Introduction

I want to begin this afternoon by telling you the story of how I met your president Dr. Michael LeRoy.

In the early 1990s Michael and I both had Fulbright grants to finish our graduate work in Europe. Michael, his wife Andrea and their new son Dana were in Sweden. Charles and I, and our new son Matt, were in the Netherlands. Fulbright invited one student from each country to gather together for a few weeks to study the European Union and NATO. Michael and I represented our two countries and met when the group first gathered at a NATO dinner with a group of generals in Luxembourg.

It was 1992 and what used to be known as Yugoslavia had erupted into a series of wars, mass killings, and regional deportations. The world learned a new phrase as we started referring to this as ethnic cleansing. Americans were horrified by the mass killings that were reported on the news and there was a lot of talk about whether the United States, NATO or the United Nations should try and play a role.

At this lunch a small group sat with one of the generals and one person said to him, “Why can’t we just go in there and stop the killing. We know what’s right. We have the power. Evil is occurring; why can’t we just stop it?”

The general looked at us and in the sunlight the epaulets, stars and bling on his shoulders and chest seemed to sparkle. Then he said this. “Well, there are two reasons. First, Americans have a low tolerance for seeing their children sent into war for countries we don’t have much to do with. And second, it wouldn’t work. This is ethnic strife. When ideologies clash, people fight to the death. You can’t stop it with power; you need a different kind of solution.”

A different kind of solution. The general was referring to a negotiated political arrangement in which people of different worldview perspectives could live together, sometimes referred to as political pluralism.

Michael and I sat together on the bus on the way to Brussels and talked about faith, worldview clash and politics. Earlier we had bonded over the fact that we were the only two students on the program who were married with children, but suddenly we realized that as Christian political scientists we were asking the same questions and reading all the same scholars. We asked questions like this, “If you are a Christian, and you see evil in the world, what is your responsibility?” “Is there a Christian perspective on government, and if so, what sorts of wrongs should government be focused on?” “If we live in a community made up of people with different worldviews, should they be allowed to live according to their own beliefs even if we believe they are wrong? If we believe in pluralism or religious freedom, what happens if we believe that they are actually doing harm?”
These are the questions that perplex Christians who think about public policy because they get at a fundamental challenge for those of us living as citizens in a global community made up of all kinds of different worldviews. It’s a challenge for public policy makers but it is also a challenge for every single one of us. Every one of us is a citizen, and every one of us impacts the community around us. We only have to look as far as the democratizing influence of technology in the Arab Spring movement or the recent violence in the Middle East in part provoked by the American made “Innocence of Muslims” film to see what kind of impact ordinary citizens can have.

I am persuaded that Christian citizenship that emphasizes the rights of others to live and flourish in accord with their own worldview is a necessary part of Christian witness in a broken but redeemed world. And at Calvin College you have the intellectual tradition to make a significant contribution to what it means to actually balance the interests of different groups. This balancing has to occur in our domestic world and we also have an opportunity to influence what it can mean in the international world.

This talk is going to outline a Biblical foundation for political pluralism as part of a theology of citizenship, and then demonstrate a mechanism for determining how to think about what it means to balance rights when they conflict.

**A Theology of Citizenship--Political Pluralism**

I have been asked to consider this series of questions:

Religious practices and beliefs, and the many ways that people enact their religious lives in the public sphere, constitute complex realities that have come to the foreground in many global events and debates such as Boko Haram’s violence in Nigeria, the 2011 gunman’s terror in Norway, and the presidential elections in Egypt and the United States. Given the diversity of spiritual claims and lifestyles in today’s world and the complex interactions occurring between people of different faith traditions locally and globally:

a) How does a Christian liberal arts college respectfully and appropriately educate global citizens to navigate this complex arena?

b) How do we prepare our graduates in ways that enable them to bring a well-grounded, theologically-informed Christian faith to bear on these interactions so that they honor the authenticity of others’ religious commitments without replacing vibrant Christian faith with vague spirituality or relativism?

c) What is the relationship between the church and Calvin College in an increasingly global world?

The answer rests at least in part in our development of a theology of citizenship and in the Reformed tradition’s rich heritage of honoring both institutional and confessional pluralism.

When Christians think about citizenship they often think about government and voting. Students sometimes think that it’s the political science people who are concerned about citizenship while the business student, the nursing majors and the English students have other things on their minds. But, citizenship is bigger and more broad than political science. Citizenship is the way that we live together and organize our lives together despite the differences between and among us. And all of us have to ask ourselves this: Who is God in relationship to citizenship and who are we to be in response to God?

A theology of citizenship, if it is truly going to be a theology, would need to start with who God is. We begin with a few things that we know for certain:
• As revealed by the Trinity, God is relational and God created people to be relational as well. We are to be in solidarity with one another.\(^1\)
• Both the Old and New Testaments tell us that God is glorified when communities and nations reflect God’s will for justice, shalom and care for the poor.
• God has shown a deep care for social issues and a deep anger towards injustice.
• We need to be careful that we do not argue for a works righteousness approach to our work in the world. When we think of our obligations toward others we remember that it is through God’s grace that we know how to act in the world. We love because we have been loved. We show mercy because mercy has been shown to us. We do justice because of the justice we have experienced in God. Our obligation toward others springs from the joy and beauty that is found in Christ.

Now, long ago when Michael and I were talking about faith and politics on that bus ride, what we did not know was that there was a theologian our same age in Croatia asking these questions. In the early 1990s Miroslav Volf, a Croatian was facing the terror that the Serbs were inflicting on his community. And, as a Christian he was experiencing tension between what he believed to be his obligation to embrace the other, and his own resentment about being excluded in society.

Volf was born in Croatia but moved to what is now Serbia when he was a child. His father was a Pentecostal minister in a country framed by Marxism, hostile to religious belief. The family was monitored by government officials and Volf was the only openly Christian student in his schools. He was asking this question, “As Christians, who do we need to be to live in harmony with others?”

As Volf developed his thinking over his professional career, first at Fuller Theological Seminary and now at Yale, he observed that with respect to public life Christians have engaged culture in two damaging ways. Some withdraw from public life focusing only on church and others get engaged in public life but they do so in a way coerces others. In his recent book *A Public Faith: How Followers of Christ Should Serve the Common Good* (2011) Volf concludes that one group is following a “secular exclusion” of religion from public life and the other is “religious totalitarianism.”\(^2\) He articulates a third way arguing that in a world where many worldviews live together we should develop “religious exclusivism but political pluralism.”

Volf is not the first to call for this. He has drawn, over the years, from the theology and intellectual gifts of many in the Reformed tradition, including Nicholas Wolterstorff, Richard Mouw, Steve Monsma, Alvin and Neal Plantinga and others. But what is so interesting to me is that he has come to this conclusion as both a Christian and as a victim of perpetrators. He says it is the only practical way to protect room for Truth claims among faiths. It seems to me that we must take this seriously.

One of the best articulations of this way of thinking is represented by the work of the Center for Public Justice (CPJ) in Washington D.C. CPJ recognizes the important public role religion has played both in the United States and around the world, but laments the

\(^{1}\) I am indebted to Matthew Kaemingk, a Ph.D. candidate at Fuller Theological Seminary, for reminding me to begin with this point.

fact that people still cling to the perspective that public life is rationally secular while religion is a private matter and should be confined to church life. CPJ articulates a public philosophy that rejects a sacred/secular dichotomy, arguing that faith is a way of life, not just a way to worship, and political communities need to recognize this.

CPJ explains that God created us with the ability to engage in political community and this engagement carries not just rights but obligations. This means that we have a responsibility to think through the institutional process necessary to achieve justice for everyone—a justice that allows people to also pursue the other non-political callings for which we were created. When we consider the Reformed understanding of Creation, Fall, Redemption, Restoration we see that God through Christ helps us renew all of our responsibilities on earth including the responsibility to govern. So, while we live in a fallen but redeemed world, just governments will provide laws that treat everyone equally. Christian politics means that Christian citizens “without any public privilege, will seek to live at peace with all people and will work to build states and an international order to promote justice for everyone.”

The responsibility of government is to protect a healthy public commons in which the long term health and well-being of all people is recognized. Public justice should be the guiding principle for our laws, and public justice calls for both institutional and confessional pluralism.

Institutional pluralism draws from sphere sovereignty to demonstrate that in public life there are many different ways in which we engage the world. We are family members; we worship; we can be entrepreneurs. And, it is important to remember that the institutions that support these activities have different responsibilities. A church is not a family; a family is not a business; a government is not a church. Our responsibility is to think through the different callings of these different institutions. Human flourishing can occur only when there is room in society for people to function in all the different capacities that God has called them to.

Confessional pluralism means that while we live in a broken world we recognize that people have to have room to live according to the worldview they feel called to. For Christians thinking about citizenship the important question is what sorts of responsibilities do governments have toward people of other worldviews and faith traditions?

The Biblical foundation for this kind of pluralism is centered in three different places. First, the Old Testament is filled with directives from the prophets that demonstrate civil authorities have a responsibility to the poor, the sick and the weak. The books of Micah and Amos are replete with commands to do justice and to let justice roll down like a river. Isaiah 65 describes for us what a good city should look like: the people are healthy and live to an old age; conflict is handled and peace reigns; the vineyards yield fruit; people will not labor in vain but will enjoy their labor and live in houses that they build. Justice is connected to healthy, flourishing communities.

Second, Christ’s life demonstrates that the Kingdom of God is not to be brought about by the sword. Christ used stories, persuasion and encouragement to demonstrate what our lives should be in this world. Political pluralism is a tool that protects other institutions as they engage in other kinds of persuasive work. The church has room to be what the church is called to be. Families and businesses have room to flourish in the way that they are called. There is room to share the love of Christ and to act in

3 Center for Public Justice, Guidelines. www.cpjustice.org
accordance with the way Christ calls us to live, but there is not room to coerce others to do the same.

Third, in the parable of the wheat and tares (Matthew 13) Christ shows us that it is not our job to separate the wheat from the weeds. In this parable the farmer’s workers asked if they should pull out the weeds from the fields. The farmer said no. So, the sun and the rain fell equally on the wheat and the weeds until the harvest. Political pluralism allows public, legal justice to fall equally on everyone in society, even if we consider that some of the people are weeds.

The question then is how do we actually do it? Aren’t there some beliefs and behaviors that we cannot make room for? How do we draw a line between those worldviews that we can live with or tolerate, and those that we simply cannot put up with?

How do we implement political pluralism?

Political pluralism is an attractive approach in theory but in practice it is really complicated. The tendency, even for people who firmly believe in pluralism, is to argue for it only in some cases. When we are in the majority on an issue, we do not like to think about the minority perspective. We like majoritarian public policy. However, when we are in the minority on an issue, we eagerly call for public policy pluralism. The challenge for us, if we are going to be leaders in this area, is to call for consistency. This means that we have to try to stand in the shoes of people who are very different from us.

In the United States the biggest clashes between worldviews often result in public policy that tries to control one or the other. When this happens, litigation follows and we have two hundred years of Supreme Court jurisprudence that can teach us a great deal about how to balance rights conflicts on issues like these:

- If the majority wants all students enrolled in the public school system, what do we do with the minority who want their children home schooled or in Christian schools?
- If the majority wants equal protection in commerce and employment for all people, what do we do with businesses, some faith-based, who want to exclude a group of people based on their skin color or sexual identity?
- If the majority wants all health care insurance policies to cover contraception, what do we do with faith-based institutions that say covering contraception violates their belief systems?

All of these examples are real conflicts that ended up in the courts and we can learn from the process by which judges assess worldview conflicts. My argument is that as we are thinking about a theology of citizenship that advances political pluralism, we can use a legal methodology to help us think through public policy challenges.

It’s important to begin with an example of how judges can make things complicated. To do this we have to go all the way back to 1878 to a Supreme Court case involving Mormons and a state law that prevented polygamy. The Court was asked to balance a worldview belief that Mormons said was part of their First Amendment right against the majority’s decision to control behavior.

This case highlights a tension for Christians as we think about law, faith and public policy. If we feel an activity is sinful, wrong or against God’s commandment does it necessarily follow that the act itself should be illegal? Do we believe in pluralism or do
we believe in majorities? If we believe in pluralism, how much pluralism is acceptable; where do we draw the line?

In this case the Court validated the will of the majority saying that while people were allowed to believe whatever they wanted to believe they were not allowed to act in any way that they wanted to act. Majorities should be allowed to control the actions of minorities, even when faith or worldview is at stake. The problem is not in the result the judges reached but in the process they used. The judges had no analytical way to think through the claims of the minority. Then, in validating the majority the justices perpetuated the idea that faith is separate from the way we live in the world.

Over the course of the next hundred years, religious freedom jurisprudence developed in a much more sophisticated way. The justices started to face more and more legislation that curtailed the actions of people of faith, and they realized that they had to have a plan for balancing the desire of the majority against the rights of the minority. Over and over, Christians have benefited from what the Court eventually came to call the “strict scrutiny” test.4

Under this test, when the government tries to limit the rights of a faith-based group, the Court will subject the legislation to a two-part test. First, the Court asks whether the area that the government is trying to limit is related to a “compelling interest” of the State. Is it really, really important that the government legislate in this arena. Then, if that part of the test is met by the government, the Court applies a second test. Is there a good fit between the compelling interest of the government and the method the government is using to achieve its goal? Another way of thinking about this would be, “Has the government taken the ‘least restrictive means’ to achieve its goal?”

If the government persuades the Court that both parts of the test are met, then the legislation survives even if the legislation curtails religious freedom. If either one of the two parts of the test fails, the legislation fails and is held to be unconstitutional.

So, for a hundred years our courts have applied this test to a wide variety of areas of law. Whenever a fundamental right is threatened by legislation we see a version of the strict scrutiny test applied, and whenever the Constitutional rights of two different groups are in conflict with each other a version of the strict scrutiny test is applied.

The strict scrutiny test is not perfect and it does not always work out in ways that please the faith-based community but the very great strength of it is two-fold. First, it is evidence based so religious freedom rights are not curtailed without a significant body of evidence that without legislation great harm would occur. Second, it provides for us a pattern to understand how we can consider political pluralism even while we hold to our own religiously exclusive belief system. In fact, I would say that the strict scrutiny test is the only hope in American law for religiously exclusive belief systems to survive. And, I have come to believe that it is a very good path for us to encourage internationally as conflicts between groups arise in international law.

Here is a summary of the process:

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4 In his response Mr. Schutt correctly points out that with respect to some Free Exercise jurisprudence the strict scrutiny test was challenged twenty years ago, but I strongly disagree with his argument that the test has been abandoned. In the Smith case he references, the Justices that declined to use the test for that particular case said that it would continue to be used when Free Exercise issues appeared in conjunction with other protected rights.
When the majority seeks to control behavior and the minority resists:

Does the minority assert a fundamental right—a right that goes to the root of human flourishing.

If so, does the majority assert a compelling interest to control the behavior?

If so, is the majority using the least restrictive alternative to achieve its goal? Is there a good fit between the law and the goal?

The questions must be answered with evidence, not speculation. When the questions are answered in the affirmative, the majority may control the actions of the minority. Otherwise, the majority must accept the activity of the minority even though they really do not like it.

This pattern is used by judges but it can be used by ordinary citizens to help them think through how worldview clashes should be handled. Applying the test is not easy but it moderates emotion and it allows for the greatest amount of religious pluralism in a community. Consider these real-life complicated challenges:

Christian organizations want an exemption from federal law that requires employers to pay for health care that covers contraceptive.

This is the situation in which several Christian universities find themselves. They have brought a lawsuit against the federal government because the Affordable Care Act requires them to provide an array of contraceptive coverage for their employees. The government says that it’s important for employees to have access to contraceptive. The universities say that this requirement violates their First Amendment right to define themselves according to their faith. The universities express their faith in all aspects of life, including the employment benefits that they give. They want an exemption from the Affordable Care Act that allows them to act in a way consistent with their worldview.

If President Obama is re-elected, this case will almost certainly go before the Supreme Court next year. The Court will apply the strict scrutiny test in this way: Is health care a compelling interest? We know the Court will say yes because this was recognized in a case that went before the Court this past year. The first part of the strict scrutiny test will be passed. It’s the second part of the test, however, on which the Affordable Care Act is vulnerable. Has the government chosen the least restrictive alternative in achieving its compelling interest in providing health care? I am quite certain that evidence will show there are a number of other ways for contraceptive to be provided for the community at large. My prediction is that the Court will find that the least restrictive alternative part of the test has not been met and the faith-based universities will prevail in their request for an exemption.

The Court decision, if it occurs, is a long way off. In the meantime many of us are talking with others about this conflict. Letters to the editor and editorials are being written. The topic is discussed in health care communities around the country. All of us are better off if we have a philosophy of how differences like this can be analyzed, and in the evidence analysis it becomes clear how students, faculty and practitioners of all sorts can contribute to the conversation. We need evidence. How does the contraceptive work? What alternatives exist? Who is providing contraceptive in the community? Scientists and sociologists and pharmacists all help us think through the evidence.
California state law that forbids therapists from using sexual orientation change efforts for minors.

This law was just passed in California and it is certain to face years of lawsuits. In this case the strict scrutiny test begins with this question: is there a compelling interest in protecting minors from therapy that will cause them harm? The answer will be yes, there is a compelling interest here. But, again, it is the second prong of the test on which this proposed legislation is vulnerable. Does evidence exist that demonstrates preventing sexual orientation change efforts is the least restrictive alternative to protect children? The evidence will first have to show that sexual orientation change efforts are extremely harmful to children and then the evidence will have to show that there isn’t any way to implement these efforts in a way that will avoid harm. I do not know what the evidence will show but this process forces everyone to focus on evidence rather than a simple majoritarian argument that one view of raising children is required for everyone.

Again, to understand the conflict we need the work of scientists, psychologists, sociologists, educators, theologians—the whole community helps us understand the different arguments and the evidence.

Circumcision of females (Africa); circumcision of males (Germany)

This way of evaluating proposed legislation also works when we are thinking about what kind of international human rights laws we want to support.

In several African countries female circumcision is practiced and this is condemned by groups around the world. This past year, in Germany, a court ruling stated clearly that parents’ choice to circumcise a boy violated the child’s rights. Are these the same issue? How do we think about the rights of individuals in other cultures?

This is complicated but the strict scrutiny test gives us some guidance in framing a way of thinking and, again, it forces us to look to the evidence.

The first question is this: is the health of children a compelling interest, such that we should consider whether to curtail the rights of parents in some situations? The answer is clearly “yes.” The health of children is a compelling interest. But, is curtailing parental choices in these situations the least restrictive alternative to achieve the health of the child? This is debatable and we have to consider the evidence that we have.

Female circumcision appalls many of us. But when we study this issue we see that there are actually several different kinds of female circumcision, at least one of which is largely a symbolic prick rather than a crude hacking of female genitalia.

In Germany the court’s decision generated a global reaction in which religious groups expressed fury that a judge would interfere with the decision of parents. Immediately a piece of legislation was introduced to protect the rights of parents in situations like this but this pattern of outrage and legislation brushes over some of the important questions that should be asked.

We have to focus on the evidence and to do this we have to understand the people and the procedures involved. In what ways does circumcision harm children? How is female circumcision similar to or different from male circumcision? Surely we believe that governments should protect children when their parents harm them, but when we know little about the faith of the parents or about the procedures themselves we can do little other than react with emotion. This is not only a harmful way to shape public
policy but it will also backfire when majorities assess our own faith as damaging to society.

In all of the above cases the strict scrutiny test is likely to be applied in a way that results in protection for the faith community against those who want to curtail faith-based actions. However, Christians will also be challenged to consider our own willingness to control others when we have the political clout to do so. In this next scenario all courts that have applied the test have reached the same results. And Christians have largely excoriated the judges for being “activist.”

Gay community wants civil marriage extended to them.

This is a challenge that Christians are facing all across the country with upcoming initiatives. It is easy to react emotionally to this, arguing that marriage has always been defined as between a male and a female, but this argument misses the point. The question here is whether a majority understanding of marriage should be sufficient to deny similar government recognition for those that do not fit into the majority’s perspective.

When this question has gone to judges the majority has said that the recognition of same-sex marriage would hurt heterosexual marriage. So, the judges start by asking, “Is the protection of heterosexual marriage a compelling interest?” They quite easily answer this question by saying yes. Heterosexual marriage provides stability for children and also for society at large. Then the second question is whether denying public, legal recognition of same-sex marriage is the least restrictive alternative to protecting heterosexual marriage. It is on this point that the judges say majorities have to bend. After days of testimony the judges that have to answer this question say that it is clear recognition of same-sex marriage does not harm hetero-sexual marriage. So, where constitutional amendments like Proposition 8 in California are examined, they fail. In this case, judges say, pluralism requires that that the majority who favor recognition of only hetero-sexual marriage must allow recognition of the minority’s claim.

What role do faculty, students, administrators, alumni and the rest of the community play?

The greatest challenge for Christians in U.S. policy debates over the coming years will be the balance between the equal protection rights of the gay community and the religious freedom rights of the Christian community. Internationally the challenge is likely to be the rights of the Muslim community. We need to figure out how to balance the rights of Christian, gay and Muslim communities. There are free speech claims, employment issues, schooling issues, debates about the nature of the family, the rights of businesses and houses of worship. There is so much to be done and everyone in every discipline can play a role. But, to play a role everyone also needs to understand the goal. The goal is not “How can we win” but “How can the public, civic world protect room for both institutional and confessional pluralism?”

There is no better institution for this discussion to take place than Calvin College. It is at Calvin that you have the intellectual tradition of Abraham Kuyper, a tradition carried forth by Wolterstorff and Plantinga among others. It is at Calvin where there is a chance to build a multi-disciplinary, coherent understanding of a theology of citizenship. And, it is at Calvin that there is a chance to shape what it means to live with political pluralism while we hold fast to our beliefs about the one Truth. But it isn’t easy to do.
I have found that conversations about the most difficult tensions between us—the rights of the gay community; rights of the undocumented; the role of faith in public schools—these conversations occur more easily across lines of difference when we have three things going for us:

- We know the other side
- We have a philosophy about the other that allows the other to flourish
- We see what we have in common

With these three we see a need for a theological grounding for what shapes our civil understanding of the room for ourselves and for others to live in accordance with our deepest conviction and worldview. But then, we need to know the other in order to figure out how this public, political room will manifest.

One of the tasks of faculty and students who do this kind of work will be to get to know the gay community and the Muslim community. This will take courage. Courage is the willingness to move forward and do what is right even when fear exists. And, fear does exist when we are talking about encouraging our communities to act with love and justice toward gay or Muslim populations. People have lost jobs in Christian institutions because of their stance on these issues.

Faculty and students must do the work—this takes courage.

Trustees and administrators must protect and encourage and create the space for faculty and students to do their work—this takes courage.

Alumni and the Calvin community must try to understand the work that is produced and support the work in the face of criticism that will develop—this, too, takes courage.

So, together, let’s be courageous.