

“An Eastern Orthodox View of Love, Law and Martin Luther King, Jr.”

Presentation Proposal—Love and Law: What Would Law Be Like If We Organized It
Around the Value of Christian Love [Agape]?

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Abstract:

Eastern Orthodox Christianity insists that a person’s capacity to manifest agape love progressively increases according to their growth in Christ and that agape love cannot be obtained through mere external conformity to law. However, Orthodoxy also insists that law can indicate and encourage the kind of behavior that is likely to be in conformity with a life directed toward growth in the image and likeness of God. Accordingly, from an Orthodox view, law organized around the value of Christian love therapeutically aims to cultivate spiritual formation in the image and likeness of God. However, unlike the Orthodox tradition’s paradigmatic model of church-state relations, pursuant to the American model law may not explicitly aim to cultivate Christian spiritual formation. As a result, it has not been clear how Orthodoxy’s conception of the relationship between law and love articulates itself in a nation with a robust tradition of separation between church and state. As an effort to articulate one approach to this problem, this paper interprets Martin Luther King, Jr.’s distinction between desegregation and integration, and his vision of the Beloved Community in terms, respectively, of Orthodoxy’s conception of the relationship between love and law and its understanding of agape love as unitive. The paper concludes that King’s example helps to illuminate how an Orthodox understanding of the relationship between love and law fits into the American legal order.

Paper Presentation Proposal:

This proposed paper presentation will draw from a larger project on which I am working that seeks to develop an approach to law that is sensitive to the concerns that have traditionally occupied critical scholars and especially those working in critical race theory but which is committed to a high Christology and rooted patristics. While this larger project is still underway, a section of it concerning Eastern Orthodox Christianity’s approach to love and law directly responds to the following suggested paper topic, “What is the relationship between love, law, and theology in our religious traditions?” While much of the proposed presentation will respond to this question from an Eastern Orthodox point of view, it will also acknowledge that Orthodoxy has historically existed in countries that lack a strong separation between church and state. As a result, Orthodox Christians are still negotiating how they should engage questions like the relationship between love and law in pluralistic, Western democracies with a tradition of separation between church and state. As one approach to this dilemma, this presentation will suggest that an American, Protestant figure, Martin Luther King, Jr.’s approach to love and law parallels in important respects that of the Eastern Orthodox. Despite theological

differences between Orthodoxy and King, the presentation will argue that King's approach to love and law can be usefully interpreted along Orthodox lines, and that King's Christian existentialism and vision of human interdependence render him a helpful model for applying Orthodoxy's conception of the relationship between love and law in the American legal order.

Biography:

Professor Paradise earned his JD from Yale Law School in 2004 and joined the faculty of Rutgers Law School – Newark in Fall 2008. Prior to joining the Rutgers faculty, he was a litigation associate with the New York law firm Wachtell, Lipton, Rosen & Katz and the Los Angeles office of Sidley Austin, LLP. His recent publications include, "Racially Transcendent Diversity," 50 *U. Louisville L. Rev.* 415 (2012), "Pursuing the Diversity Ideal," *The Newsletter of the DRI Diversity Committee*, 4 *Diversity Insider* 1 (2012), "Introduction, Affirmative Action in Higher Education: An Early Sunset?," 13 *Rutgers Race & L. Rev.* 1-S (2012), and "Militant Covering," 33 *Wash. U. J.L. & Pol'y* 161 (2010). During the 2012-2013 academic year Professor Paradise pursued graduate education in early church history at Union Theological Seminary in New York, where he studied under Father John McGuckin, Professor of Byzantine Christian History & Professor of Byzantine Christian Studies. Professor Paradise is an alumnus of the Renovare Institute on Christian Spiritual Formation and is a senior fellow of the Sophia Institute, an advanced international research forum dedicated to investigating the relation of Eastern Orthodox Christian traditions to contemporary culture. He teaches courses on Civil Procedure, Professional Responsibility, Religion and Law, and Race, Law and Identity Politics.