Q&A with the Experts: Don Browning

Robert W. Woodruff Visiting Professor of Interdisciplinary Religious Studies at Emory University, and Alexander Campbell Professor of Ethics and the Social Sciences Emeritus at the University of Chicago Divinity School

Q: Why did you decide to take part in the Center for the Study of Law and Religion’s “Sex, Marriage and Family” project in 2001?

A: I’m an interdisciplinary addict, and I like interdisciplinary conversations. When I realized that around this table would be 15 or 16 Emory University professors from not only law but religion and theology, not only Christianity but Islam, Hinduism and Greek religions, I began to think that was right down my alley and knew I’d learn a lot.

Q: What role did you play in this project?

A: I hope that I contributed good practical thinking, and by that I mean thinking that goes across policy issues, moral issues, legal issues, anything that tries to answer the question of what we should do in a particular area. Such thinking is very complex and requires thinking in many different dimensions and levels. I tried to communicate an atmosphere of respect for different disciplinary contributions and then help people see how these might fit together.

Q: You were “retired” when you joined the project. How many books did you write or edit during this retirement?

A: Before it’s all over, it’s going to be about seven or eight books, I think. And only one of those books would have been written if I had not joined the project. The book that I was working on when I joined Emory was nearly finished, but what I learned in the project’s seminar added a lot. I learned more about Islam, medieval Christianity, Hinduism. The other books have been pulled out of me by virtue of the synergism and momentum of that program.

Q: What is your hope for these books you hadn’t planned to write?

A: I hope to bring law to the attention of the American religions and American churches more than it has been. I also hope that law and other related human sciences can see that religion still has something vital to contribute to contemporary conversations especially around sex, marriage, and family issues.

Q: Other than through your books, how has the CSLR helped get the conversation between law and religion going?
A: One of the great things John Witte has done is to say that in order to get this conversation going, to bring law more to the attention of practical religion and religion more to the attention of law, you’ve got to do a lot of history. Practical religion in American life can’t go forward well and solidly if you can’t recall that history.

Q: What should the CSLR focus on during the next 25 years?

A: I think reproductive technology issues are going to be enormous in the future, both nationally and globally. And, the pluralism of American religious life is going to become more and more dynamic, so conversations with Hinduism and Buddhism will be important in additions to our work with Christianity, Islam and Judaism.

Q: What issues are we facing with reproductive technology?

Different countries are going different directions on this. In the United States, we’re basically having kind of an open market attitude toward the field of reproductive technology. If you’ve got the money and you can find a doctor and you can find a science, you can pretty much do it in most areas. Not every country has taken that point of view.

Furthermore, because it does take science and money to do a lot of this stuff, it just seems to be intuitively wrong for a certain percentage of the population to be able to take advantage of some of these breakthroughs and the rest of the world not to. So, it’s a global issue, it’s a national issue, it’s a personal family issue, and it’s extremely complex.

Q: What is the most important thing we learned from the sex, marriage and family project?

A: We learned that although they are religious and personal, marriage and family issues are often a lot like driving an automobile, meaning that you regulate them because there are big material, psychological, and health issues at stake. Determining who’s married and who’s not married, who’s accountable for the children and who’s not accountable for the children, who gets the property and who doesn’t get the property, needs to be regulated. Philosophy and law have been concerned about these issues because if you let them fall apart big social issues emerge.

I think it is important to outline how societies everywhere have done this, even if they didn’t have good systems of law but tried to leave these decisions and regulations at the more local, maybe even tribal level. These traditions have always been there, and religion is a dimension that surrounds, energizes, and balances, but it doesn’t exhaust what’s there.

Q: How is the work of the CSLR relevant to the world at large?

A: One of the most dramatic examples is the world conflict over what we call terrorism. That conflict is significantly a conflict about alternative visions of the relationship of religion to the law of the society. More fundamentalist Islamic thinkers have a particular view of Shari`a where it says that all aspects of society, even modern society, still need to be guided directly by particular interpretations of Shari`a. Sex, marriage and family issues are very central to much of
that conflict over what Shari’a permits and how this may conflict with western religions and values.

That’s one example of how as the pace of life changes, as modernization spreads, reproductive issues become more a matter of conflict. Many religions, both western and eastern, both Christian and non-Christian, have contributions to make to these liberations, but they also are going to have concerns and reactions, and sometimes quite negative ones. So you have a world-wide rise of fundamentalism in many different religious.

Terrorism is one of the most crucial examples of the importance of the interdisciplinary discussion. It is important to do more work on law, look at what these religions are really about, do historical work, and bring different viewpoints into conversation, and this may help create a culture of dialogue and gradual consensus that takes the place of conflict.

**Q: What stands out the most about your experience with the CSLR?**

**A:** It was very instructive to interact with our Jewish and Islamic scholars or people who were experts in those religions. I consider myself a liberal Protestant. I tend to work in ethics and practical theology. I do interdisciplinary work. But, it was often very interesting and surprising to hear from those religions what view they take more importantly than some of the traditions I was familiar with. It was especially interesting to learn how much more they value law. In Judaism and Islam, law is not something over there that you get from the state. In those religions, law is something that the state may have but it also is solidly built into what these religions are about, and following the law and keeping the law are extremely important.

**Q: A last comment?**

**A:** John Witte and Frank Alexander are two enormously powerful leaders and very generous and ecumenical in their attitude toward academic disciplines and religion. I wish more universities had people like that around, and I hope that they are inspired and try to imitate what’s being going on at Emory.