Q & A with the Experts: Mark D. Jordan

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Q: Why did you become a Senior Fellow in the Center for the Study of Law and Religion?

A: When I first came to Emory I went to meet John Witte to talk just about marriage and how it is that someone versed in the history of Christian marriage can bring that knowledge and those questions into dialogue with contemporary issues. I had no idea that a Center was being set up, but just at that moment John was setting up the Center for the Study of Law and Religion, and the first project was on family, marriage, and sex in the religions of the book, so it was perfect timing for me. I had my questions that I had been struggling with historically and was looking to get involved in a larger conversation, and just then John was looking for Fellows to participate in a larger conversation.

Q: What impact has the Center had on your work?

A: Being a Fellow in the Center has emboldened me to do all kinds of work I would not have done otherwise. It's not only taught me a lot, gotten me to learn things I didn’t know before, but it's also given me the courage to do certain kinds of writings and take up certain kinds of questions that were a real stretch for me, and that I now feel comfortable enough addressing. So when I first came into the Center my conception of what I would be doing was that I would be extending my historical work in small increments into the present, and as I got into it I suddenly realized, no, there's all these other conversations I have to be learning about, legal conversations, sociological conversations, medical conversations, and all of that is going to come back in and feed my historical research and make it possible to do constructive theology out of history into the present.

Q: What specific work have you been emboldened to tackle?

A: My first work for the Center was on a topic that is marriage, same sex marriage, that I had already been working on, but then John persuaded me that I could actually go further with that, and so my second project for the Center was about how adolescents construct a sense of religious and sexual identity in contemporary America. Now in some ways this was an extension of what I had been doing, because I had been very interested in religious rhetoric and how religions rhetoric both constrains people and nourishes them when they're trying to build a sense of identity, but I never thought that I would be working on these materials in American archives.
from 1950’s to the present. But it was precisely because of our conversations at the Center that I was able to make that natural extension of my work.

**Q: Has your affiliation with the Center changed your thinking in any way?**

A: I think my work with the Center has surprised me in two ways. It's surprised me by revealing to me what I really thought about certain issues. In that way, it's given me the courage of how radical some of my thinking actually is. And in another way it's led me to learn bodies of knowledge that are, in fact, very pertinent to what I'm doing, but that I didn’t think that I needed to know before I came to the Center. So it not only helped me to think my thoughts through all the way, but it also said, “No, if you're going to do this thinking then you have to learn these, and these other bodies of knowledge” that at first sight didn’t seem so pertinent to what I was doing, but in fact were immensely helpful in changing my mind on dozens of topics.

**Q: Can you give an example of something that helped you change your mind?**

A: My central theoretical model right now for religious rhetoric occurred to me in the middle of a seminar at the Center when I was listening to a dispute between two other people on how to proceed with changing policy. And it suddenly occurred to me rhetoric is not about arguments and reasoning, rhetoric is about presenting a way of life that people fall in love with. And so in order to understand what religious rhetoric is, what you really have to understand is how rhetoric paints a picture for you of a way of human life that you desire and want to make your own. And that insight came to me as a result of our trying to work out in a seminar how it is that you go about convincing people of something at a fundamental level.

**Q: What have you produced as a Senior Fellow that you may not have otherwise?**

A: One of the gifts that the Center gave me was the freedom to try various experiments in writing with the different books, so each book I wrote for the Center was in a different form, different kind of book, not just a different audience, but a different shape, a different language. And like many parents, like many authors, it's actually the book that no one else seems to think was particularly successful that I love most, and this was the book on blessing same sex unions, where I actually tried to combine the elements of the wedding industry and popular conceptions about marriage with the history of Christian marriage and with the experience in lesbian and gay communities around relationships, and to make a three-way conversation among cultural conceptions, Christian history, and the experience of LGBT communities and that kind of intercutting, which is the form of the book, it's like a movie in which you're cutting back and forth among three different plots. That book seemed to me a glorious experiment. As I said, it didn’t convince anyone one but I think it was in many ways the most interesting work that I was able to do for the Center. And interestingly enough, also, the one that flowed most directly out of my experience in the seminars.

**Q: What do you value most about being part of the Center?**

A: The most precious gift of the Center has been the gift of the seminars. This is a cliché, but it really is true that for humanistic scholarship the seminar is your laboratory, it's where you try out
ideas for the first time, and sometimes the test-tube explodes in your face and you go out with another idea. But sometimes you say something in seminar and someone asks you to pursue it or presses you on it, and all of a sudden, a line of inquiry opens up you had no idea was there and things start falling into place. So the seminar really is the place in which you not only present ideas you’ve worked out but where you try experiments, and then the experiments sometimes turn into amazing discoveries. I remember once sitting in a seminar presenting on the question of marriage rites, marriage sacraments and the role of the church in blessing marriages, and I remember that Don Browning and John Witte were sitting at the other end of the seminar table. And so I made my presentation, the question period started, and then John asked me a question about, “Well, what would this suggest about your view of the church?” and Don Browning followed up with another question, and all of a sudden I'm thinking to myself, “They're asking me to work out a new theory of the church right here in the seminar!” And I just started talking and said things which as soon as I said them I knew they were my real thoughts, but that I had never consciously formulated before.

Q: What impact has the Center had on law and religion scholarship and on public policy?

A: I think the Center’s effect on scholarship is only just beginning. First-rate books have been published out of the Center, and I'm not thinking primarily of my own, so I can say this with all modesty. I think the Center has produced, and continues to produce, a string of major scholarly contributions around a number of questions, but as always in scholarship it takes decades for scholarly results to sort of percolate out from the Center, and to be adsorbed into graduate seminars and then into undergraduate teaching and so on. So I think 30 years from now you'll see much more immediately the effect of the scholarly work that’s been done. The effect of the Center on public policy discussion is in a way more visible but also harder to calculate because we live in such a polarized political climate, and everyone’s got their op-ed pieces out there, and every newspaper gives you the morning’s serving of contending voices. But I do think that the Center’s contribution has been to bring a level of seriousness and of hard thinking to some of these issues so that instead of just publishing another witty or caustic or emotional op-ed piece in which you lay out a position and it doesn’t change your thinking and it changes no one else’s thinking, I think what the Center has done is to try to offer pieces that actually educate people or at least raise questions in a way that get them to think about the issues differently than they had before they picked up the newspaper.

Q: What role should the Center play in the next 25 years?

A: Part of what the Center has done in its work already is to say over and over again in public life religion is something you have to take seriously and it's something you have to think about. It's not negligible, it's not ridiculous, it's not a form of insanity, it's not merely emotion. Religion is a matter of thought and of history, of institution building, of shaping human lives. And it's said this into a climate where I think 15 years ago many people assumed that religion was dead or was dying in American life, or at least that it was something dubiously rational that intelligent people weren't really involved in, only fanatics were religious. So what the Center has already accomplished is to make the case that thinking about fundamental social issues, fundamental issues of the future of the country, of how we hold the country together, requires you to think about religion. I think the next 25 years will pose the challenge of changing the way we think
about religion because it's been our tendency even within the Center to think of religion in terms of institutions, and to think of the way in which institutions like churches or synagogues or mosques, denominations, organizations of rabbis, function in relation to the courts and legislatures, and national policy. But in fact much of what's happening right now in the United States around religion is anti-institutional, it's happening privately in almost invisible networks, in people’s search for contact with the divine while they're on vacation in national parks, or where they're talking with friends over coffee, or while they're sitting holding someone’s hand in a hospital. And what we’ve got to be able to do is to re-conceive religion in a way that allows us to capture to think about this enormous religious energy that’s not institutional, that hates institutions, that’s I think, the conceptual challenge for the Center.

**Q: Do you think that that spirituality can be sustained without the structure of a religious institution?**

**A:** Whether or how people can sustain religious development, religious maturation, when their religious experience is essentially private or informal, I think that’s a very powerful question, not only for those of us who study religion, but for people who try to have meaningful religious lives in contemporary America. But I do know this, when I was out in San Francisco last year doing my research for the Center, I was asked to give a series of public talks on religion and sexuality at a community center, not a church, at a community center, and I said I'd be willing to do it. And five weeks on Tuesday nights people showed up for two hours to talk about religion and sexuality. And what they most wanted to talk about was not sexuality but religion, and there was everyone in that room, people who identified as Christians, people who had rejected Christianity, Buddhists, pagans, wickens, nothings, everyone was there, and we had the most intense conversations for two hours about how people find religious practice when they have no institutional support for it. I was convinced in that experience of two things directly related to my work at the Center. The first is people are amazingly persistent at improvising networks of support for their religious lives, and the second is, we’ve got to find a way of talking about, but more importantly, talking with those people who are falling outside of the establishments, outside of the religious institutions, because there's an enormous religious energy there.

**Q: What specific issues do you think the Center should address in the future?**

**A:** My own work in the Center has convinced me that we need to be focusing on two questions that we’ve brushed up against, but that we need to pursue now more systematically. One is the nature of religious rhetoric and what happens when religious rhetoric enters into these combustible mixtures with politics because that’s what we’re seeing right now in the United States especially, but not only the United States. The second one is, again, the issue of all the religious life that falls out of institutions, that falls in some sense off the radar screen, or below the horizon of visibility. We need to find ways of talking about that, but also just finding out what's happening there. Because although the law is primarily, as it were, interested in these kind of institutional or formal relations, and the law has a lot of experience in dealing with denominations and institutions, if the law is going to deal with religion in 21st century America it also increasingly has to deal with unorganized religion, disestablished religion, because I think more and more people will find their religious lives there.
Q: Is a religious foundation important to developing a fulfilling spiritual life?

A: In my experience and in my life history interviews in the last years with younger people, my conclusion is that those who come out of a strong religious upbringing, even if they now perceive the upbringing as being painful in various ways, they still have some sense of what religion is, of what religion looks like, of what it can be for you, and so they are more successful in improvising new ways of religious life than those who have no religious upbringing and who start, as it were, from scratch even in trying to imagine what is worship, what is scripture, what is prayer, what is it to have a religious community. So in some sense, my provisional conclusion at least, is that it's more helpful to you to have had even a painful religious upbringing when it comes to that point in your adult life when you want to make a new religious life for yourself, because at least you have some models to correct, react against, you have some experience, also of the habits that are required for religious life. It's a cliché among college teachers of religion that you can assume nothing about the religious backgrounds of the students you are teaching, so that the most familiar biblical reference, like a reference to the apostles, can be absolutely enigmatic not just to the Hindu students in your class, but to the students in your class who have come up through nominally Christian upbringings. And in that sense, the break of religious education that we're experience culturally, while it may look like a moment of great liberation, it's actually a moment of great shaking of the foundations of religious life, and I think will make it difficult for people as adults to find a spiritual practice that nourishes them.

Q: What experiences during your time at the Center stand out for you the most?

A: I never thought that I would be, for a brief 15 minutes, a star of the national news circuit so that I would have phone messages waiting on my phone from ABC and CNN and the Wall Street Journal, and the New York Times, and I would be trying to decide which of those I should take first, so the Center gave me that experience of being kind of in the eye of a news cycle for a brief period. It also gave me the experience of working with the remarkable number of famous scholars and policymakers and cultural figures who have come through. And there is something irreplaceable in the experience of just sitting down to lunch with someone who has actually done major work in formulating marriage policy, or in litigating sex abuse cases, or things of that sort. But I still think for me that the most powerful experiences in the Center were the experiences that happened around the seminar table. Because actually, the most precious gift that anyone can give you in academic life is the gift of time, and if they can give you the gift of time and really smart people to talk with during that time, phew, there's nothing better than that.