time, the purported freedom of the market is called into question when capital accumulates and consolidates, and the economic freedom of some parties visibly inhibits or crushes that of others. These critiques are certainly not new, but the unprecedented expansion of the global market affords many new points of rupture at which they might break through. Family values, by shifting the focus from government and business to the moral character of individuals, plugs these ideological leaks. Moreover, through its alliance with re-

ligion, family values discourse effectively equates the critique of private capital with the Marxist rejection of religion. It thereby erases religious critiques of the maldistribution of wealth, which predate Marx by millennia, not to mention the religious adaptations of socialism that remain live political options in other parts of the world, for example the Christian socialist parties of Europe.

Whereas the critique of private capital shows that not everyone is entitled to economic “privates,” the critique of gender shows that women lack access to the public. It was feminism, in both its nineteenth- and twentieth-century forms, that brought this critique home, so to speak. Second-wave feminists went further in their critique of “natural law” and their analysis of sexual and social life according to the maxim that “the personal is political.” The “private,” they showed, had been socially and historically made up in the service of a male supremacist political agenda; it could therefore be remade or unmade in service of an egalitarian social vision. Here again, the relationship with religion was decisive, for in sharp contrast to most of its nineteenth-century forebears, second-wave feminism established itself as resolutely secularist, even actively hostile, to religion.

Certainly, there were the most serious reasons for feminists to break the heavy links that in the nineteenth century came to specially bind women with religion, just as there were the most serious of reasons for breaking the identification of women with sexual and reproductive functions. There also were and are the most profound reasons for a feminist critique of religion. However, this very critique has been produced in great detail by religious feminism in these same decades, along with a whole set of religious revisions that continue to have tremendous impact on religion in the United States. Few strong alliances have been forged between secular and religious feminism, and this has been costly for both. It has inhibited feminism’s appeal to women for whom religion is a crucial part of their identity, and this includes many women who are poor and nonwhite. It also deprived secular feminism of a rich source of social visions, because religions, notwithstanding their presumptive patriarchalism, also mandate some version of justice, compassion, and the more equitable distribution of wealth. Because of their comprehensiveness, religious visions of society can model various ways in which the critique of patriarchalism can be connected with other sorts of social critique. Absent those connections, second-wave feminism is often perceived, and has often been, largely a means through which white middle class women reach out for a larger and more immediate share of the economic pie.

The two critiques of the private, as capital and as gender, both placed in opposition to religion, produced the climate in which family values ideology has been able to flourish. In family values, we have a new marriage of the religious and secular with the private and public, the purported law of God with the purported laws of nature. Family values is advanced as if it were not religion, but that can occur only because it functions very much like the cultural phenomena that Robert Bellah, following Rousseau, called “civil religion.”¹² For its adherents, and for the sociologists against whom Bellah was arguing, what Bellah called “civil religion” appeared only as a lowest common denominator. In this sense, like all effective norms, it did not appear at all. The notion of secularism gives this process an added boost. For it belongs to the notion of secularity to obscure the religious specificity of the public

sphere, just as it belongs to the notion of sexual “normality” to melt heterosexuality into the public landscape.

Like civil religion as described by Bellah, family values cannot but draw upon a specific religious context and history—in this case, versions of the “Judeo-Christian tradition” for which conventional sexual arrangements are central religious commitments. Specificity as such does not count against the validity of “family values” or any other public ethos. Nor, given the ideological relationship between the religious and the secular, is family values discredited simply because of its association with religion. Rather, the question is whether the ideals sacralized by family values are sufficiently critical to advance American culture toward its best ideals. It is worth recalling that part of what commended civil religion to Bellah was that, in addition to sacralizing certain values, it could also deploy those ideals for social self-critique. This implies that an adequate civic ethos would have to be sufficiently capacious to reflect the range of American culture. It also requires a certain dialectic between these criteria. People have to recognize an ideal or value as their own in order to be criticized by it, yet an indiscriminately capacious social ethos would have no critical edge.

On those criteria, family values must be judged utterly inadequate as a civic ethos for the United States. One inadequacy is its religious scope. For it is just while—and just because—the United States is becoming less and less exclusively Christian that Christianity or the Judeo-Christian tradition is openly anointed as what William Countryman calls “chaplain to the status quo.” Family values discourse not only is confined largely to the “Judeo-Christian tradition,” but it also defines that tradition so narrowly as to radically truncate even the range of views that are internal to Judaism and Christianity. That is only the surface of the problem, however, because in recent decades America has become more and more of a religious “mosaic,” to borrow an image from scholar of religion Diana Eck.¹³ Islam, the fastest growing religion in the United States and destined soon to become our largest minority religion, is the preeminent example. But today all the religions of the world are American religions, as Eck’s pluralism project has abundantly documented. And then there are the many Americans whose religious affiliations are little more than nominal, whose religious identities are shifting and syncretistic, or who profess no religious belief of any kind. The “traditional” family is being canonized under circumstances that are exactly parallel—that is, at precisely the moment when that model faces an unprecedented array of challenges and alternatives. These alternatives are every bit as valid as are the multitudes of religions that now claim standing as “American.” In many cases, they *are* religious alternatives, as the chapters in this volume demonstrate. Even when they are not, however, these alternative forms of sexual life concern personal belief, interpersonal association, and free expression in the most serious ways. On what grounds can those freedoms be abridged when they are not specifically “religious”?

For now, the “personal is political” is back. And it is back with, quite literally, a vengeance—against feminism and on behalf of free market capitalism. Reformulated as family values, that principle now endangers the freedoms for which feminists and sexual dissidents have fought. In standing for those freedoms, it is vital to remember that they are linked with other social goods, just as their abridgment is

bound to other social ills. Authentic sexual and reproductive freedom, although good in and of itself, requires much more and produces much more than an expanded menu of personal lifestyle options. To have a society in which women have both the right and the means to control their reproductivity, in which the bearing of children does not exclude parents from full participation in public life, in which heterosexuality is no longer requisite, in which gender is improvised rather than assigned, in which people can work out their sexual life plans in peace and affirm their intimate associations publicly—to have all of this would be to inhabit a world much revised, not only in its sexual arrangements, but in its political economy and social structures as well.

There are many ways to tell the story of religion and sex in American public life, many vantage points from which to tell it, and a variety of ways the moral of that story might be explained. It will be helpful, then, to clarify what these chapters do and do not have in common, and what terrain they cover.

The chapters cluster into four areas. The first concerns basic theoretical issues that determine our views of how religion and sex ought to and ought not to meet in public life. Judith Plaskow, in the context of progressive Judaism, addresses a paradox that faces all progressive religionists. As she observes, progressive scholars of religion must address the sexual issues that so predominate the public sphere and that worry and disturb religious practitioners. The quandary is how this can be done without according sex the undue significance heaped upon it by conservatives. Plaskow's own solution is to "de-center sex," while "re-centering sexuality" in the sense of studying the social and ideological structures that shape our sexual lives. Christine Gudorf addresses an equally fundamental issue: how to integrate the critique of "essentialism" and the shift to "constructivism" that are now widely accepted within the academy. For all ethicists, this forces a clarification of the sources of moral norms; for religious ethicists, it also entails a need to find some rapprochement between constructivism and the authoritative sources of their own tradition. Gudorf's essay is a programmatic sketch of how this might be done on the cutting edge of a religious tradition, in her case Roman Catholicism. My own chapter probes the category of "religion" itself. Taking gay rights and social provision as case studies, I try to tear the ideological veil that makes religion such a unique and inscrutable category in American life. This not-so-modest proposal, I think, promises benefits and challenges on both sides of the division between the religious and the secular.

The second section examines the family from historical, ideological, and religious points of view, illuminating a category that now dims public discourse. Rosemary Ruether shows that Christianity historically has had a far more complex—and, for most of its two millennia, a far more negative—view of family than is commonly acknowledged. Her chapter stands as a corrective to both the conservative misappropriation of Christian sexual ethics and to secular feminism's often simplistic rejection of Christianity. Janet Jakobsen's contribution offers both an analysis of the infamous feminist "sex wars" and an intertextual exegesis between the Christian Coalition's "Contract with the American Family" and the Republican "Contract with America." Like other authors in this volume, Jakobsen understands the

global economy as the context in which family ideology must be understood, and she traces the ways in which sexual regulation, by circuitous and often contradictory means, is made to facilitate socioeconomic domination. Rebecca Alpert, writing from a Reconstructionist Jewish perspective, argues for same-sex marriage on the grounds that it promotes the familial and marital values of progressive Judaism. And, since religious weddings also can have civil standing, same-sex weddings might also provide opportunities for religious witness and authority to be exercised on behalf of justice for gay and lesbian people.

What makes our national debates about sexuality so intractable is not only the content of the positions, but also the language and the symbols in which they are cast. The chapters comprising the third section of this volume make transparent the ideologically charged terms of some key debates. Traci West articulates plainly the demeaning references to black women's sexuality that have been explicit or implicit throughout the welfare debate and that have a history with roots in slavery. This rhetorical assault, she argues, has facilitated the material assault on the lives of poor black women that is now taking place through public policy. Mary Hunt examines the misrepresentation of gays by the Religious Right, and of the feminist Re-Imagining Conference by the news media. Hunt places these cultural skirmishes within their broadest context, which includes globalization, religious pluralism, changing sexual mores, and shifting moral vocabularies. William Countryman offers a scholarly reading of the Genesis creation accounts, which have been accorded incomparable significance in relation to gender roles and sexual preference. He argues that if, for many Christians, those accounts seem to clearly oppose homosexuality, that is only because they are being read through the dark glass of what "we" already presume to know. Together, these essays point the way to public discussions that are far more respectful of differences and disagreements, far more direct and honest, than have been our reigning public rhetorics. As Countryman's essay suggests, they also open the way for a more genuine encounter of religious people with their own authoritative sources, such as the Bible. For only when the ideological baggage of these sources is unpacked can they be expected to say something new.

The final section takes up areas of law and policy where detailed analysis is needed and where religion, for better and for worse, already has been involved. Two of these essays are concerned with reproductive ethics in social and political perspective. Daniel Maguire looks at contraception and abortion in an interreligious and international context. Religion and sex, he argues, are linked as power, and this opens up the possibility of religious tyranny, especially in the form of "pelvic orthodoxy." To break that tyranny, we need among other things a fuller understanding of religious history. Maguire provides that by lifting up a distinct pro-choice position that has always existed within Christianity itself. Thomas Shannon, writing about assisted reproduction, is working within Catholic ethics, where he draws surprising implications from traditional teachings. Ultimately, he concludes, Catholic sexual ethics are limited because of their continued reliance on a biologicistic understanding of natural law. Catholic social ethics, he argues, have more to contribute to the public discussion of assisted reproduction, which is sorely lacking in attention to the questions of economic justice that AR entails.

The last two essays concern the much controverted issues of female genital

mutilation (also called female circumcision) and prostitution. James McBride's concern is with possible constitutional challenges, based on the principles of equal protection and free exercise of religion, to laws that now prohibit FGM. Arguing meticulously from both constitutional law and feminist ethics, he concludes that neither constitutional principles nor cultural pluralism can be appropriately used to justify practices that, in his view, inflict serious and irreversible bodily harm upon girls. Rita Nakashima Brock deals with an issue wherein religion, law, and policy have all played their parts, often in concert, to exploit and demean women. Her analysis of prostitution vividly illustrates how laws and moral norms can produce whole classes of persons who are socially destined to break them and to be cruelly punished for doing so. It is a painful, pointed lesson, applicable not only to prostitution but to many other ethical and political questions this volume engages.

Although these essays accomplish a great deal, there are some things they do not accomplish. First, they do not provide a demographic representation of the range of religion in the United States. One reason is that scholarship in religion need not identify itself with a particular religious tradition; several of the essays herein do not. It is also due to the gap between the pace of demographic change and the pace at which intellectuals from emerging groups enter the public sphere. To be sure, scholars are writing about or from Islamic, Buddhist, Hindu, or other non-Jewish or Christian perspectives on issues with which this volume is concerned. For now, however, their work mostly approaches these issues from different angles than those this volume tries to capture. When they consider issues such as population and development, they are usually doing so in an international context.¹⁴ Similarly, when they debate issues such as abortion and homosexuality, their concern is usually to clarify and develop the ethics of their own religious tradition, for example, the implications of Buddhist rituals for mourning aborted fetuses.¹⁵ And when they address the United States, it is still most often from an external perspective, for example, the tension between Islamic versus Western perspectives on questions such as women's rights and secular government.¹⁶ Within a decade or two, there will probably be a wealth of scholarship in which these religious traditions, *as part of the American mosaic*, engage directly in public discourse and law and policy debates about these issues. But that day has not yet arrived. In the meanwhile, these contributions open wide the door to pluralism, through their reflections on globalization and religious diversity, and by exposing the *intra*-religious complexity within the religious traditions that are now dominant in the United States.

These essays also are not to be read as "the" progressive religious view on any of the particular issues they address. Not all religious progressives would agree that prostitution should be decriminalized, or that laws against FGM do not violate religious freedom, or that the Defense of Marriage Act does—although each of these positions is soundly argued herein. Nor do the contributors all agree with each other. Shannon's Roman Catholic ethic, for example, which sifts carefully through the traditional sexual norms of love and procreation, is quite different than Cudorf's, which flatly rejects procreationism and makes mutuality in pleasure normative. The essays that operate within religious traditions are also distinguished by the fact that each of those traditions has its own authoritative sources, its own his-

tory of interpretation and debate. Jewish scholars must be concerned with halachah and Torah, Protestants with the centrality of the Bible, Roman Catholics with natural law and the hierarchical magisterium. This, too, is relevant to public discourse because to enter that discourse with different traditions and sources is the common situation of Americans. Watching how these scholars position themselves within complex religious traditions and then discern how their traditions do or do not bear on public debate, one can learn much about what it means to live well in the multiple, complex communities that most of us must navigate daily.

In demonstrating the heterogeneity across and within religious traditions, these essays entrain an understanding of religion itself that can be of great benefit to public discourse. We begin, as scholars of religion, with the simple premise that it is possible and salutary to *think* about religion. Often, those who speak most loudly for “religion” in public display very little actual knowledge of their own (Christian) history or scriptures, not to mention of traditions and scriptures that are not their own. Alas, it is easy to believe in a religion, like in a new love, without actually knowing anything about the object of your devotion. Certain styles of faith, romantic or religious, are best sustained in the absence of knowledge, but you won’t get far with them when the honeymoon ends and conflicts begin. Thinking about religion entails connecting religious experience with other modes of human knowledge, such as history, political science, critical theory, psychology, biology, and literary criticism. All of those disciplines and others inform these essays, and through them religious positions on sexuality become more publicly intelligible, communicable, and even negotiable.

In addition to returning religion to the realm of the intelligible, this volume also returns public discussion of religion to the realm of history. Again, this is meant to unsettle the popular discourse in which religious appeals are, *ipso facto*, appeals to eternal truth. Approaching religion historically allows us to crack popular chestnuts like the “traditional” Christian family. And, in lifting up conflicting strains of the same religious tradition, it allows us to rub those conflicting strains together to spark new insights. Historically, in fact, this is how traditions have always gone on, and this is how they can find their way forward today.

Like other historical traditions, religions must struggle in the tension between majorities and minorities, structure and change, authority and interpretation, self-idealization and self-critique. These chapters enact those struggles, and in enacting them show that the problematics of religious discourse in public are not qualitatively different from those of political discourse as such. Certainly, this implies that there are no grounds for excluding religion from public discourse; at the same time, it means that religionists must commit themselves to making sense to citizens who are not religious at all, or who are not religious in the same way.

The concept of religion at work in these pages, then, is sharply distinct from the social conservatism that posits a particular type of religion as the blueprint for society. It is also distinct from the secular liberalism for which religion is a sheerly private matter. For these essays, religions are social visions, ideas about how human beings ought to structure their common lives. However, we live in a culture with many such visions, many such worlds, and to foster the coexistence of those worlds is a commitment of any religious sensibility that could be called progressive. When