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CHARLTON C. COPELAND†

Discussions of the role of religion in political life usually take one of two forms. In popular depictions, the focus is on the role that religious affiliation plays in determining how individual support of or opposition to a number of hotly contested issues, including the Presidency,[1] ballot initiatives on same-sex marriage,[2] the use of federal funds in stem-cell research,[3] restrictions on the availability of abortion,[4] or the role that religious evangelicals play in American political life. In academic treatments, the focus is usually on the extent to which religious adherents should be required to ground their public, political positions on reasons that can be accepted by all rational participants.[5] Despite the fact that religion played a sensational role in the historic 2008 Presidential campaign,[6] the 2008 election did not give rise to a discussion over the role of religion in public life, as it had in past elections.[7]

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1. CNN exit poll data for the Presidential election of 2004, showing the disparity between Bush and Kerry among religious voters, http://www.beliefnet.com/News/Politics/2004/11/2004-Election-Exit-Poll-Results.aspx.

2. Lisa Leff, *Poll: California Gay Marriage Ban Driven by Religion*, ABCNEWS.COM, Dec. 4, 2008, http://abcnews.go.com/US/wireStory?id=6390007.

3. Gary Langer, *Public Backs Stem Cell Research*, ABCNEWS.COM, June 26, 2001, http://abcnews.go.com/sections/politics/DailyNews/poll010626.html (ABC news article breaking the support and opposition for stem cell research down by, among other things, religion).

4. "Support for Legal Abortion Wobbles; Religion Informs Much Opposition,"ABCNEWS.COM, June 24, 2001, http://abcnews.go.com/images/PollingUnit/855a2Abortion.pdf (ABC News/Beliefnet Poll).

5. *See, e.g.*, CHRISTOPHER J. EBERLE, RELIGIOUS CONVICTION IN LIBERAL POLITICS (2002); MICHAEL J. PERRY, RELIGION IN POLITICS: CONSTITUTIONAL AND MORAL PERSPECTIVES (1997); JOHN RAWLS, POLITICAL LIBERALISM (1993); KENT GREENAWALT, RELIGIOUS CONVICTIONS AND POLITICAL CHOICE (1988).

6. The controversy that arose over comments made by Barack Obama's former pastor, Rev. Jeremiah A. Wright, and his continued affiliation with Trinity United Church of Christ, was framed primarily in terms of race rather than the terms of race and American politics rather than religion. *See* Michael Powell, *A Fiery Theology Under Fire*, N.Y. TIMES, May 4, 2008, at 1. Barack Obama's Speech was called perhaps the most significant speech on race by an American politician since Lyndon Johnson. *See* Janny Scott, *Obama Chooses Reconcilation Over Rancor*, N.Y. TIMES, March 19, 2008, *available at* http://www.nytimes.com/2008/03/19/us/politics/19assess.html (likening

Although the 2008 Presidential campaign did not produce a signal moment that sparked an evaluation of the place of religious discourse in American political life, it delivered a candidate onto the national stage who has thought seriously about the role of faith in politics—Barack Obama. Perhaps betraying his roots as a law professor, Obama has been remarkably open about what he takes to be the appropriate role of faith in politics. Perhaps more significantly, however, he has been even more open about his path to religious faith.[8] Obama is arguably the most theologically serious politician in modern American political history. Through his descriptions of his religious experience Obama displays a sophisticated engagement with the central ideas of Christian theology—the meaning of the life and work of Jesus, the nature of sin, the role of the Christian community—that provide a conception of the relationship between religious faith and the social order.[9] Obama's openness raises the hopes of those who see in Obama the possibility of forging a relationship between religion and liberal democracy that might transcend the distrust of the other that exists on each side.

Those desirous of a dialogue about the role of religion in democratic life would also point to Obama's admiration for and recognition of the contributions of morally-based justice movements to American history. He has articulated the debt that Americans owe to the social justice vi-

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Obama's speech on race to earlier speeches by Lyndon Johnson, John Kennedey and Abraham Lincoln). Republican Presidential candidate John McCain was not untouched by the fallout of religious leaders speaking out in controversial ways. In many ways, the fact that the Jeremiah Wright controversy was interpreted as a racial rather than religious controversy put Obama at risk among the very people who tend to be more sympathetic to religion's role in public life—working class whites—rather than the group of people whose support Obama could readily depend upon—secular liberals—who are less likely to support religion in political decision making. *See* Associated Press, *Polls: Obama Falters Among Working-Class Whites*, MSNBC.COM, May 4, 2008 (attributing a part of Obama's declining fortunes among working-class whites to the Jeremiah Wright controversy).

7. Perhaps this is because the leading Democratic candidates for President seemed, as a group, more comfortable talking about religion and their own religious experiences. This might also have been the result of the Democratic Party's calculus that it could not afford to lose religious voters as they had in 2004, and expect to win a Presidential election. *See*, E.J. DIONNE, JR., SOULED OUT: RECLAIMING FAITH AND POLITICS AFTER THE RELIGIOUS RIGHT (2008).

8. BARACK OBAMA, DREAMS FROM MY FATHER: A STORY OF RACE AND INHERITANCE (1995) [hereinafter OBAMA, DREAMS]; BARACK OBAMA, THE AUDACITY OF HOPE (Crown 2006) [hereinafter OBAMA, AUDACITY].

9. By theology, I mean the systematic reflection on religious faith. Some of the basic themes in Christian theology are: the humanity and divinity of Jesus Christ; the relationship between reason and revelation (How does God reveal Godself to creation? Is it appreciable by all?); the relationship between grace and works as a means by which humanity gains salvation from sin (Can humanity earn salvation through work or is it unmerited gift?); the origin, nature and scope of sin (Are there differing vulnerabilities to sin? What is the remedy/consequence of sin?); the relationship between structures and the mediation of grace and revelation (What is the purpose of the institutional church? Can humanity receive knowledge of God and the grace of God outside of such structures?); and the relationship between the church and the political order (What ought to be relationship between the religious community and the political order?). *See* WILLIAM C. PLACHER, A HISTORY OF CHRISTIAN THEOLOGY: AN INTRODUCTION (1983). Such reflection is clearly not limited to the Christian context. *See, e.g.*, BINYAMIN ABRAHAMOV, ISLAMIC THEOLOGY: TRADITIONALISM AND RATIONALISM (1998); ABRAHAM JOSHUA HESCHEL, GOD IN SEARCH OF MAN: A PHILOSOPHY OF JUDIAISM (1955).

sion of actors whose beliefs and methods were seen as divisive or irrational in their own periods. Obama writes,

> [I]t has not always been the pragmatist, the voice of reason, or the force of compromise, that has created the conditions for liberty. The hard cold facts remind me that it was unbending idealists . . . who recognized power would concede nothing without a fight. It was the wild-eyed prophecies of John Brown, his willingness to spill blood and not just words on behalf of his visions, that helped force the issue of a nation half slave and half free. I'm reminded that deliberation and the constitutional order may sometimes be the luxury of the powerful, and that it has sometimes been the cranks, the zealots, the prophets, the agitators, and the unreasonable—in other words the absolutists—that have fought for a new order.[10]

It is to these "absolutists" that Obama raises a metaphorical glass in salute of their uncompromising vision for a better social order, even when their actions were seen as beyond the boundary of the normal political order. One gets the sense that Obama is poised to usher in a new era of mutual respect between those who would seek to eradicate religion from American public life and political discourse and those who would "Christianize the social order."

Upon reading Obama's discussions of faith in American public life and the role of morally-guided figures in American history, it is clear that Obama will not attempt to capitalize on the schism between the religious and secular for political gain. Not only does Obama evidence an incredible appreciation for religion as civic force in American public life,[11] he appears to appreciate religion's role as a counter-force in American public life. Obama clearly respects Abolitionists' contributions to the improvement of American society, while simultaneously appreciating the oppositional stance against the status quo (including the state), which made such contributions possible. However, if one hopes for a transformed conversation about the role of religion in American public debate, Obama might prove to be a disappointment. Obama's professed resolution of the dilemma of the role of religion in public debate is disappointingly similar to the resolution pressed by others who have addressed this issue.[12] Obama's resolution of the challenge of religion in

10. OBAMA, AUDACITY, *supra* note 8, at 97.

11. Religion as the source of civic virtue has often been applauded in American life. As Stephen Carter has noted, "having lots of public religion is not the same as taking religion seriously, and the presence of religious rhetoric in public life does not mean that citizens to whom that rhetoric is precious are accorded the respect that they deserve." STEPHEN CARTER, CULTURE OF DISBELIEF: HOW LAW AND POLITICS TRIVIALIZE RELIGIOUS DEVOTION 44-45 (1993). Acceptance of religion as a source of civic piety has been used to justify the constitutionality of religious practices by state agencies. *See Lee v. Weisman*, 505 U.S. 577 (1992) (Scalia, J., dissenting) (rejecting the majority's conclusion that prayers at graduation ceremony violated the Establishment Clause, in part, on the ground that the practice of pubic prayer has a long history in American public life).

12. *See, e.g.*, ROBERT AUDI & NICHOLAS WOLTERSTORFF, RELIGION IN THE PUBLIC SQUARE: THE PLACE OF RELIGIOUS CONVICTIONS IN POLITICAL DEBATE (Rowman & Littlefield, 1996) (Audi

political debate is the imposition of an obligation that religiously motivated citizens "translate their concerns into universally, rather than religion-specific values."[13]

This essay contends that Obama's imposition of the translatability requirement mirrors, in many ways his "translation" of the movements and figures of American social justice movements whose foundation and content was based on a religious conception of justice. Ironically, Obama's admiring translation of these figures mutes their religious identities, thereby denying their full admission into the pantheon of American citizens on terms that would have been most comprehensible to them. Obama's translation requirement, or at least Obama's justifications for it, suggest that Obama, the religionist, is incomprehensible to Obama, the politician. Further, this essay asserts that Obama's resolution appears to disregard the extent to which a theological tradition of which he is a part might provide justification for rethinking the terms of the debate about religion's appropriate role in a liberal democracy.

The lens through which I will organize Obama's theological conceptions borrows from the taxonomy articulated by the late Yale theologian H. Richard Niebuhr in his classic work, *Christ and Culture*.[14] Richard Niebuhr's central claim is that the relationship between religion and the social order is adjudicated by the theological beliefs held by various religious adherents. Each of these "types" essays to resolve the di-

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argues against Wolterstorff in favor of prohibiting religious justifications as a basis for public decision making in liberal democratic societies); BRUCE ACKERMAN, SOCIAL JUSTICE AND THE LIBERAL STATE (1980) (same). This essay does not directly address the arguments mandating publically accessible grounds as a basis for public debate. For such arguments, see, for example, PERRY, *supra* note 5, and CARTER, *supra* note 11, at 213-32.

13. OBAMA, AUDACITY, *supra* note 8, at 219. Throughout I will refer to this requirement as a translatability requirement or translation requirement.

14. H. RICHARD NIEBUHR, CHRIST AND CULTURE (2001) (50th Anniversary Edition) [hereinafter NIEBUHR, CHRIST AND CULTURE]. Nothing I say here should be meant to suggest that any type offered is an exact description of any movement, ideology, or individual. This is an inexact science, but a still helpful and illuminative one as I hope it will allow us to think again about the interaction "from the other side." Also, I recognize that the typology upon which I rely sounds a bit out of place in a religiously plural democracy. Nothing that I say here should be read as suggesting that Christianity, though the dominant form of religious expression in American religious and public life, is the sole or preferred form of religious expression. Nevertheless, the framework upon which I rely is clearly Christian-centered. It is dependant upon a set of theological propositions that take the Biblical narrative of creation, fall, prophetic pronouncement, redemption in the life, death and resurrection of the person of Jesus, and the final consummation of history in the ultimate unification of the earthly and heavenly realm in the full flowering of the reign of God in Jesus Christ at the end of time. I do not think it would be possible, or helpful, to discuss religion "in general." It is exactly against a discussion of generalities that I hope to reject and avoid in this essay. It is misleading to suggest that religious pluralism in the United States has become so pervasive or acceptable that there is no way to speak about Christianity's prominent place in American religious life, as an empirical fact. Claims that Barack Obama is a Muslim were employed to disqualify him from eligibility for the nation's highest office and to circulate rumors about his fitness to serve. *See* Perry Bacon Jr., *Foes Use Obama's Muslim Ties to Fuel Rumors About Him*, WASH. POST, Nov. 29, 2007 at A01. Moreover, that the Obama campaign met these assertions with repeated affirmations of his Christian identity, suggest that despite the talk of America's plural religious present, there remains a large segment of the population that continues to believe that Christian identity is a central qualifying factor for the office of the President.

lemma of the relationship of religious faith and culture. At one extreme, the dilemma of Christ and culture is read as endemic and eternal, therefore underwriting the resolution of separation and exclusion. At the other extreme, Christ and culture are harmonized to eliminate the conflict and allow for accommodation. Finally, the middle position resists resolving the dilemma either by separation or harmonization, and concludes that the recognition of tension must counsel an attitude of cautious engagement. The sections that follow will examine the role that theological conclusions about the life and work of Jesus, the nature of sin, and the nature of the social order play in shaping the corresponding resolution to the dilemma of the relationship of religious faith and culture.[15]

An analysis of the theological possibilities for resolving the dilemma between Christ and culture force us to consider the ways in which theological resolutions of the dilemma, including Obama's own theological resolution of the dilemma, provide useful insights into the possibilities for a political resolution of the dilemma of religion and politics. An examination of the various theological responses provides two bases for challenging Obama's political resolution. First, from the exclusivist type, one receives a reinterpretation of religious political action as social witness, which is broader than the conception of politics that undergirds Obama's translatability requirement, and second, from the dualist perspective, one receives a conception of the universality of sin, which supports a humility by religious actors no less than others seeking to advance claims in the public domain. To the extent that each of these seems to fit within Obama's theological background, it suggests that they might profitably inform his political project of reconciliation between religion and liberal democracy.

I. SEPARATION AND EXCLUSION

The problem of the relationship between Christ and culture is an enduring one in almost every age. The relationship that followers of Christ ought to have toward the culture in which they reside is a subject of much literature of the Christian tradition. One such solution to this dilemma is offered by a call for separating the life of Christ from the life of culture. This resolution of the dilemma often forecloses political engagement by religiously committed citizens. It is the purpose of this Section to demonstrate the theological foundation upon which a separatist solution is based. The separatist resolution is based in part on an interpretation of the of the work of Jesus as establishing a new community of the "saved," and a conception of the social order as endemically sinful

15. Each Section will examine an American theologian whose work is an example of the exclusivist school of thought. Section I will discuss Duke University theologian Stanley Hauerwas; Section II will discuss theologian Reinhold Niebuhr, a model of the "middle" position. I will not discuss the position of the accommodationists or harmonizers, who seek to equate Christ with the social order.

and antithetical to the values of the new community. Together, these lead to the inevitable separation of the religious adherent from the social and political order.

A. Christ Against Culture

The rejection of the social order and its culture as a response to the call of Jesus Christ represents the separatist resolution to the problem of Christ and Culture. Based on its theological interpretation of both the identity and activity of Jesus Christ and the social order as impossibly at odds, the exclusivist Christian articulates a resolution that places Christ against culture. The exclusivist reads the gap between Christ and culture as unbridgeable, and resolves that the social order must be rejected, if Christ is to be retained. The rejection of "the world" and abdication of responsibility for its transformation is the outcome of the exclusivist's theological worldview.

Adherents of the exclusivist type foreground Jesus' identity as the founder of a new law. The exclusivist's interpretation of the meaning of the life of Jesus emphasizes the power, authority, and love of God, as evidenced in the person of Jesus, and the command that man respond to God through love of neighbor.[16] Jesus inaugurates a new order at whose root lies love. To the extent that the "new creation" requires a changed community, the evidence of the community's authentic commitment to the sovereignty of Jesus is its response to the commands of God in its actions. This chasm between the new creation and the social order is evident in the gap between the norms that govern each domain. In contrast to the "new creations" norm of love, the social order is governed and maintained by power, violence, and threat.[17] Richard Niebuhr describes the exclusivist type's view of the created order is "a realm under the power of evil."[18] The relationships in the realm of the world "characterized by the prevalence in it of lies, hatred, and murder; it is the heir of Cain."[19]

The exclusivist's separation of Christ from culture is parasitic upon his understanding of the "nature and prevalence of sin." The exclusive Christian is required to reject the world because it continues to be a place in which sin persists. In fact, the world is not merely the place in which sin is resident, but the exclusivist maintains that sin is endemic to the world. Rather than explaining the prevalence of sin by locating it in hu-

16. NIEBUHR, *supra* note 14, at 46-47.

17. Christian ethical thought has long depicted power as the domain of domination and force that are inconsistent with the principles that govern the domain of Christ. *See* JAMES P. MACKEY, POWER AND CHRISTIAN ETHICS (1994); CHRISTINE FIRER HINZE, COMPREHENDING POWER IN CHRISTIAN SOCIAL ETHICS (1995).

18. NIEBUHR, *supra* note 14, at 48.

19. *Id.*

man nature, the exclusivist sites the explanation for sin's continued prevalence in the corrupted culture in which humanity resided. By distinction, those who are members of the community marked by the sovereign lordship of Jesus "have passed from the darkness [of the culture] into the light," and must separate from the world in order to maintain the purity and integrity of this community.[20]

The exclusivist discourages Christian involvement in political life. Political life is envisaged as brutish and base. Political life in the social order is seen as involving nothing more than the pursuit and deployment of power. The state and its maintenance through political life are incompatible with Christianity. Beyond the merely neutral recognition of the state as necessary for the constraint of an otherwise sinful order, the exclusivist sees the state as "the chief offender against life."[21] The only safety against its domination is "nonparticpation." Thus the only appropriate resolution to the conflict between life in Christ and life in culture is near-complete separation of the two realms.

To the extent that the exclusivist views participation in the normal structures of political life negatively, they clearly counsel nonparticipation by religious citizens. Nevertheless, as will be demonstrated below, the exclusivist position articulates a competing conception of politics that challenges the dominance of politics as directly seeking to affect the outcomes of elections, or even specific policy debates. The exclusivist offers a conception of politics as religious witness against the dominant vision of the social order, including the state. This Section seeks to point out Obama's seeming appreciation for such political practice, yet his failure to attribute such practice to the religious motivations of those whom he admires. This Section argues that proper recognition of the religious dimension of a politics of social witness—which attempts to offer a competing normative model against the dominant social order—might have affected Obama's political resolution to the challenge of religion in a plural democracy.[22]

B. Stanley Hauerwas: Theologian of Separation

Stanley Hauerwas is the leading mainstream theological voice that comes closest to representing the radical school of Christian thought. He diagnoses a radical gap between the community of faith and the social order. Hauerwas' prescription for the dilemma that the gap represents requires the Christian community to remain committed to the particularity of their identity by separating from the secular, liberal political system. Hauerwas criticizes the extent to which the search for a socially

20. *Id.*

21. NIEBUHR, *supra* note 14, at 61.

22. On religion's role as the articulator of counter-hegemonic norms, see Robert Cover, *Foreword: Nomos and Narrative*, 97 HARV. L. REV. 4 (1983).

relevant and transformative role for the church in society, "has made [the Christian church] forget [our] more profound political task."[23] Hauerwas notes that this has resulted in the church aping the practices and presuppositions of liberal political life within the domain of the church.[24] Such aping fails to take seriously the widening chasm between the Christian community and the social order. The transformation of the polity from one that encourages virtue in its members, into one that merely aggregates the private preferences, necessitates the church's separation from liberal, political society.[25] Hauerwas does not advocate Christian withdrawal from society as an obligation of Christian identity in all contexts, but he clearly thinks that at present the obligation of Christians is to withdraw from liberal political society.[26] He writes:

> Christians must again understand that their first task is not to make the world better or more just, but to recognize what the world is and why it understands the political task as it does. The first social task of the church is to provide the space and time necessary for developing skills of interpretation and discrimination sufficient to help us recognize the possibilities and limits of our society. In developing such skills, the church and Christians must be uninvolved in the politics of our society and involved in the polity that is the church. Theologically, the challenge of Christian social ethics in our secular polity is no different than at any other time or place—it is always to form a society that is built on truth rather than fear. For the Christian, therefore, the church is always the primary polity through which we gain the experience to negotiate and make positive contributions to whatever society in which we may find ourselves.[27]

Hauerwas resists what he sees as the abdication by secular liberal society of any responsibility for the development of a common moral vocabulary among its citizens. For Hauerwas, liberal politics simply establishes rules of process through which individuals assert their separate interests in an effort to join others with similar interests. Such a politics is based on the status of the individual as "the sole source of au-

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23. STANLEY HAUERWAS, A COMMUNITY OF CHARACTER: TOWARD A CONSTRUCTIVE CHRISTIAN SOCIAL ETHIC 73 (1981).

24. *Id.*

25. *Id.* at 74.

26. Hauerwas writes: "Christians have rightly thought that they have a proper investment in making this, and other societies, more nearly just, but have forgotten that genuine justice depends on more profound moral convictions than our secular polity can politically acknowledge." While this might strike some as exactly the sort of religious language that leads to an attempted take-over of the public domain by religionists, Hauerwas abdicates any political role for the church in society as presently constructed. He writes: "Christians must again understand that their first task is not to make the world better or more just, but to recognize what the world is and why it understands the political task as it does. The first social task of the church is to provide the space and time necessary for developing skills of interpretation and discrimination sufficient to help us recognize the possibilities and limits of our society. In developing such skills, the church and Christians must be uninvolved in the politics of our society and involved in the polity that is the church." *Id.*

27. *Id.* at 74.

thority" and the enshrinement of the individual's self-interest as the only legitimate basis of societal decisionmaking. Liberal political society asks almost nothing of its citizens, believing itself capable of sorting out competing substantive interests by demanding no more than that its participants make a commitment to "abide by the rules of competition."[28] Hauerwas rejects what he takes to be a central premise of liberal political life: namely, that it is possible to construct political consensus in a context fraught with distrust of one's fellow citizens. Hauerwas writes, "The genius of liberalism was to make what had always been considered a vice, namely unlimited desire, a virtue."[29] In short, the very terms of liberal political culture are read as both corrupt and corrupting to those who do not share its abdication of the need for shaping, rather than merely reflecting, individual preferences. For Hauerwas, the Christian community is a community of a shared moral vocabulary centered around the loving sacrifice of God in Jesus Christ. Such a foundation calls for a posture of openness and trust. This is diametrically opposed to the distrustful, fearful foundation of political liberalism. The opposition between these two realms counsels for recognition of the fact that the religiously motivated citizen is not to transform a society whose fundamental underpinnings are so at odds with its own foundation.

There is a danger in the Christian community's participation in political life in an effort to transform the political order. Even though he does not fully foreclose the possibility of religious participation in the public domain, Hauerwas is clear that the danger lies in the religious citizen's abdication of the uniqueness of her perspective in a capitulation to the demands of the ordinary liberal political process. The liberal political process is defined by its refusal to cultivate moral virtue within the citizenry, and its a commitment to the aggregation of individual interests as the sole test of the legitimacy of the political process, regardless of the kinds of citizens such preference—maximizing produces.

Hauerwas' perspective on the danger that participation in liberal politics poses for religious communities is demonstrated by his discussion of the role of religious witness in the abortion debate. Hauerwas begins by declaring that Christians have failed in their opposition to abortion because they have sought to "meet the moral challenge within the limits of public polity, [and] have failed to make our deepest convictions that make our rejection of abortion intelligible."[30] Hauerwas blames the failure of Christians to affect the debate over abortion be-

28. *Id.* at 80.
29. *Id.* at 82.
30. *Id.* at 212.

cause they have given up their vocabulary in an effort "express [their] opposition to abortion in terms acceptable in a pluralist society."[31]

Hauerwas points to the prominence that the determination of when life begins has taken in the debate over the morality of abortion. Hauerwas challenges its status as the dominant factor in the argument for and against abortion's moral acceptance, and asserts that the fact that its prominence suggests that religionists have failed to articulate *their* moral vision. He writes,

> When the debate is so limited [to the issue of when life begins,] it has already been uncritically shaped by the political considerations of our culture, the "moral" has already been determined by the "political," and the very convictions that make us Christian simply never come up. . . . As a result the Christian prohibition of abortion appears as an irrational prejudice of religious people who cannot argue it on a secular, rational basis.[32]

Hauerwas contends that Christian opposition to abortion cannot be reduced to a debate about when life begins. He contends that any assertion about the beginning of life cannot be separated from the question of the "whole personality."[33] As such when Christians cannot make clear what such personality entails, they are disadvantaged in their participation in the public domain, because their arguments lack intelligibility on their own terms. In their arguments against abortion, Hauerwas would have Christians argue in ways that at least make their opposition intelligible. Liberal political culture's demands that Christians translate their opposition to abortion into "neutral" language silence Christian opponents of abortion from being able to explain what sort of people they are, and the sort of people they would have to be in order to find abortion acceptable. Hauerwas contends that "[s]uch a discussion must be both theological and political."[34] In the case of abortion, he contends that Christians must resist a focus on the narrow question of when life begins, but rather focus on "why it is that the Christian way of life forms people in a manner that makes abortion unthinkable."[35] This is the only way that Christians will

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31. *Id.* at 213. Hauerwas contends that the assumption that religionists can translate their moral convictions into language accessible to all in a plural democracy assumes that Christianity and the surrounding culture share a common moral vocabulary. Further, it assumes that the only terms that ought to inform the moral decisions of religionists are terms that could be acceptable to all rational persons in a plural democracy.

32. *Id.* at 213-14.

33. Although originally borrowed from John Noonan, Hauerwas uses the term "whole personality" to mean that the question of the acceptance of abortion is not simply a question of whether abortion is morally acceptable or not, but rather is determined by a consideration of the kind of people we might have to be in order to find abortion morally acceptable. Hauerwas contends that the Christian opposition to abortion is incomprehensible without an understanding of the narrative that shapes Christian identity.

34. HAUERWAS, *supra* note 22, at 224.

35. *Id.* at 222.

make arguments against abortion that are intelligible regardless of whether or not it can be determined that life begins at conception.

Hauerwas distinguishes Christian opposition to abortion from secular opposition to abortion on the ground that Christian opposition is not based on an "abstract" belief in the value of human life.[36] For Hauerwas, the question is never about human life's sacredness, which has no meaning for the Christian apart from the fact that it shares in the creative work of God. He writes,

> from the perspective of Christian convictions about life as the locus of God's creating and redeeming purpose, claims of life's "value" or "sacredness" are but empty abstractions. The value of life is God's value and our commitment to protect it is a form of our worship of God as a good creator and a trustworthy redeemer. Our question is not, "When does life begin?" but "Who is its true sovereign?" The creation and meaningfulness of the term "abortion" gain intelligibility from our conviction that God, not man, is creator and redeemer, and thus, the Lord of life. The Christian respect for life is first of all a statement, not about life, but about God."[37]

Capitulation by Christians to the demands by the social order prevents Christians from displaying their deepest motivations and commitments, and the source of their normative framework, for evaluation. More importantly, it prevents Christians from challenging the social order on their terms, the significance of which is important for Christian witness that looks at political participation differently than merely as the aggregation of individual interests for the largest agreement. For the Hauerwasian religious citizen, political participation is modeling and demonstrating a form of community and moral argument that challenges the dominant conception of the liberal political social order.

Lest he be thought to have justified the eviction of religionists from the public domain entirely, Hauerwas asserts that he merely counsels separation from the political domain to the extent that it will not endanger Christian integrity to its obligation to witness to social order. This form of political participation is distinct from normal political participation to the extent that Christian political participation need not limit itself

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36. Hauerwas seems to go beyond merely distinguishing Christian opposition from secular opposition to abortion. Rather he rejects the failure to distinguish Christian opposition as a disregard for the uniqueness of the Christian position. He appears to interpret this as a forced translation that robs Christianity of its unique moral position. *See id.* at 225.

37. *Id.* at 225-26. Hauerwas' argument is different from the two types of religiously-based oppositions to abortion described by philosopher Robert Audi—the ensoulment argument and the divine gift argument. Audi describes the ensoulment argument as based upon the assertion that humans are embodied souls, and that the ensoulment takes place at conception. The divine gift argument is based on the premise that children are God's gift, received at conception. Hauerwas' argument is clearly aligned with the divine gift argument to the extent that it is based on a conception of all life as a gift from God, over which man ought to have no control. *See* ROBERT AUDI, RELIGIOUS COMMITMENT AND SECULAR REASON 188-89 (2000).

to either the method of normal politics, or the ends of normal politics. The achievement of specific policies and success in specific political battles is not the justification of Christian political participation for Hauerwas. He writes,

> as Christians we must not confuse our political and moral strategies designed to get the best possible care for children in our society with the substance of our convictions. Nor should we hide the latter in the interest of the former. For when that is done, we abandon our society to its own limits . . . [and] we forget that our most fundamental political task is to point to that truth which we believe to be the necessary basis for any life-enhancing and just society.[38]

To practice politics within the confines of the liberal political social order is to trade fundamental reorientation for tinkering that leaves the basic architecture in tact. Hauerwas' separationism, even in the context of Christian political participation, protects the integrity of Christian witness from the corruption of a social order whose very structure is to be rejected.

Hauerwas' call for religious separation from what he believes to be a corrupt liberal social order has led critics to challenge him for what they believe is his abdication of responsibility for the eradication of societal injustice.[39] Despite such criticisms, Hauerwas' description of appropriate religious opposition to abortion provides a model for the type of religious political engagement that has been defended by his critics. Philosopher Jeffrey Stout has attempted to reject the premises of liberal social contract theory that he argues underpin the banishment of religious speech from the political domain.[40] Against the liberal contractarian position that would exclude religious speech from the political domain on the basis of its inaccessibility to all rational persons, Stout proposes a conception of religious participation as a form of expressive democratic participation. Expressive democratic participation does not establish constraints on the kind of discourse that can legitimately take place in the public domain, but rests on the unscripted practice of a back and forth dialogue between interlocutors that is honest about the basis of positions that are held, even religious bases, so that such bases might be critiqued and challenged by other conversants. In opposition to liberal contractarianism's demand for the satisfaction of the abstract "reasonable person," Stout contends that an expressive conception of democratic participation counts as a reasonable person anyone "who participates responsibly in

38. *Id.* at 229.

39. *See, e.g.*, JEFFREY STOUT, DEMOCRACY AND TRADITION 149 (2004).

40. For Stout's discussion of social contract theory's role in the exclusion of religiously motivated speech as the basis of public decision making. *See id.* at 77-85.

the process of discursive exchange which has reflective equilibrium as its ever-evolving end[.]"[41]

Hauerwas' description of an appropriate Christian opposition to abortion appears to be consistent with such an expressive conception of democratic participation.[42] However, Hauerwas' form of religious political expression is often seen as inconsistent with the demands of liberal democratic culture. Indeed, many of the references that candidate Barack Obama employed were based upon a theme of the persistence of hope in the face of seemingly insurmountable odds. The central role that the virtue of hope played in Obama's early campaign attempted to weave a narrative of America's constant battle with the powerful forces against change. In his concession speech after the New Hampshire primary, candidate Obama knitted the founders', abolitionists', laborers', immigrants', and civil rights fighters' narratives into one central thread that runs through the fabric of America.[43] Obama's use of the abolitionist's narrative and his reference to Martin Luther King, both draw upon and neglect the religious foundation and content of each of these movements for social justice. Obama's very reference to the capacity of these movements to withstand periods of seeming intractable opposition at the highest levels suggests Obama's recognition of the centrality of expressive participation to democratic politics. Their respective religious foundation and content clearly influenced the abolitionist and civil rights movements' ability to model competing realities against the then-dominant American practices of racial slavery and racial separation.[44] Hauerwas would argue that Obama's inclusion of Dr. King into the American narrative of reformers, alongside the founders, fails to take seriously the sincerely religious influences of King's commitment to the creation of a Beloved Community or his vision of a Promised Land.[45]

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41. *Id.* at 82

42. I am not altogether certain that Stout would agree with this conclusion, as he sites Hauerwas as the problem wrought by the liberal social order's exclusion of religious speech from the public domain. For Stout Hauerwas represents an example of the sort of intolerant religious participant because he is a part of a traditionalist school which sees "a particular religious tradition . . . as a community of virtue over against the sinfulness of the surrounding social world[.]" Stout describes this disposition as "exceedingly prideful" and certainly inconsistent with the openness to the critique of others who do not share the traditionalist perspective, and inconsistent with the virtues necessary for expressive democratic participation. *Id.* at 84. While I would agree with Stout about Hauerwas, I contend that Hauerwas provides us with a useful expression of the forms that religious expressive democratic participation can take.

43. Although the exclusivist type has been described as justifying an abdication of religious concern for the fate of the social order, its depiction of the corrupt state of the social order has also supporting radical transformation of the social order through the direct intervention of God. Such rejection of the world, Mark Lilla writes, can serve as the foundation of an eschatological politics aimed at the apocalyptic inauguration of the kingdom of God *in* the social order, which highlights the revolutionary implications of such a theological vision. *See* MARK LILLA, THE STILLBORN GOD: RELIGION, POLITICS, AND THE MODERN WEST 27-28 (2007).

44. *See* CARTER, CULTURE, *supra* note 11, at 227-29.

45. On the religious foundation of Martin Luther King's conception of social justice and the Civil Rights Movement see Anthony E. Cook, *Beyond Critical Legal Studies: The Reconstructive Theology of Martin Luther King*, 103 HARV. L. REV. 985 (1990). This is not to suggest that King's

Hauerwas would contend that Obama's inclusion of abolitionists and King into the pantheon of the American mythic narrative comes at a cost of the partial amputation of the particularity of their religious convictions and renders them, like the translated religionist, unintelligible to themselves.

II. DUALISM AND CAUTIOUS ENGAGEMENT

Against the extreme position of separation, Richard Niebuhr identifies two types that attempt to mediate the dilemma of Christ and culture in ways that take their distinctness seriously, without abandoning hope for engagement between the two realms. This is the response, to differing degrees, of the schools that see Christ and Culture in paradoxical relationship, and those who posit a Christ who transforms the culture.[46] Both the dualist (Paradox) and the conversionist (Transformation) take seriously the "problem" of Christ and culture as presenting a genuine conflict that cannot be resolved by the caricaturizing of either the social order or the Christ, which leads to separation or unification, respectively.[47] Each of these types advocates a role for Christ *in* the social order;

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own use of religious imagery in his rhetorical imagery are used to neatly fit within an American narrative of progress in racial relations, where the Beloved Community is synonymous with an America where racial equality is realized. Theologian Richard Lischer writes of the conflicting character of Martin King's ministry, saying: "During [the] midperiod of his career, some of King's utterances reflect the typical American conflation of the [biblical covenant between God and Israel and the American covenant]. Occasionally, [King's] biblical-prophetic posture is accompanied by civil-prophetic content, with the result that the biblical prophets' absolute reliance on God as the sole criterion is so thoroughly sifted through the imagery of the Republic that it is devalued." RICHARD LISCHER, THE PREACHER KING: MARTIN LUTHER KING JR. AND THE WORD THAT MOVED AMERICA 179 (1995). Nevertheless, King's rhetorical assimilation of the kingdom of God with the American narrative is in tension with his own commitment to a prophetic ideal that depends upon, indeed demands, the activity of God in human affairs. This tension is recognized by Lischer who notes that American's ability to accept King's prophetic dream, rested on the fact that "they did not grasp the eschatological inevitability that underlay its rhetoric." *Id.* at 179. That is, the assurance that King possessed regarding the coming of the Beloved Community was ultimately based on a belief that "the world is really governed by God," and that God is the ultimate source of meaning and adjudicator of justice in the world. This commitment to the ultimate sovereignty of God, over and against civil authority, as the source of hope against present reality must be recognized alongside the King who attempts to "redeem the soul of America," by calling it to its political commitments of equality in the constitutional text or other political documents. On King's temporalization of political authorities as critique of their pretensions to ultimate authority, see STEPHEN L. CARTER, THE DISSENT OF THE GOVERNED: A MEDITATION ON LAW, RELIGION AND LOYALTY (1999).

46. Richard Niebuhr's taxonomy actually articulates three median types—the synthetic, the dualist and the conversionist types. In the interest of space limitations, I have decided not to focus primarily on the dualist type, as the distinctions among the three types of the middle are smaller than the distinctions between each of them and the exclusivist type.

47. At the opposite extreme of the exclusivist, Niebuhr identifies the accommodationist response to the relationship between Christ and culture. The accommodationist response solves the problem of Christ and culture by harmonizing, at least to the greatest extent possible, Christ and the social order. Richard Niebuhr writes that adherents to the Christ of culture "feel no great tension between church and world." NIEBUHR, *supra* note 14, at 83. Accomodationists seek to understand Christ by "selecting from his teaching and action as well as from the Christian doctrine about him points as seem to agree with the best in civilization." But they also emphasize aspects of the broader civilization that are congenial to Christianity. Unlike the exclusivist, the accomondationist does not imagine the person or work of Christ as inaugurating a new community, starkly at odds with the created order. Concomitantly, the accomodationist interprets the social order with reference to that

nevertheless they recognize that such engagement is fraught with the possibility that both Christ and culture will be compromised by any encounter that fails to appreciate both the similarities and differences of the two domains.

This Section traces the theological underpinnings of the resolution that these "schools of the middle" reach with respect to the dilemma of Christ and culture. It will examine how their distinct theological emphases affect the relationship they articulate between Christ and culture. Most importantly, this Section will attempt to situate Barack Obama within Richard Niebuhr's theological taxonomy. As stated above, Obama has not only been remarkably open about his path to religious faith, he has described his journey in ways that are theologically intelligible. That is, in reading Obama on his own experience of faith, one recognizes a structure that makes his various faith claims coherent. Specifically, one recognizes claims about the person and work of Jesus and significance of his life, a conception of sin, and a conception of the social order.

Merely situating Obama, however, is not the central aim of this exercise. Why should anyone care where Obama the religious citizen lies along any range of efforts to resolve the dilemma of Christ and culture? As stated above, the central aim of this essay is to ask whether Obama's resolution to the dilemma of religion in American political life—the command for religious translation—is dictated by Obama's theological conceptions about the relationship between Christ and the social order. Section One concluded with a criticism of Obama's failure to identify the religious roots of at least some iconic protest movements in American history, contending that the failure to acknowledge their religious foundation and content prevented Obama from paying appropriate attention to alternative models of democratic engagement by religiously motivated citizens. This Section will demonstrate how Obama's translation requirement does not take into account the ways in which religion, itself, might contribute to the development of the virtues necessary for democratic participation. Obama has cited Abraham Lincoln as a model for the kind of virtue necessary for the maintenance of democratic culture. He has written,

> I like to believe that for Lincoln, it was never a matter of abandoning conviction for the sake of expediency. Rather, it was a matter of maintaining within himself the balance between contradictory ideals—that we must talk and reach for common understandings, precisely because all of us are imperfect and can never act with the certainty that God is on our side; and yet at times we must act none-

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which is most compatible with the Christ. The result is a harmonization of the life of Christian faith and the social order in which it resides.

> theless, as if we are certain, protected from error only by providence.[48]

Although Obama describes the religious influence of the speech as providing "imagery and terminology through which millions of Americans understand both their personal morality and social justice,"[49] he is silent about religion's role in the Address beyond imagery. Obama is surely cognizant of the theological underpinning of Lincoln's Inaugural—from its recognition of the universality of human sin and the disposition that it ought to inspire, to its recognition of divine judgment for social wrongs—yet he remains silent about the role that these theological beliefs play in the cultivation of what he believes is exemplary civic virtue.[50] The recognition of the religious contribution to the development of Lincoln's humility and skepticism about his rightness and the rightness of the cause of the North in the Civil War undermines the popular conception that religious adherence is incompatible with the virtue of humility that Obama sees as essential to the viability of democratic culture and practice. What follows is an exploration of the theological substructure that supports both Lincoln's and Obama's own engaged skepticism.

A. Christ and Culture in Paradox

Dualism conceives of the conflict between Christ and culture as rooted in the conflict between God and all of humanity. The great issue for humanity is not its struggle against humanity (exclusivist) or its struggle against nature (accommodationist), but its collective distance from, and rejection of, God. The motifs of conflict, humanity's sin, and God's grace are central to the perspectives of these middle responses to the problem of Christ and culture.

Integral to the dualist interpretation of the life of Jesus is its status as the paradigmatic example of God's unmerited grace. For the dualist, Jesus represents "the great act of reconciliation and forgiveness that has occurred in the divine-human battle." The life, death and resurrection of Jesus represents "the miracle of God's grace, which forgives [humanity] without any merit on [its] part, receives [humanity] as children of the Father, gives [humanity] repentance, hope, and assurance of salvation from the dark powers that rule in their lives[.]"[51]

The dualist assertion that all humanity is the beneficiary of God's grace rests on the foundation that all of humanity stands in need of such divine interaction. The dualist identification of the universal disposition

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48. OBAMA, AUDACITY, *supra* note 8, at 98.

49. *Id.*

50. For a discussion of the theological underpinnings of Lincoln's Second Inaugural Address, see JAMES GUSTAFSON, AN EXAMINED FAITH: THE GRACE OF SELF-DOUBT (2004) and RONALD WHITE, LINCOLN'S GREATEST SPEECH: THE SECOND INAUGURAL (2002).

51. NIEBUHR, *supra* note 14, at 151.

toward sin within the human personality undermines the very basis of the radical Christians separation of the Christian community from the social order. The dualist places both the "saved" and the "damned" within the same circle of those who are in conflict with God, and who require God's saving activity. All stand in equal need of God's grace. Richard Niebuhr writes, "In the presence of the crucified Lord of glory, men see that *all* their works and their work are not only pitifully inadequate, measured by that standard of goodness, but sordid and depraved."[52]

The dualist declares the existence of what is the "corruption and degradation in all man's work."[53] That is, all human work—not simply the work of men beyond the church. The church is not immune from humanity's corruption, not because it is insufficiently separate from the social order, but because it cannot help but be as sinful as the social order. Though ordained by God, the church is a human institution, and is fraught with the limitations and sin of humanity. Nevertheless, the dualist "knows that he belongs to [human] culture and cannot get out of it; for if God in His grace did not sustain the world in its sin it would not exist for a moment."[54]

For the dualist, sin is godlessness. Humanity's inclination to live in a world without God is present in all its action. This desire to live without God is represented by humanity's desire "to ignore Him, to be one's own source and beginning, to live without being indebted and forgiven, to be independent and secure in oneself, to be godlike in oneself."[55] Humanity's desire to be its own end, and its own measure and evidence of good evidences a lack of awareness of the grace of God, which the dualist contends is not naturally present in humanity.[56] Strikingly, the dualist identifies as godless actions that fall on both the "religious" and "secular" sides of any divide. He identifies the "complacency of self-righteously moral men," the "self-authenticatedly rational men," and the "piety of those who consciously carry God around with them wherever they go," the strict obedience of the law by those "who desperately need assurance that they are superior to the lesser breeds," and by those who "establish godlike churches."[57] In short, every act that bears the suggestion that the actor is beyond the need of God's grace is an act of godless self-assertion. To the extent that the exclusivist believes himself to be

52. *Id.* at 152 (emphasis added).
53. *Id.*
54. *Id.* at 156.
55. *Id.* at 154.
56. *Id.* at 150.
57. *Id.* at 154-55. Niebuhr goes beyond this to indict Christians in particular, saying, "As Christians we want to be the forgivers of sin, the lovers of men, new incarnations of Christ, saviors rather than saved; secure in our own possession of true religion, rather than dependent on a Lord who possesses us, chooses us, forgives us. If we do not try to have God under our control, then at least we try to give ourselves the assurance that we are on His side facing the rest of the world; not with that world facing Him in infinite dependence, with no security save in Him."

safe from sin, the dualist rejects this as an assertion of the safety that renders God irrelevant, and is no better than an attempt to live without God.

The dualist's reconfiguration of the circle of sin fundamentally is the foundation upon which she is able to accept the social order. However, within the dualist framework, the Christian's actions within the social order are fraught with the tension. This tension is the result of the necessity to live both as a Christian who recognizes the gap between the righteousness of God and the sin of the social order, yet who refuses to abdicate responsibility in either. For the dualist, the providential maintenance of the social order is translated into a command that the woman of religious faith live her faith *in* the social order. But the dualist must recognize that the transformative potential of human institutions is limited by their inherently negative function. The social order as interpreted by the dualist is not contradictory in the way the radical sees the social order, but it is not the source of possible "regeneration" as the accommodationist perceives.

The dualist distinction between "life in Christ and life in culture" forces the dualist to live with the tension that results from a refusal to resolve it by either separation or unification. The consequence of this is paradox:

> [H]e is standing on the side of man in the encounter with God, yet seeks to interpret the Word of God which he has heard coming from the other side. In this tension he must speak of revelation and reason, of law and grace, of Creator and Redeemer.[] He is under law, and yet not under law but grace; he is sinner, and yet righteous; he believes as a doubter; he has assurance of salvation, yet walks along the knife-edge of insecurity.[58]

The source of the dualist paradox is, itself, the center of the Christian narrative—the death of Jesus on the cross. In the crucifixion the dualist sees both the love and mercy of God, but also sees the judgment and wrath of God. Wrath is love, and love is wrath in the same event. For the dualist, then, the love of God cannot be separated from the wrath and judgment of God. The dualist looking at the social order "cannot forget that the dark sides of human social life are . . . weapons in the hands of a wrathful God of mercy, as well as assertions of human wrath and man's godlessness."[59] The dualist, then, is obligated to act in the world, and cannot, under a sinful fear of contamination, turn her back on the social order.

58. NIEBUHR, *surpra* note 14, at 156-57.
59. *Id.* at 159.

While the dualist sees connection between the domain of Christ and the domain of culture they know that these cannot be combined. Richard Niebuhr writes:

> If we make a rule for civil government out of the structure of the early Christian community, we substitute for the spirit of that community, with its dependence on Christ and his giving of all good gifts, a self-righteous independence of our own; if we regard our political structures as kingdoms of God, and expect through papacies and kingdoms to come closer to [God], we cannot hear [God's] word or see [God's] Christ; neither can we conduct our political affairs in the right spirit.[60]

B. Reinhold Niebuhr:[61] *The Theologian as Politician*

In an interview, New York Times columnist David Brooks asked Barack Obama whether he had ever read theologian Reinhold Niebuhr. Brooks reports that Obama responded, "I love him. He's one of my favorite philosophers."[62] Even if Obama had not read and seemingly been influenced by the Reinhold Niebuhr's writings, he would be an appropriate entrant into this discussion because of his tremendous significance on twentieth-century American (Protestant) political theology.[63] Reinhold Niebuhr's thought has been characterized as a response to the theological optimism which was shattered after two World Wars. Reinhold Niebuhr is credited with being the most significant member of the school of Christian realism.[64] Reinhold Niebuhr is emblematic of the dualist type. He resists what he sees as the abdication of responsibility by the exclusivist type and the romanticism about humanity of the accommodationist

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60. *Id.* at 176-77.

61. Reinhold Niebuhr is widely considered to be the most important American theologian of the 20th century. His work has been called a reaction against the liberal Protestantism, represented in the thought of, among others, Walter Rauschenbusch. Niebuhr is seen as a critical figure in the Christian realism movement of the post-World War I period. On Niebuhr's influence in American thought at mid-century see Arthur Schlesinger, Jr., Essay, *Forgetting Reinhold Niebuhr*, N.Y. TIMES, Sept. 18, 2005, *available at* http://www.nytimes.com/2005/09/18/books/review/18schlesinger.html. *See also* Arthur Schlesinger, Jr. *Reinhold Niebuhr's Long Shadow*, N.Y. TIMES, June 22, 1992, at A17. He is also the older brother of Richard Niebuhr, and for purposes of clarity, I will refer to him as Reinhold Niebuhr throughout. On Reinhold Niebuhr's effect on a young Martin Luther King, see TAYLOR BRANCH, PARTING THE WATERS: AMERICA IN THE KING YEARS, 1954-1963 (1989).

62. David Brooks, *Obama, Gospel and Verse*, N.Y. TIMES, Apr. 26, 2007, *available at* http://select.nytimes.com/2007/04/26/opinion/26brooks.html?_r=1.

63. Schlesinger, *Forgetting Reinhold Niebuhr*, *supra* note 61.

64. Theologian Robin Lovin describes Christian Realism as a theological movement in the first half of the 20th century among Protestant theologians, which "gave new attention to the social forces that shape and limit human possibilities." In distinction to the theologians of the Social Gospel movement who sought to eradicate the gap between human reality and the biblical ideals, Christian Realists asserted that while the "biblical ideal stands in judgment [of] the social reality," it also judges "every attempt to formulate the ideal itself." ROBIN LOVIN, REINHOLD NIEBUHR AND CHRISTIAN REALISM 1 (1995). Christian Realists championed an ideal of skepticism even of our attempts to work in the social order on behalf of justice, as all such attempts are compromised by human limitation and sin. *See also* GUSTAFSON, AN EXAMINED FAITH, *supra* note 50, at 96-97 (connecting Lincoln's political theology in the 19th century to Reinhold Niebuhr's in the 20th century).

type. Like the dualist, Reinhold Niebuhr's theological reflection about the dilemma of Christ and culture resists separation or unification. Reinhold Niebuhr's theology focuses on the meaning of Jesus's work on the cross, its significance for all of humanity, the universal nature of humanity's pride and sin, and the necessity of the social order. Reinhold Niebuhr advocates an engagement with the social order by religiously motivated citizens, but cautions them to guard against forgetting those things that make them like the social order and those qualities that distinguish them from the social order.

The cross is central to Reinhold Niebuhr's interpretation of the work of Jesus. It is the site of both the expression of God's love for humanity and God's judgment.[65] For Reinhold Niebuhr, the Christian proclamation must always begin with this "gospel of the cross." The gospel of the cross demonstrates the work of Jesus as the redeemer of humanity. Consistent with the dualist perspective, the cross represents the reality of humanity's need for the grace of God, because "[it] is in the cross that the exceeding sinfulness of human sin is revealed."[66]

Reinhold Niebuhr, consistent with the dualist perspective, universalizes sin. It is located in the human heart, and none are safe from its reach. There is no site where sin is more resident than any other. Indeed, for Reinhold Niebuhr man's trust in his goodness is, itself, sin. He writes:

> Whenever men trust their own righteousness, their own achievements, whenever they interpret the meaning of life in terms of the truth of their own culture, or find in their own capacities a sufficient steppingstone to the holy and the divine, they rest their life upon a frail reed which inevitably breaks and leaves their life meaningless.[67]

Again, man's sin is not defined by affiliation with the social order as against the religious order; it is identified as a propensity to dislodge God from God's place as sovereign. Such practices can be as easily demonstrated by those who participate in the life of Christ as those who do not. In fact, Reinhold Niebuhr often aims his harshest criticism at the sin of the Christian church. It is a sin that rejects, for its own aggrandizement, the truth of the cross—that "all human life stands under a divine judgment and within a divine mercy."[68] That the institutional church is perhaps more capable of establishing itself as God makes its potential for sin even more damning. Reinhold Niebuhr states that there "is no social evil, no form of injustice," whose legitimacy hasn't been protected by the

65. Reinhold Niebuhr, *The Christian Church in a Secular Age, in* THE ESSENTIAL REINHOLD NIEBUHR: SELECTED ESSAYS AND ADDRESSES 83 (Robert McAfee Brown ed., 1986)

66. *Id.*

67. *Id.*

68. *Id.* at 87.

sanction of "religious sentiment," which has "profaned Christianity [by] falsely indentif[ying] the church with the Kingdom of God."[69]

Having both identified the redemptive work of Jesus as reaching all of humanity, and disrupted the dichotomy of a sinless Church and a sinful world, Reinhold Niebuhr has undermined the exclusivist justification for separation as resolution for the dilemma of Christ and culture. Rejecting separation, however, does not warrant the equation of Christ and culture. Christian participants in the social order must always recognize the distinctness of their social witness. Despite their engagement with the social order, Christian participants must always recognize the ways in which their witness is distinct. Their witness even in "immediate situations" must be cognizant of the fact that it is based on a gospel that "transcends all particular and contemporary social situations." This transcendence counsels against Christian participation that takes its cues from the practices around it. Christian engagement must recognize that its ethic "does not regard the historic as normative."[70]

Cognition of the transcendence of the Christian witness never gives the Christian social witness license to engage the social order as though she carried the divine judgment of God. To the extent that the Christian is under the judgment of God no less than another, she is obligated to bear witness with the recognition of "the contingent character of all human interests and ideas," lest they tyrannize the world "with the cruelty of their self-righteousness." Reinhold Niebuhr commits to an engagement between Christ and culture based on his rejection that the life of Christ is lived within culture, even as its normative vision is not limited to culture. Although Reinhold Niebuhr believes that the gospel of the cross points beyond human history, "it does not abstract us from this present history."[71] Further, Reinhold Niebuhr rejects as "irresponsibility" a Christian disposition toward the social order that does not allow Christian engagement with the "social tasks which constantly confront the life of men and nations."[72] Finally, Reinhold Niebuhr suggests that an abdication of the social order by Christians is an abdication of their duty to preach the Christian gospel, which "can be preached with power only by a church which bears its share of the burdens of immediate situations in which men are involved[.]" A desire to avoid the compromised and compromising work of making decisions within the social order—the desire for clean hands—can never be consistent with a truly responsible Christian ethic for Reinhold Niebuhr. Such recognition forces from the Christian participant the obligation of skeptical engagement.[73]

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69. *Id.* at 87.
70. *Id.* at 86.
71. *Id.* at 85.
72. *Id.* at 86.
73. In this sense political action for Reinhold Niebuhr seems to come close to the conception of politics articulated by Hauerwas. That is, politics is more than merely competing for control over

Obama's response to Reinhold Niebuhr is strikingly similar to his response to Lincoln. In each he finds examples of the virtues of humility and self-doubt, yet a commitment to action without recourse to moral absolutism or moral idealism. When asked by David Brooks what he thought about Reinhold Niebuhr, Obama is said to have responded,

> I take away the compelling idea that there's serious evil in the world, and hardship and pain. And we should be humble and modest in our belief we can eliminate those things. But we shouldn't use that as an excuse for cynicism and inaction. I take away . . . the sense we have to make these efforts knowing they are hard, and not swinging from naïve idealism to bitter realism.[74]

This clearly suggests that Obama is familiar with the main themes of Reinhold Niebuhr's writing, and other references by Obama clearly indicate that he recognizes his importance in religious contexts;[75] nevertheless, Obama describes Reinhold Niebuhr as a "philosopher" and does not mention the central animating feature of Reinhold Niebuhr's philosophical project. Obama's "translation" of Reinhold Niebuhr mirrors his translation of the abolitionists, Martin Luther King, and Lincoln for their inclusion in the pantheon of American leadership. Like Lincoln, the theologically-derived skeptical engagement is a valuable resource for the maintenance of democratic culture, which Obama fails to recognize as religious. Such recognition would signal religion's capacity to develop the habits of mind that are consistent with democratic practice in a plural democracy.

C. Barack Obama: The Politician as Theologian

Obama's religious biography offers a serious theological interpretation of his journey to religious faith and commitment. In it Obama not only describes the questions and experiences in his childhood and early adult life that have shaped his personal religious journey, but he renders a narrative that is theologically coherent. That is, his narrative gives the reader insight into Obama's thoughts about his conception of sin, the identity and work of Jesus Christ, and the social order. Through this narrative it is possible to situate Obama—as "the religious thinker"—within Richard Niebuhr's taxonomy. Positioning Obama in this way allows us to evaluate the extent to which Obama's theological under-

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the state or the state's normative vision. Both Reinhold Niebuhr and Hauerwas suggest that politics for the religionist might be a site for modeling a competing normative vision against the state's normative vision. Understanding religious political action in this way has significant implications for the terms upon which we dictate religious participation in the politics of liberal democracies. *See supra* notes 38-45 and accompanying text on Hauerwas and Obama.

74. Brooks, *supra* note 62.

75. In his description of Jeremiah Wright's erudition, despite a gruff exterior, Obama describes Wright as one who has "read the literature of [Paul] Tillich and [Reinhold] Niebuhr and the black liberation theologians." OBAMA, DREAMS, *supra* note 8, at 282.

standings affect the political resolution he reaches with respect to the role of religious discourse in the public domain.

Obama's religious biography begins with his depiction of a childhood that is not typically religious. He describes his immediate family as having never taken religion very seriously—citing his grandmother's "too rational" beliefs, and his mother's "skepticism."[76] He describes his early exposure to various religious traditions as "religious samplings [that] required no sustained commitment[.]"[77] Religious expression was presented merely as a form of cultural expression for Obama. Obama's religious biography commences again during his initial work in Chicago as a community organizer for a group of churches. There he sought to activate the power of faith communities on behalf of social justice initiatives.

Questions about Obama's lack of a declared faith-perspective leave him speechless in encounters with Chicago religious leaders, during which they inevitably ask him where he worships or seek to know more about his faith beliefs. These repeated inquiries force Obama to confront the question of his religious faith directly. During this period he describes himself as having come to the uneasy realization that he could not provide an answer to their questions about the spiritual motivations for his work with churches on social justice issues. He recognizes that he has faith in himself, but realizes that "faith in oneself is never enough."[78]

In his conversations with community religious leaders, they tell him stories of their recognition of their limitations, which robs them of faith in themselves. In these conversations, the "shattering of pride" of self is depicted as a necessary component of their acceptance of the "Good News" of God in Christ, and the acceptance that God offers.[79] Obama's narrative is consistent with the dualist position, which suggests that man's confidence in himself and his abilities is inconsistent with the recognition of himself as the recipient of the gift of God's unmerited grace. This is consistent with Obama's descriptions of his own conception of his greatest moral failure; rather than describing a set of events or acts, he speaks of a particular disposition. He describes actions that were undertaken without regard to anyone else and of his obsession with his own needs.[80] Here, Obama's "moral failure" converges with the dualist conception of sin as involving more than mere "bad acts." Like the dualist,

76. OBAMA, AUDACITY, *supra* note 8, at 203.

77. *Id.* at 204.

78. OBAMA, DREAMS, *supra* note 8, at 279.

79. Obama speaks of the relationship between the "personal fall" and "subsequent redemption" connecting these as chronological steps that lead to the path of the recognition of gift of the grace of God.

80. For Obama's response to Rev. Rick Warren's question regarding Obama's greatest moral failure see FULL TRANSCRIPT: SADDLEBACK PRESIDENTIAL FORUM, SEN. BARACK OBAMA, JOHN MCCAIN; MODERATED BY RICK WARREN (Aug. 16, 2001), *available at* http://tinyurl.com/5nhxct.

Obama identifies the disposition to see oneself as the center of meaning and authority, to the exclusion of God, which constitutes moral failure, even if the acts associated with one's disposition are themselves praiseworthy.

Obama's recognition of his own self-centered motivations does not call into question the substance of Obama's actions as a community organizer. There never appears to be a moment when Obama equivocates about the meaningfulness of his then-chosen path. The recognition that there might be a moral indictment of his motives in addition to (or instead of) his actions leads to the conclusion that sin is capable of taking residence in the hearts of those whose acts seem praiseworthy.[81] This acknowledgment disrupts the safety that the exclusivist assumes for the religious community in accordance with the dualist account. This account disabuses the exclusivist of any pretension to sole possession of purity by those who participate in the life in Christ. This is emphasized even more in Obama's account of his interaction with religious leaders who disclose their own "periods of religious doubt; the corruption of the world *and* their own hearts."[82]

Like the dualist, Obama's description of his initial conversion to Christianity centers on the cross as site for personal and communal transformation. Such attention highlights the death of Jesus Christ as the central component of Jesus' his identity and work. Each description places Obama him at the foot of the cross. The cross for Obama is the place where the stories of "ordinary black people" are merged with the biblical sagas of others gone before, and our stories are transformed into stories that are "at once unique and universal."[83] The movement of human his-

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81. At the risk of running the Lincoln-Obama comparison into the ground, Obama's conception of the universality of sin is reminiscent of Lincoln's Second Inaugural address, in which he indicted both the South's slave owners and the North's capital class in the horrors of slavery. "Both [the North and South] read the same Bible, and pray to the same God and each invokes His aid against the other. . . . If we shall suppose that American Slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives both North and South this terrible war, as the woe due to those by whom the offence came, shall we discern therein any departure from those divine attributes which the believers in a Living God always ascribe to Him?" Scholars have noted that at the moment of the North's victory, Lincoln reminds the North that it, no less than the defeated South, is not innocent of its complicity in the institution of slavery and racial domination, and stands under the judgment of God. WHITE, *supra* note 50.

82. OBAMA, DREAMS, *supra* note 8, at 280. One of the things that appears to have attracted Obama to the historically black church is its simultaneous acceptance of the presence of doubt in the midst of faith. He writes, "[T]he typical black sermon freely acknowledged that all Christians (including the pastors) could expect to still experience the same greed, resentment, lust, and anger that everyone else experienced. . . . In the black community, the lines between sinner and saved were more fluid; the sins of those who didn't, and so were as likely to be talked about with humor and condemnation. You needed to come to church precisely because you were of this world, not apart from it[.] . . . [Y]ou needed to embrace Christ precisely because you had sins to wash away—because you were human and needed an ally in your difficult journey[.]" OBAMA, AUDACITY, *supra* note 8, at 207-208.

83. It is important to note here that Obama's depiction of what goes on at the foot of the cross bears the marks of an accommodationist type in that it the biblical narratives as placing man's puny

tory is seen in the connection of people across time as they are united as a people whose origin is the cross.[84]

In Obama's second description of his conversion he says, "[K]neeling beneath that cross on the South Side of Chicago, I felt God's spirit beckoning me. I submitted myself to His will, and dedicated myself to discovering His truth."[85] Here, the cross represents the site of both transformation, but also recognition of his dependence upon God. To this extent, Obama's recognition is consistent with Obama's conception of sin as failing to appreciate one's vulnerability and dependence on God, which, according to the dualist, is the central message transmitted from the cross. Humanity's propensity to evict God and reject the fact of vulnerability haunts all of its actions, even when its motives are commendable. That Obama recognizes this fact is suggested in his response to Reverend Rick Warren's question about evil at the Saddleback Presidential Candidates Forum. After declaring his belief in both the existence of evil and the need to confront evil, Obama states, "In the name of good, and I think, you know, one thing that's very important is having some humility in recognizing that just because we think that our intentions are good, doesn't always mean that we're going to be doing good."[86]

III. REGULATING RELIGION'S INFLUENCE: THE THEOLOGIAN AS POLITICIAN

Obama's shift from describing his religious journey to prescribing norms for religion's role in American political life demonstrates Obama's inconsistent responses to religious faith. As stated above, Obama is clearly comfortable with religious expression, and indeed comfortable speaking openly about his religious experiences, yet he continues to engage in the practice of translating religious faith for a secular social order. As has been shown throughout, Obama has been eager to praise the acts of religious actors in American history, even in cases where he has seemingly failed to highlight their religious basis or content of their actions. Obama's translation reaches its zenith in his assertion that religiously motivated political actors have an obligation to translate the religious basis of their political arguments into universally accessible terms. This Section contends that Obama's practice of translating religious ac-

attempts to defeat nature in a context that enlarges their meaning into the realm of immortality. Here, the cross and its community are that which aid humanity in their enduring conflict with the natural order. It is also important to point out that Obama is explicit in his use of race—at cross transforms the lives of "ordinary black people." To the extent that the Jeremiah Wright controversy rose to the level of a theological debate, it was the discussion of the extent to which black churches might use explicit racially-identifying language and be consistent with the universal claims of Christ.

84. *See* HAUERWAS, *supra* note 22, at 9-35. Despite the fact that Hauerwas and Obama disagree about the nature of the community created at the foot of the cross, they each believe that the cross is central to the community constructed by the story at whose climax it stands.

85. OBAMA, AUDACITY, *supra* note 8, at 208.

86. *See* FULL TRANSCRIPT, *supra* note 80.

tors anticipates his translation requirement for religiously motivated political actors. It also argues that such a translation requirement fails to take seriously the theologically derived norms of conduct that Obama recognizes and even extends, which are supportive of democratic governance. Further, Obama's translation requirement fails to appreciate the extent to which religious political engagement is a form of witnessing and modeling that challenges the existing normative framework of the state, without any pretention to engaging in normal politics aimed at capturing the right to set and direct a policy agenda.

In addition to Obama's clear admiration for social justice movements—whose content and foundation is religiously inspired[87]—Obama has practical justifications for rejecting calls to banish religion from public life entirely. Obama asserts that it is simply "bad politics" for secular liberals to attempt to banish religiously-motivated citizens or practices from political life, because it offends all persons of religious faith, and cedes to (presumably more conservative speakers) questions that fall within the domain of religion and values.[88] Further, he criticizes devout secularists for their failure to recognize that religious discourse has often provided a politically-accessible foundation for much moral discourse in American history.[89] The sincerity of Obama's admiration is supported by his willingness to work with various churches during his time as community organizer on Chicago's Southside.

Having defended the value of religion's presence in the public domain, Obama turns next to establishing "ground rules" for religious influence on public debates.[90] Obama defends the right of religiously-motivated citizens to enter into the public domain without having to "leave their religion at the door." Again he points to the influence that religiously motivated actors have had in American history by pointing out Martin Luther King, Jr., William Jennings Bryan, and Dorothy Day among others. He rejects as "practical absurdity" any call that recourse to religion is merely the injection of personal morality into public debates. However, for the price of admission, the religiously motivated citizen is required to "translate [her] concerns into universal, rather than religion-specific, values."[91] Such translation ensures that the recommen-

87. For a comparison of Obama's approach to religion and politics that judges him favorably as against John F. Kennedy and Mitt Romnet, see Paul Horwitz, *Religion and American Politics: Three Views of the Cathedral*, U. MEM. L. REV. (forthcoming 2009), download *available at* http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1267445.

88. This point is echoed by the liberal Catholic journalist E.J. Dionne. *See* Dionne, *supra* note 7, 7-8.

89. For an excellent discussion of the extent to which religion informs American politics, see JAMES A. MARONE, HELLFIRE NATION: THE POLITICS OF SIN IN AMERICAN HISTORY (2003).

90. OBAMA, AUDACITY, *supra* note 8, at 218.

91. *Id.* at 219.

dations of religiously motivated political actors will "be subject to argument and amenable to reason."[92]

Obama justifies this requirement by emphasizing the differences that exist between the political and religious domains. He describes the political domain as the domain of reason, while the religious domain is the domain of faith. Reason demands "the accumulation of knowledge based on realities that we all can apprehend," while religious faith "is based on truths that are not provable through ordinary human understanding."[93] The political realm, particularly in a pluralistic democracy, is founded on the "ability to persuade" others with whom one may not share a worldview. Reaching common ground in the political domain requires compromise. As Obama sees it, compromise is antithetical to religious faith. Religion's claims are the commands from God in the minds of religious adherents, and do not admit of negotiated meaning and compromise. The practice of religious faith, for Obama, is to order one's life by "uncompromising commitments" of religious faith.[94]

Obama's translation requirement may not get all religious experience wrong, but it clearly seems to unnecessarily disregard his own religious experience, and the religious experiences of those whose bravery and moral vision he sincerely admires. As Jeffrey Stout and others have argued, it is one thing to say that religious arguments pose problems for democracy "because religious premises are not widely shared and those that arise because the people who avow such premises are not prepared to argue for them."[95] Moreover, Stout would criticize Obama's description of the political domain as the preserve of reasoned deliberation, in which the truth of every claim made could be defended without a "leap of faith."[96]

What is perhaps more problematic about Obama's descriptions of the political domain and religious domain is his disregard for the fact that the virtues needed for participation in a pluralist democracy are consistent with the theological positions that he seems to share and admire. Obama's theological reflections on the universal nature of sin and the humility that ought to accompany any assertion of authority—religious or not—suggest that he thinks that it is theoretically possible (and theologically appropriate) for religiously inspired actors to act in ways that demonstrate their recognition of their participation in sin and corruption.

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92. *Id.*

93. *Id.*

94. OBAMA, AUDACITY, *supra* note 8, at 219.

95. Stout, *supra* note 38, at 87. This argument has also been made, in limited form, by Michael J. Perry, who has defended religious reasoning as a basis for government action that where the religious argument is premised on the sacredness of all persons. *See* PERRY, *supra* note 5, at 66-72.

96. I borrow Stout's definition of a "faith-claim," as a claim to which a speaker "avows a cognitive commitment," without "accepting the responsibility of demonstrating [her] entitlement to it." *Id.* at 86-87.

That is, religiously motivated actors will enter the public space conscious of the fact that they do not have a property right to any particular revelation from God.[97]

From his perspective as a Christian, Obama speaks in exactly this way when discussing "the possibility that my unwillingness to support gay marriage is misguided.[98] He continues:

> I must admit that I may have been infected with society's prejudices and predilections and attributed them to God; that Jesus' call to love one another might demand a different conclusion; and that in years hence I may be seen as someone who was on the wrong side of history. I don't believe such doubts make me a bad Christian. I believe they make me human, limited in my understandings of God's purpose and therefore prone to sin.[99]

Here, Obama demonstrates the capacity to reflect upon the theological underpinnings of his own political positions, yet also remain open to their reevaluation because he is open to the possibility that he has been infected with the sin of prejudice that might cloud his own vision. This seems to undermine Obama's seeming distrust in the capacity of religiously motivated citizens—acting *as* religiously motivated citizens—to participate with a like humility and openness to self-correction and critique. These habits of thought, which are prized by Obama in his open admiration of Lincoln and Reinhold Niebuhr, do not seem to be resident in lesser religious adherents.

Finally, Obama's explanation of his opposition to same-sex marriage on grounds not informed by his religious views might have resulted in the same lack of intelligibility that Hauerwas bemoans regarding Christian participation in the abortion debate.[100] There, the requirement of translation results in the religiously motivated actor not being intelligible to herself as she translates her religiously grounded position into "universally accepted principles." Here, it seems that Obama's rules of engagement might learn from Hauerwas' alternative conceptions of religious participation in politics. For Obama, politics is about attempts to assert pressure for the enactment of certain public policies. For him this assumes that the objective of religious participants in political life is the achievement of the enactment of policies that reflect their religious vision. However, Hauerwas offers the possibility that religionists enter the political domain with different purposes. He offers the possibility that religiously inspired actors might enter the public domain with the explicit

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97. Obama suggests as much when he discusses the need for proportionality from both secularists and religionists, which he admits is "not entirely foreign to religious doctrine." OBAMA, AUDACITY, *supra* note 8, at 220.

98. *Id.* at 223.

99. *Id.* at 223-24.

100. *See supra* notes 30-38 and accompanying text.

intention to model a particular form of life that is coherent to them. That is, for a religious opponent of abortion, Hauerwas believes that it is more important that they articulate that Christianity is a form of life that is open to whatever the fetus becomes. For Hauerwas, Christian opposition to abortion in their own vocabulary allows for an intelligible presentation of the Christian community's hope in life and in the future, which, he contends, is inconsistent with an acceptance of abortion. Such intelligible self-presentation must be prepared to lose in a political contest, but the conventional conception of winning has not been the most important value in inducing the political presentation. Holding to one side the substantive correctness of Hauerwas' position, it seems convincing that paying attention to the religious explanation for its own participation in political life potentially transforms the sorts of rules of engagement that we will articulate. Obama has ably demonstrated the capacity to listen to and articulate the religious voice; it remains open whether this voice will be heard in formulating the terms of religious inclusion in the political domain in the age of Barack Obama.

CONCLUSION

This campaign and election of Barack Obama represents the possibility of a new relationship between religion and politics. It certainly appears to have broken the stranglehold that the Republican Party seemed to have on religious voters during the last eight years. It also seems to have ushered in a new era in which a President who speaks openly of his conversion to Christianity is also embraced by the secular left. Barack Obama clearly deserves the praise of all citizens who would hope to turn down the volume of the culture wars debate that has raged in American politics over the last generation. But the potential for opening a sincere dialogue about the role of religiously motivated citizens to participate in the shaping of public policy also deserves better than it has to date received from Obama. Because of the possibility that there is something valuable in the voices of religiously motivated citizens that is lost in translation, and because there exists within at least some religious traditions resources for the development of virtues that support engagement in a plural democratic culture, we can only hope that Barack Obama will lend his distinct, untranslated voice to this conversation.