Bound to Do Good

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We welcome any sons of Adam who come in love among us and will not condemn, punish, banish, prosecute, or lay violent hands upon anyone, in whatever name, form, or title he might appear. We are true subjects of both the church and the state and we are bound by the law of God and man to do good unto all men, and evil to no man.

From the Flushing Remonstrance document drawn up and signed by 31 townsmen of the village of Flushing, New Netherland (New York), in 1657, to protest the persecution of Quakers by colonial governor Peter Stuyvesant. A U.S. postage stamp was issued in 1957 to commemorate the tricentennial of this event.

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Religious Wars and Religious Freedom: A Troubled History

Although today Western society generally accepts that freedom of religious belief and expression is an innate human
right, that position emerged only after centuries of religious intolerance and persecution, and centuries of interreligious hatred so extreme that it frequently resulted in wars of religion.

**Whiteout**

This particular global religious snowstorm might easily render constitutional snowplows ineffective.

**Confessions of a Religious Fanatic**

Words that depict religious faith at its highest ideal have been usurped by those who depict it at its lowest. And, unfortunately, but (thanks to folk such as Nidal Hasan) understandably, it

**In the Name of Heaven: 3,000 Years of Religious Persecution**

I am in the right, and you are in the wrong. When you are the stronger, you ought to tolerate me; for it is your duty to tolerate truth. But when I am the...

**Keeping Up With the Jones**

Sparks of religious controversy can be kindled from even the most everyday circumstances in the United States. One recent flash point was ignited by a...

**Cross Purposes**

Another Religious Display Case Comes Before the Supreme Court

**The Hidden Danger of Conspiracy Theories**

A problem with conspiracy theories is that they oversimplify world events in order to find a scapegoat.

**Dialogue and Change**

I am in Canterbury, England, at Canterbury Cathedral, home of the archbishop of Canterbury, head of the Anglican/Episcopal Church. I came to attend as an...
Although today Western society generally accepts that freedom of religious belief and expression is an innate human right, that position emerged only after centuries of religious intolerance and persecution, and centuries of interreligious hatred so extreme that it frequently resulted in wars of religion. This article is the first in a four-part series exploring the history of religious and holy war in late-medieval and early-modern Christendom. Religious wars have been fought in other areas, of course, and in other epochs; however, from the late fourteenth to the early eighteenth centuries Europe was the stage on which rivalries between and among the great monotheistic religions were contested. Because the European powers expanded across the oceans and continents of the world, the events of this area and this period had an influence that extended globally, down to the present day.

A religious war is one of the ultimate expressions of religious intolerance. A holy war, in which the enemy’s population is targeted for destruction because of its religious beliefs, is the final terrible extension of persecution. Not all combatants in religious conflict have shown the commitment to destroying and killing enemies recently demonstrated by jihadists; wars of religion have often been defensive, to stop persecution or protect coreligionists from it, as well as aggressive, to allow the imposition of religion on others. But once a religious dispute spills over into war, it tends to harden attitudes on both sides. Nothing is more immediately destructive for concepts of religious freedom and mutual respect than war waged in the name of faith.

The Enduring Appeal of Crusade

The Crusades to the Holy Land and the associated Western European occupation of parts of the Levant (1096-1291) were originally undertaken for the defense of Eastern (Greek Orthodox) Christians from Turkish oppression and to free the holy places of the Christian faith from Muslim occupation, but they became wars of European expansion. When the last European stronghold on the mainland of Asia fell in 1291, in many ways it marked the end of an era. However, while there were to be no more general crusades to the Holy Land—no more expeditions, that is, which drew volunteers from across Christendom, and which conducted campaigns in Palestine and the surrounding region—this was not the end of crusading.

The Fall of Tripoli to the Muslim Mamluks. The battle occurred in 1289 and was an important event in the Crusades, as it marked the capture of one of the few remaining major possessions of the Crusaders.

First, although we now know the Holy Land was lost for good, this was by no means obvious to Western Christians in the fourteenth century or for two centuries thereafter. The idea that a great crusade against the Turks would mobilize all of Christendom appealed to statesmen and soldiers in Europe well into the seventeenth century.
Second, it is often forgotten that, although Western Christians had no strongholds on the mainland of Asia in the fourteenth century, Armenian Christian principalities there survived; moreover, Western “crusaders” maintained control over a number of islands and coastal enclaves in the eastern Mediterranean basin: Cyprus was a Christian kingdom, for example, well into the sixteenth century. Both defensive and offensive military campaigns continued to be conducted along the Mediterranean littoral, sometimes in alliance with indigenous Christian princes.

Third, the notion of crusade had been extended in the mid-twelfth century to encompass the reconquista of the Iberian Peninsula and the wars of conquest of the Teutonic Order in the Baltic region. These wars continued into the fifteenth century.

Fourth, from the mid-fourteenth century, the Turkish threat was no longer located only in the Near East. The Seljuk Turks, who had taken the distant holy places of Christianity in the eleventh century, were supplanted by the Ottoman Turks, who drove from Central Asia into the Near East and then into Europe, albeit only (at this stage) Europe’s eastern borderlands.

Furthermore, in this period, as long as wars were against pagans, infidels, or heretics, then contemporaries typically regarded them as “crusades,” whether or not they met the original criteria for a formal crusade and regardless of whether they were undertaken in the Baltic, Iberia, northwest Africa, Egypt, the eastern Mediterranean, or southeastern Europe—and this meant that they were not just conducted by Spaniards, Portuguese, Teutonic Knights, Hungarians, Serbs, or Cypriots. Campaigns against pagans and Muslims on the southern and eastern marches of Latin Christendom attracted interest, sympathy, donations, and volunteers from across Europe. The potent lure of the crusade, even as far northwest as the British Isles, is immortalized by Geoffrey Chaucer in the “Knight’s Tale,” in his Canterbury Tales, with its roll call of locations in which the anonymous protagonist had fought: at Alexandria in Egypt, around the eastern Mediterranean, and in Turkey; in Prussia, Russia, and Lithuania; and in Spain and Morocco. These were, as Chaucer makes clear, the campaigns of a “Christian man,” fighting “for our faith” against the “heathen.”

Iberia, North Africa, and Eastern Europe

The height of wider Christian participation in the reconquista had been in the thirteenth century, but parts of the Iberian Peninsula remained under Moorish rule until 1492, when the Emirate of Granada finally fell to the armies of Ferdinand II and Isabella I, joint sovereigns of Aragon and Castile and León—founders of the modern state of Spain. Meanwhile in the 1410s, the Portuguese and Spanish had begun to extend their military operations to North Africa, from whence the Moors drew support. Ferdinand II of Aragon, who had seized the throne of Castile and León in 1474, launched a crusade across the Strait of Gibraltar into Africa that attracted English and French contingents.

The Battle of Grunwald, in which a Polish-Lithuanian army, led by Polish King Władysław II Jagiello, defeated the knights of the Teutonic Order, 1410.

Meanwhile, in the second half of the fourteenth century there had been an almost permanent crusade in the lands bordering the eastern Baltic, conducted by the Order of Teutonic Knights against the pagan inhabitants of Prussia, Lithuania, and Livonia (the medieval kingdom of Lithuania extended far beyond the borders of the modern nation). But the Teutonic Order could draw on support from more than only German knights. As the most recent historian of the order observes, among those who crusaded in Prussia and Lithuania were many “Frenchmen, Englishmen, Scots, Czechs, Hungarians, Poles, and a few Italians.” They included Henry Bolingbroke, later King Henry IV of England.
However, as the Teutonic Knights acquired more and more territory they increasingly became more and more like a secular state. They also increasingly became entwined with neighboring kingdoms, some of them Christian, and so found themselves “crusading” against the Catholic Poles and the Orthodox Russians. Then around the year 1400 the Lithuanians converted en masse to Christianity, and the crowns of Lithuania and Poland were united in marriage. The combined power of the Polish-Lithuanian union proved too much for the Teutonic Knights, who in 1410 were badly defeated at the First Battle of Tannenberg. The order ceased to be a major player in the area thereafter. The era of Baltic “crusades” was at an end.

One reason for the conversion of the Lithuanian elite, which then was imposed on the mass of the people, was precisely in order to gain Polish help against the Teutonic Knights. Although the sincerity of the original conversions is doubtful, once the Lithuanians were officially Christian, preaching and conversion eventually followed in subsequent generations. In a sense, then, the order could be said to have achieved part of its goals, in that it helped to obtain the conversion of many pagans to Christianity! However, it remains an open question whether conversion would not have been more readily effected by missionary activity than by wars of conquest that chiefly served to enrich and increase the power of the Teutonic Order.

Suppressing the Hussites

Germans were still able to crusade close to home in the fifteenth century, however, against the Hussites in Bohemia and Silesia in the 1420s. In the four years after the martyrdom of John Huss in 1415, his followers in what today is the Czech Republic and eastern Poland organized themselves, and in 1419 they rose in revolt. Pope Martin V called on all Christians to take up arms against the followers of Huss, though in fact the armies that subsequently fought the Hussites were drawn solely from the Holy Roman Empire and Poland. The emperor Sigismund led four “crusades” into Bohemia and Silesia, but regularly suffered defeat at the hands of the Hussites, whose armies combined technological innovation (including the first widespread use of firearms) with extraordinary religious fervor. Eventually, however, the German Catholic forces used their superior numbers to obtain some military successes, the Hussites divided into factions, and in 1436 a compromise peace was negotiated. It extended some liberties and limited diversity of religious practice to the Bohemians (which a century later became the basis for the widespread adoption of Protestantism), but restored the authority of the emperor and the Papacy.

These wars were, on the part of the Hussites, defensive: initially they did not attempt to impose their religious views on Catholics in Bohemia and Silesia, or to export the gospel of Huss outside their homeland; but they were determined to worship as they believed God commanded, and to prevent persecution. Yet there was an alternative to taking up arms, which was to undergo martyrdom. As the historian Philippe Contamine points out, this was advocated by one Hussite group, the Union of Bohemian Brothers. Their leading theologian, Peter Chelcicky, “preached nonviolence. Chelcicky railed against those who scrupled to eat pork on Friday but lightly shed Christian blood. According to him the first pacific age of the church was also its golden age; Christian law as a law of love prohibited murder, with the result that adepts of this law were certainly obliged to obey the state and to render to Caesar that which was Caesar’s, but to refuse . . . military service.”

But as Contamine observes, this tendency “was at odds” with another—widely influential among the followers of Huss—that favored war. Swiftly the rhetoric of the Hussites passed from “justifying resistance to the pretended crusaders in the name of truth” to defending “the fatherland” against foreign invaders. The wars thus took on an ethnic and secular, as well as religious, character.

The Siege of Acre took place in 1291 and resulted in the loss of the Crusader-controlled city of Acre to the Muslims. It is considered one of the most important battles of the time period. Although the crusading movement continued for several more centuries, the capture of the city marked the end of further crusades to the Levant.

Furthermore, once the Hussites had enjoyed sustained success against Sigismund’s armies, they had the opportunity to impose their views on others by force, and this was one of the chief reasons for the splintering of the movement into factions. The Taborite and Orebite brotherhoods, whose members were the most rigorous and zealous of the Hussites, wanted “to force the practice of Communion in both kinds upon the citizens” of cities that “had remained Catholic” and loyal to the emperor. While some
Hussites argued for “a tolerant approach as a necessary concession to achieve unity” in Bohemia-Silesia, others saw tolerance “as a serious betrayal of their fundamental religious principles.” Eventually the Taborites waged war against those they saw as unduly moderate—it was the civil war among the Hussites that allowed Sigismund finally to achieve a victory despite his series of defeats in the 1420s and early 1430s.

Thus, as so often, once war was joined it created its own dynamic. The Hussites’ campaigns ceased to be solely defensive, and under the pressure of war many of them became intolerant and used force to impose their religious views on others. In the meantime, the religious character of the wars had made them very bitterly fought—the “crusaders” were rarely willing to show mercy to heretics, who responded to atrocity with atrocity. As recent research indicates, the 15 years of the Hussite wars were truly catastrophic in terms of the destruction wreaked on local communities, especially in Silesia.

The Ottoman Threat

Meanwhile, from the mid-fourteenth century, the Ottoman Turks had pushed into Europe. After their victory over the Serbians at the epic Battle of Kosovo in 1389, the Ottomans expanded through southeastern Europe, gradually conquering the region’s Greek Orthodox princes but being steadfastly defied by the important (and Roman Catholic) Hungarian kingdom. However, Western Europe was not seriously threatened by the Turks before the 1520s, and while calls for help in campaigns against the Ottomans stimulated a significant response in the West in the late fourteenth century, they drew only a limited response in the 125 years after the disastrous denouement of the so-called Crusade of Nicopolis in September 1396.

The crusade was reminiscent of the original Crusades, in its pan-European appeal, which transcended even the Great Schism (discussed below), and in the transnational composition of the Christian forces. The bulk of the crusaders’ army was composed of the forces of the Hungarian king, including troops from across Central and Eastern Europe: Bohemia, Bosnia, Carinthia, Styria, Transylvania, and Wallachia. But it also included many contingents from Western Europe: Burgundy (then virtually an independent kingdom), England, France, Germany, Spain, Venice, and the Knights Hospitallers of the Order of Saint John. And while no kings took part, the elite of Latin Christendom was represented: the Germans were led by Frederick of Hohenzollern; the French, Burgundians, and possibly the English were led by the duke of Burgundy’s son and heir, John, count of Nevers; by Philip of Artois, high constable of France; and by two famous French soldiers, the Maréchal Boucicaut and Enguerrand de Coucy, count of Soissons, each of whom was celebrated across Christendom as the very model of a medieval general and knight-errant.

The defeat of the Christian army on September 25, 1396, at Nicopolis, on the Danube, was a decisive blow to the Christian cause in the Balkans. The Crusade of Nicopolis was in some respects the end of an era; it was the last great transnational crusade.

Although Burgundians were again to see service outside the walls of Nicopolis, aiding the Wallachians in 1445, the Polish and Hungarian armies in the so-called Crusade of Varna in 1444 were joined by only a few Czech, German, and Italian troops, despite the appeals of Pope Eugenius IV; the crusade ended in a defeat at Varna (on the Black Sea coast in modern-day Bulgaria) more disastrous than that at Nicopolis. Likewise, only a small force of Italian troops and ships went to aid the Greek Orthodox defenders of Constantinople during its final siege by Sultan Mehmed II in 1453. Three years later there was a very limited response to Pope Callistus III’s efforts to raise troops to relieve Mehmed II’s siege of Belgrade, despite a papal pronouncement that the city’s fall would endanger the whole Christian world. Thanks to the leadership of János Hunyadi and the religious zeal of the defenders, the siege ended in a remarkable Christian victory, celebrated by the ringing of church bells all over Christendom. But it owed little to Western aid. Several subsequent fifteenth-century popes, including Pius II, a veteran of Varna, attempted to organize a united Christian coalition against the Turks, but although in 1480 the Ottomans briefly occupied Otranto, on the Italian peninsula itself, papal efforts received a lukewarm response until the sixteenth century.

The lack of enthusiasm in Western Europe in the fifteenth century has been attributed to the shock of the defeat at Nicopolis. Yet it is also the case that, for most of the late fourteenth and fifteenth centuries, the Catholic kingdoms of Central Europe—Bohemia, Hungary, and Poland—succeeded reasonably well in their wars with the Turks, despite some defeats. In an era when the Great Schism of the Papacy (1378-1417) divided Christendom, between initially two and later three rival popes, for nearly 40 years, and when the emergence of prominent “heretical” movements in England (the
Lollards) and Central Europe (the Hussites) posed the first major challenge to the Papacy’s authority for 200 years, Western Europeans made aiding their fellow believers against Muslims a low priority, especially as long as the Ottomans were being largely kept at bay and seemed a very distant threat.

These attitudes, however, meant that the fate of Southeastern Europe’s Orthodox Christians was sealed. They henceforth faced sustained repression and at times brutal persecution by the Ottomans, which resulted in many conversions to Islam. Although Orthodox Christian communities survived, abhorrence toward Muslims was engendered and attitudes were entrenched that literally took centuries to erase—attitudes of suspicion and hatred toward both Muslims (the conquerors and oppressors) and Roman Catholics (perceived as having abandoned their fellow Christians). The separate identities of Bosnians, Croatians, and Serbians in the Balkans are largely defined not by language, but by religion—historically and culturally, Bosnians were Islamic, Croatians Catholic, and Serbians Orthodox. The wars between these three religio-ethnic groups of the 1990s, and the genocide practiced by Serbian extremists against Bosnians (many of whom were not actually Muslim), were in a sense the last rites of the religious wars begun in the 1370s.

**Summing Up the Period 1370s–1520s**

In sum, throughout this period, religion helped to generate conflicts, albeit only on the fringes of Europe. Yet although these wars were waged in Christendom’s borderlands, men from Central and Western Europe were consistently drawn to them, motivated by religious fervor and particularly by the concept of “crusade.” Patterns were set that were to be important in the sixteenth and seventeenth centuries, when Christendom and Islam directly confronted each other, even while Catholic and Protestant tore Christendom apart. In particular, the enduring emotional appeal of the crusade was to be extremely influential. In 1494 King Charles VIII of France had made serious plans to crusade against the Turks. He told one of his confidants that he would “not shed any more blood, nor expend his treasure [on wars with Christians] until he had overturned the empire of the Ottomans or taken the road to Paradise.”

So powerful was the concept of crusade in Western culture that Protestants, as well as Catholics, were to be influenced by it in waging the confessional wars of the sixteenth and seventeenth centuries; crusading was to be the model for Christians fighting the Ottomans and for Catholics and Protestants fighting each other. It was a model of great heroism and commitment on campaign and in combat, but frequently of great brutality and cruelty as well, one which tended to entrench rather than erode enmity between adherents of different faiths and confessions. As we shall see in the next article, the sixteenth- and seventeenth-century wars of religion were to be among the largest, most long-lasting, and most sanguinary conflicts in history, unmatched before the wars of the twentieth century.

Professor D.J.B. Trim wrote this series while teaching history at Newbold College, Bracknell, Berkshire, near London, England.

5. *Ibid*.
7. *Ibid*.
8. *Ibid*.
Snow falls every year in the Northeast United States. Its effects range from New England style picture postcard to the sheet ice and downed power lines that often accompany late winter storms closer to Washington, D.C., the capital of the United States. Most years snow is a hoped for accompaniment to the holiday season and then a series of flurries that pass into spring.

Not this year.

This year began as the last ended—a huge fall of almost two feet of snow blanketed the area around Washington well before Christmas. The snow endured into the early days of the new year; its effect compounded by falling temperatures that might well have migrated from a Midwest winter.

We made it to February with a couple of the usual sub 12” falls. And then we got SNOW. A weekend fall of well over two feet of snow was followed within hours by a second storm that dumped as much as 18” in my hometown of Hagerstown, Maryland. Life came to an abrupt halt. Snowplows were not up to the task. Dump trucks gathered in gaggles along deserted freeways, as earthmoving equipment creakily loaded the snow for relocation to growing ice mountains. They say the area has had more snow this season than any time since records have been kept.

There was a moment during the second big storm of February that it hit me: “This is serious. I couldn’t get out of here if I wanted to.” I was looking out my front window at the blizzard, which had been swirling non-stop, all night and all morning at that point. Our driveway, which had been shoveled clear of the last 2-3 feet of snow, leaving steep edges to its outline, had vanished into a white flatness. That meant it had actually filled and drifted up to the height of the banks! The road outside was the same, with nary a snowplow in sight. Our roof groaned under its own drift patterns.

We had been spoiled into complacency by several years of super-mild winters. Now I wondered when the sequence of storms would stop. The same question, I am sure, that recurred to the Donner party, lost on the Oregon Trail. When there is so much snow, a thaw can be a long time coming and any melt delayed by the mass of the snow itself.

About the time of the first big storm I read something analogous in our religious liberty world. The Pew Forum on Religion and Public Life released its worldwide study on how governments and civil societies restrict the religious beliefs and practices of individual citizens. I should have been more prepared for its conclusions, as I take regular seminars on the world religious liberty situation. But I was shocked to read the finding that 70 per cent of the world’s 6.8 billion people live with high restrictions on their religious freedom.

The Pew study is a fascinating matrix of evaluation. The majority of countries do not restrict freedom severely, but the majority of people live in the 64 nations that do. The majority of populations in those countries probably do not feel restricted, precisely because they are the majority who enable the repression.

President George Bush Senior once famously observed that democracy was breaking out all over. His son, as president, thought to encourage that trend by the not so gentle nudge of force. But it is worth noting that while there is indeed a growing world force for self-determination, it is not at all synchronous with religious openness and religious freedom for all. In fact, many of the trails of religious accommodation worldwide are rapidly drifting over in the global
The war on terrorism has been conducted so far by a Western coalition determined to avoid characterizing it as a war of religious ideology. This is a correct stance, but I sometimes think its very application has blinded us to the sad reality that there is a religious ideology behind the terror. While relatively few individuals might be compelled to strap on explosive clothing and destroy the “other,” there are millions who share milder versions of the same sentiments—which should give pause to those inclined to think we are just dealing with “extremists.” What we are observing worldwide is the radicalization of religious expression. This of course means a lowered tolerance of the religious other. In other words, we are seeing global restrictions on religious freedom for any minority.

Within Islam we have seen not just an extreme application of the Koranic marginalization of the unbeliever, but a renewal of the often-violent rivalry between Shiite and Sunni, as well as attacks on Sufism and other Islamic sects. And it is worth noting that Iran is unrepentant and continuing in its violent persecution of Baha’is.

China has come light years from the purges of the Cultural Revolution, but it remains deeply antagonistic to broad-based religious expression. Even the apparently benign and barely religious Falun Gong movement continues to merit outright persecution, with continuing arrests and occasional executions.

Buddhism, once apparently benign, is showing a great propensity for political control and a willingness to restrict other faiths from operating freely in Buddhist cultures.

Eastern Orthodox communities have responded to the collapse of the Communist bloc control by a blatant political power play designed to restrict other religions in their region.

Yes, much of the so-called Christian West seems so secularized as to not be part of the global chilling of religious freedom, but it is a misleading generalization. In Europe the signs of trouble include a huge increase in neo-Nazi youth activity and things like the recent Swiss law against minarets. It is easy to conflate the religious and social conflicts created by irresponsible immigration patterns; but the net negative effect on religious attitudes is clear.

In the United States the religious polarization, with its attendant intolerance continues even under a more secular national rule. This magazine has from its origins decried the tendency toward combining church and state here. It is a tendency far more deep-seated than the occasional outburst of the Supreme Court, a president or the legislators. It goes to a sense of manifest destiny—of religious entitlement, which in a crisis easily wraps around national identity. It has always been problematic, but in this particular global religious snowstorm, it might easily render constitutional snowplows ineffective.

Its not like great minds are not searching for a way out of the blizzard the world faces. Pope Benedict XVI released an encyclical on June 29, 2009, entitled “Caritas in Veritate”—Latin for “Charity in Truth.” He presented a leather-bound copy to U.S. President Barak Obama, on his way to a G8 summit called to address the world’s economic emergency. It is an amazing document, but ultimately as troubling as it is amazing.

In the document Benedict addresses all the major issues of the modern world—immigration, sovereignty, capital-labor conflicts, financial collapse, intolerance—and suggests they can all be moderated by application of the Biblically based rule of charity. I think he is right in this.

But he goes a little further. There is the suggestion of the need for enforcement regimes to make it work. And as one commentator observed after analyzing the document, to accept its prescriptions is to accept Rome with the package.

The Bible is not the only holy book that speaks of end-times and stormy times to come. It is, of course, for those of us that believe it to be the inspired record of God’s communication to mankind, necessarily authoritative. And when in Revelation chapter 13 it speaks quite clearly of an end-time alliance between two major powers—one political and one religious—with the aim of compelling the whole world to worship a certain way, I pay close attention.

The answer to a global whiteout of religious freedom is not an extraordinary application of force. It requires all people of good will to man the shovels, the instruments of understanding—and work toward truly enabling the God-given right for us each to choose our way to Him in freedom. And it is worth remembering that even the "snowstorms of the century" pass, the snow melts and the outlines of normalcy reemerge. Too bad the Donner party couldn’t wait.

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Confessions of a Religious Fanatic

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As I write these words the shock of the Fort Hood shootings has subsided, somewhat. Tragic as it is, in a time of war(s), we almost get used to reports of American service members being shot. That's what military people sometimes do: get shot. But for such shootings to happen in the "homeland" itself, and by one of our own, has added a dimension to this tragedy that will gnaw at us long after many other military deaths have been assimilated, however uncomfortably, into our national consciousness.

Of course, the usual questions arise. How could such an act of terrorism have been committed on a military base—in Texas of all places? Shouldn't someone have seen it coming? Why weren't the warning signs acted upon? And how could a man such as Major Nidal Hasan, a religious fanatic, have been allowed to remain in the military?

The last question, however, contains a troubling concept. If Hasan went on this rampage not because of his religious beliefs but because of his religious “fanaticism,” then I have a problem because, like Major Nidal Hasan, I am a religious fanatic myself.

After all, I try to follow the teachings of Jesus Christ, who told His followers: “If any man come to me, and hate not his father, and mother, and wife, and children, and brethren, and sisters, yea, and his own life also, he cannot be my disciple” (Luke 14:26). This Jesus told His followers: “So likewise, whosoever he be of you that forsaketh not all that he hath, he cannot be my disciple” (Luke 14:33). He also said: “For whosoever will save his life shall lose it; but whosoever shall lose his life for my sake and the gospel’s, the same shall save it” (Mark 8:35). He, of course, went even further in radical demands of His adherents: “But I say unto you, That ye resist not evil: but whosoever shall smite thee on thy right cheek, turn to him the other also” (Matthew 5:39).

Who’s going to believe these things, much less attempt to follow them, other than a religious “fanatic”?

Watch Your Words

In fifth-century B.C. Athens, Socrates told his rhetorical opponents to define their terms. About 2,400 years later Ludwig Wittgenstein argued that philosophical problems were, really, language problems. However different their approaches, both men touched on a central problem: how we understand the words we so easily and casually throw around. Words, for instance, such as “fundamentalist,” “extremist,” or “fanatic.” And, far from being the irenic musings of linguist
philosophers, the understanding of such terms is particularly important at a time of daily headlines about this or that “fundamentalist,” “extremist,” or “fanatic” blowing themselves up and the unfortunate others within range of their holy rage.

It’s no wonder, then, that “fundamentalist,” “extremist,” and/or “fanatic” have taken on negative connotations. But connotations are merely clothing. They change, they can be shed, and they can mask a reality underneath that’s radically different from what appears on the surface.

Secular Versions

For starters, one doesn’t have to be “a person of faith” to be a fanatic, an extremist, or a fundamentalist. Remember the Weathermen, American students in the 1960s and 1970s who used violence to protest the Vietnam War? They were extremists, secular ones too. And who’s ever going to call Theodore Kaczynski (aka the Unabomber) moderate? Whether someone steals live lobsters out of restaurant tanks and returns them to the ocean, or whether they bomb the cars or homes of those using animals for medical experiments, we’re dealing with fanatics and extremists par excellence. (And though animal rights terrorists usually direct their ire at those who experiment on such higher species as nonhuman primates and dogs, some have now targeted researchers who experiment on—fruit flies.) What, meanwhile, do you call a person who climbs a tree and won’t come down until assured that the tree won’t be “harmed” by loggers? Or what about those who go on hunger strikes for all sorts of reasons: from the Belarusian prisoner who threatened to starve himself to death if not allowed to go to his wife’s funeral, to the Iranian asylum seeker who sewed his mouth shut (along with eyelids and ears) to protest his immigration status in England?

Look at the Marxist movement of the twentieth century, at those willing to rot in jail for years, or sacrifice their lives, for the cause of international Communism. Or what about the extremism, the fanatical single-mindedness, of the Nazis? Who but an extremist is going to burn untold thousands of children alive for no other reason than the status of one of their grandparents?

The point? Extremism doesn’t always come in religious garb. If anything, one could only wish that those involved in the Holocaust (either by active participation or by silent acquiescence) many who had gone to church as children (and some who continued to attend as adults)—would have been a bit more “extreme” or “fanatical” in following Jesus Christ rather than Adolf Hitler.

Good Versions

Let’s be fair and balanced, too. What about those whose “fanaticism,” “extremism,” or “fundamentalism” brought much good? The Protestant Reformers who allowed themselves to be burned alive, tortured on the rack, or hacked to death, rather than surrender their religious beliefs to the dictates of a corrupted church hierarchy, were nothing if not fanatical and extreme. After all, over what biblical doctrine is a “moderate” going to let his flesh get ripped off with red-hot pinchers while some prelate stands before him, declaring, “Recant!”? Thanks to the faith of these “fanatics,” Protestantism exists today, and huge sections of the world remain free from the once, and again if we all forget, dark yoke of papal political and religious hegemony.

Meanwhile, the folk who risked life and limb to seek to end slavery in the American South were not known for possessing a temperate zeal. Some of the women in the suffragette movement were extremists, even fundamentalists in their cause, and yet who now denies the justice of that cause? What moderates, too, were going to let themselves get clubbed in the face by Bull Conner’s thugs or mauled by his dogs? And, whatever one might have thought of his politics, Barry Goldwater might have been on to something when he said: “I would remind you that extremism in the defense of liberty is no vice! And let me remind you also that moderation in the pursuit of justice is no virtue.”

Many of the great political and social revolutions of history, including the American Revolutionary experience, were promulgated by men and women deeply, even fanatically, dedicated to their cause. King George and his supporters might have viewed the American calls for separation from England as “fanaticism” and “extremism”; the colonists had another word for it: “patriotism.”

Whether in politics, art, science, whatever, most human endeavors, including and maybe even especially the good ones, weren’t accomplished by acts of balance and moderation but by folk who worked with a “fanatical” and “extremist” determination.
Biblical Fanaticism

It’s particularly troubling, then, when Christians themselves warn about religious “extremism” or “fanaticism” or “fundamentalism” as if extremism and fanaticism and fundamentalism were in and of themselves bad. One expects such diatribes from a Richard Dawkins or a Christopher Hitchens and the like, but from Christians themselves, from those who profess to believe in the Bible?

One wonders . . . have they read it lately? If Abraham’s intent to sacrifice his only son on Mount Moriah (Genesis 22) wasn’t the act of a “fundamentalist,” what is? The three Hebrew boys’ willingness to be tossed “into the burning fiery furnace” (Daniel 3:20) rather than bow down before an idol, or the prophet Daniel’s getting thrown into a den of hungry lions (Daniel 6) rather than hide his devotions to God, were the actions of “fanatics” and “extremists,” not moderates. And what does the Christian do with Ezekiel, who was told by God to “lie on your left side” for 390 days in order to bear the sin of Israel, and then when done with that to “lie down again, this time on your right side, and bear the sin of the house of Judah. I have assigned you 40 days, a day for each year” (Ezekiel 4:4, 6)? Or with Stephen, who was stoned to death rather than stop preaching Jesus (Acts 7)? And what about the apostle Paul, whose zealous “fanaticism” and “extremism” caused him to be jailed, beaten, hounded, persecuted, hated, maligned, and, eventually, martyred by the Romans? Had Paul been “tempered” in his faith, he wouldn’t have lived and died as he did.

“And what shall I more say? for the time would fail me to tell of Gedeon, and of Barak, and of Samson, and of Jephthae; of David also, and Samuel, and of the prophets: who through faith subdued kingdoms, wrought righteousness, obtained promises, stopped the mouths of lions, quenched the violence of fire, escaped the edge of the sword, out of weakness were made strong, waxed valiant in fight, turned to flight the armies of the aliens. Women received their dead raised to life again: and others were tortured, not accepting deliverance; that they might obtain a better resurrection: and others had trial of cruel mockings and scourgings, yea, moreover of bonds and imprisonment: they were stoned, they were sawn asunder, were tempted, were slain with the sword: they wandered about in sheepskins and goatskins; being destitute, afflicted, tormented; of whom the world was not worthy: they wandered in deserts, and in mountains, and in dens and caves of the earth. And these all, having obtained a good report through faith, received not the promise” (Hebrews 11:32-39).

Hardly the fate of “moderates,” is it?

And then, of course, there’s Jesus Himself, who told His followers, “If any man will come after me, let him deny himself, and take up his cross, and follow me” (Matthew 16:24), and who lived His whole life with the express purpose of allowing Himself to be nailed to a Roman cross until death.

Let’s be honest: terms such as “fanatics,” “extremists,” and “fundamentalists” much more closely reflect the kind of faith revealed in the Bible than do words such as “moderate” or “lukewarm” or “temperate.” In fact, the Bible records God saying to an era of rational moderation, “I know your works: you are neither cold nor hot. Would that you were either cold or hot! So, because you are lukewarm, and neither hot nor cold, I will spit you out of my mouth” (Revelation 3:15, 16 ESV).†

Linguistic Hijacking

Hence, terms such as “extremism,” “fanaticism,” even “fundamentalism,” especially when prefixed with “religious,” don’t deserve the knee-jerk negativity that they get. Extremists, fanatics, fundamentalists, like moderates, liberals, and leftists, come in endless hues, shapes, and sizes, each driven by different motives and agendas. Plus, too—who sets the metrics that determine where the line is crossed from “liberal” to “moderate” to “fanatic,” anyway? Do we leave that call to CNN, Rush Limbaugh, or a not-too-sure-about-the-absolutes-of-Scripture Episcopalian? That some folk deem Pat Robertson not “extremist” enough helps prove how recklessly these terms can be used.

Words such as “fanatics” and “extremists”—as radically subjective as they are—mean what? People dedicated, to a very strong degree, to a cause. Big deal! The apostle Paul was. The Protestants burned at the stake were. Martin Luther King, Jr., was. So are missionaries who spend their lives seeking to relieve the sufferings of the poor. So is Major Nidal Hasan. So am I.

What’s important isn’t so much the cause, whatever it is, but the means that we “extremists” and “fanatics” use to achieve it. Many Muslims, as fervent as Nidal Hasan seems to be, would no more dream of using violence than I would.
In short, we've been victims of a linguistic hijacking. Words that depict religious faith at its highest ideal have been usurped by those who depict it at its lowest. And, unfortunately, but (thanks to folk such as Nidal Hasan) understandably, it's with the lowest that these terms have most tenaciously stuck.

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In the Name of Heaven: 3,000 Years of Religious Persecution

Published in the March/April 2010 Magazine by Melissa Reid

I am in the right, and you are in the wrong. When you are the stronger, you ought to tolerate me; for it is your duty to tolerate truth. But when I am the stronger, I shall persecute you; for it is my duty to persecute error.

—Thomas Babington Macaulay, Critical and Historical Essays, 1870

With the unfortunately apt Macaulay quote above, scholar Mary Jane Engh sets the tone for her overview of the history of religious persecution. Her short book spans 3,000 years and six continents, and thus, as she acknowledges in the introduction, the survey is superficial and incomplete. That said, from the Crusades to the Inquisition to a third-century Persian prophet named Mani, Engh highlights both familiar and lesser known examples of periods of religious persecution, and more than adequately provides us with sufficient evidence to support some important (and troubling) conclusions:

First, man is nothing if not consistent. Like Solomon opined, there really is nothing new under the sun, and religious persecution appears to be one of our oldest and most cherished inclinations. As Engh guides us through the centuries and across the globe, she makes a good case that no era, location, or faith group has been immune. It seems that everywhere and at every time—granted at varying levels of severity—someone was being persecuted for their convictions. They were alternately taxed (see first-century Judeans), imprisoned, treated as second-class citizens (the Jews during really any period of earth’s history), outlawed or banished (see Christians and Buddhists at varying times during eighteenth-century Asia), tortured and/or killed (Cathers, Waldensians, and Huguenots during the Reformation). Civilizations have varied in determining who are the most despised: idolaters, pagans, or heretics; and so all have been persecuted.

Second, religious persecution and forced conversion are often just part of an occupying nation’s benevolent attempts to “modernize” and “civilize” what it sees as an inferior people. Whether arriving as an invading army or wanderlust explorers, men have always been eager to introduce their superior languages, weapons, diseases, and gods. Sometimes, as in the case of eighteenth and nineteenth century Africa and Hawaii, the new religions were welcomed by most people and reshaped and integrated into creeds and practices that corresponded with the original belief system. More frequent, as in the case of sixteenth-century explorers to North and South America, conversion was coerced by forced labor, slavery, or penalty of death. Horrified by the worship practices of the Aztecs, Incas, and Mayans, European settlers “destroyed temples, smashed images, and imprisoned priests—whatever it took to free the people from the devil’s clutches” (page 182). Of that time period social commentator Bartolomé de las Casas observed that, in the Caribbean islands where he landed, Christopher Columbus succeeded in “making the name of Christian synonymous with terror” (page 181).

Third, what goes around comes around. This goes back to the Macaulay quote. From the Catholics to the Protestants to the Puritans and back to the Catholics again, persecution breeds persecution, and hatred breeds hatred. States Engh in her conclusion: “Again and again, victims of persecution have sought religious freedom for themselves—but not for others. Given the power, they are likely to persecute their former persecutors or dissidents from their own ranks” (page 253). Not only does man have a short memory, depending on the political or financial motivators, he can be quick to change his sincerely held beliefs. (See fifth-century Vandals, Ostrogoths, and Franks.)
Finally, when we aren’t busy persecuting each other, we happily persecute ourselves. Constantine’s Council of Nicaea in 325 is a perfect example of this puzzling behavior. This first general church council (which was enacted after church leaders complained that there were too many halfhearted and insincere Christians joining the church) defined basic Christian doctrines and declared all who did not agree with them as heretics. Islam has been split into two very discordant factions—Sunnis and Shiites—since shortly after the time of Muhammad.

When seventeenth-century Ethiopian emperor Susenyos became a devout Catholic, he summarily “forbade circumcision and Sabbath observance [both common practices of Ethiopian Christians at the time].” He then “instituted a program to reordain all priests, reconsecrate all churches, and rebaptize all Christians” (page 156).

Engh’s historical review ends with the year 1900, as “the twentieth century, sadly, is too rich in persecution; it cannot be compressed into one or two chapters” (page 8). In the book’s conclusion the author seems to signal that there is indeed a way to break the cycle of religious persecution: do away with religion altogether, or at least those faiths that generate the most enthusiastic believers. Engh has harsh words for the exclusiveness of monotheistic belief systems such as Christianity and Islam, although she does grudgingly acknowledge that “exclusiveness does not always [reviewer’s emphasis] turn believers into persecutors” (page 252).

According to the author, our depressing history of persecution is not hopeless, as “the last 250 years have seen real changes in human societies. . . . During the eighteenth-century Enlightenment, European thinkers offered a new idea—that the fabric of human civilization could be stronger and more beautiful if the religious threads woven into it were replaced by threads of rational thought. Science, in a broad sense, could take the place of religion as a support for morality and a basis for human dealings with the cosmos” (pages 253, 254). In other words, if we just prohibited all religious belief, religious persecution would end? To me that rings too eerily reminiscent of one of the most famous quotes in the history of persecution: Asked by a crusader how to tell heretics in Béziers, France, from good Catholics, the papal legate replied, “Kill them all! God will know his own.” Surely we can do better than this!

Reviewed by Melissa Reid, Liberty magazine associate editor for marketing.

Author: Melissa Reid
Sparks of religious controversy can be kindled from even the most everyday circumstances in the United States. One recent flash point was ignited by a minor fender-bender in a San Diego, California-area neighborhood and briefly erupted into a media firestorm. The confusion and fear this controversy caused could have been avoided, and the U.S. constitutional right to the free exercise of religion goes a long way toward explaining why.

David Jones is the pastor of the South Bay Community Church in National City, near San Diego, California. Since 2004, Pastor Jones and his wife, Mary, have hosted a gathering at their Chula Vista home on Tuesday nights, where they serve dinner and lead a Bible study for about 15 people.

Although there has been some dispute as to the exact particulars, it is generally accepted that during one of the Joneses’ Tuesday night events in the spring of 2009, a visitor to their home was involved in a minor traffic mishap with a vehicle belonging to the guest of another neighborhood resident. Pastor Jones personally paid for the $220 in damages to the vehicle, but afterward someone filed a complaint with San Diego County officials about the volume of cars and traffic in the neighborhood generated by the Tuesday night Bible study.

A San Diego County code enforcement officer responded to this complaint with a visit to the Joneses’ residence in April of 2009. The code enforcement officer asked Mary Jones questions about the Tuesday night Bible studies, such as if they “sang songs, said Amen, praised the Lord or not”—basically, whether or not the Tuesday gatherings were “of a religious nature,” Mary Jones reported.

Several days later, the Joneses received a written citation that ordered them to discontinue the Tuesday night Bible studies or face penalties of up to $1,000 and the prospect of a lien on their property. The citation alleged that the Joneses were in violation of a San Diego County ordinance requiring a “major use permit” for “religious assemblies.” The San Diego County officials interpreted “religious assemblies” to include the Joneses’ Tuesday night Bible studies.

Dean Broyles, an attorney and president of the nonprofit Western Center for Law and Policy, stepped forward to represent the Joneses. Broyles argued in a May 26 letter to San Diego County authorities that the Joneses’ Bible studies did not constitute a “religious assembly” within the meaning of the San Diego code, which defines them as “religious services involving public assembly such as customarily occurs in synagogues, temples, and churches.” Broyles further argued that the ordinance violated the Joneses’ rights under the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), and the rights of free speech and peaceable assembly guaranteed by the First
One week after Broyles's letter, San Diego County rescinded the citation and affirmed in writing that the Joneses' Bible studies are "within the scope of residential use," pursuant to pertinent law. Walter Ekard, chief administrative officer of San Diego County, also apologized to the Joneses publicly and in writing. Citing "unclear language in the zoning ordinance," Ekard confirmed that the Joneses' Bible study did not rise to the level of requiring a "major use permit." He pledged to order a departmental review of all ordinances affecting assemblies to clarify that gatherings such as the Joneses' "may continue without regulation" by San Diego County. Ekard also affirmed his commitment to religious freedom and promised to update the training for code enforcement officers and to improve his department's procedures for determining when zoning citations are issued appropriately. San Diego County's actions brought this dispute to a close with complete vindication for the Joneses.

Although this situation has been resolved satisfactorily for all involved parties, it is worth revisiting in these pages some months after the fact because of the educational benefits it offers to proponents of religious liberty, particularly those who fear government intrusion in the free exercise of religion. Free exercise rights can and often do clash with government laws and policies, but the genius of the Constitution's religion clauses and corresponding legislative provisions is that they are designed to afford maximum latitude to individual and corporate free exercise up to and until the point where such free exercise rights infringe on the rights of others.

Protection of the Free Exercise of Religion

The U.S. Constitution, in the First Amendment of the Bill of Rights, contains twin guarantees concerning religion. The first requires that there be no establishment of religion and, second, that the freedom of religious exercise is protected. Taken together, these clauses provide strong legal protections for religious freedom. The First Amendment's guarantee of the free exercise of religion—the clause of the First Amendment implicated in the Joneses' situation—means generally that government should not interfere with religious practice. Strong proponents of religious liberty, including the Baptist Joint Committee for Religious Liberty and Liberty magazine, believe that government should not interfere with religious beliefs and practices unless it has a compelling governmental interest in doing so.

The Constitution, however, does not protect religious practice in all instances—just as it does not protect other Bill of Rights guarantees to an unlimited degree. This point is pivotal here because Broyles, the Joneses' attorney, glossed over this fact in his public statements. He was quoted as saying that the government "may not prohibit the free exercise of religion." Although he is to be commended for donating his time and talents to resolve the Joneses' situation, Broyles's statement here is not wholly accurate. Perhaps he misspoke or was quoted out of context. In any case, however, the principle is far more nuanced than his statement implies.

Religious liberty rights, like all of the guarantees of the Bill of Rights, are not absolute. At a certain point, the government may regulate in areas otherwise protected. For example, no one could successfully argue that the freedom of speech protects an individual who shouts "FIRE!" in a crowded theater to incite a riot, or that the freedom to peaceably assemble authorizes a mob to indefinitely block the doors to an individual's residence or place of business. Similarly, no one could successfully argue that an individual's right to free exercise is absolute. What if an individual's religious beliefs included the ritual of human sacrifice? There would be overwhelming support for the government infringing on that individual's free exercise rights, because his or her religiously motivated actions would conflict with the criminal law. A less extreme application of this principle is zoning ordinances such as the one that was misapplied in the San Diego situation. Such laws appropriately balance legitimate government interests—traffic control, maintenance of the residential character of neighborhoods—with the rights of persons of faith to engage in religious worship and assembly.

Statutory Free Exercise Protections

The U.S. Supreme Court is, of course, the ultimate arbiter of constitutional interpretation in the American system of government. For much of the nation's history, it interpreted the free exercise clause in a robust and expansive manner, requiring the government to refrain from substantially burdening a person's sincerely held religious beliefs unless a compelling governmental interest could not be pursued in a less-restrictive manner. Functionally, this meant that government was directed to accommodate specific religious beliefs whenever feasible.

However, in the landmark case of Employment Division v. Smith (1990), the Supreme Court, by a 5-4 vote, ruled that the
free exercise clause protects much less, and does not require exceptions to generally applicable laws that incidentally burden religion. As a result of this stark decision, Congress passed legislation to restore free exercise law to the pre-Smith state of affairs. Today, free exercise protection depends in large part on the Religious Freedom Restoration Act of 1993 (RFRA), the (RLUIPA), and similar state laws and constitutional provisions.

RFRA prohibits any federal law that would substantially burden religious expression without a compelling reason. Congress had intended for RFRA to apply to state and local laws as well, but in 1997 the Supreme Court restricted its jurisdiction to federal law. Congress went back to the drawing board, and in 2000 a Republican Congress and a Democratic president enacted RLUIPA. RLUIPA is a more-targeted piece of legislation than RFRA, as it was crafted to protect the rights of persons in government custody and to increase protections of religious assemblies and institutions from zoning and historic landmark laws that substantially interfere with their free exercise. Because the Supreme Court had already rejected the across-the-board approach of RFRA, Congress pursued this targeted approach in RLUIPA because prisoners’ rights and religious land use disputes were among the areas in which free exercise controversies commonly arose. Unlike RFRA, it applies to all levels of government—federal, state, and local.

RLUIPA mandates that religious property not be treated on “less than equal terms with a nonreligious assembly or institution,” and that land-use laws not “substantially burden” free exercise rights absent a compelling governmental interest of the highest order. In that same spirit, RLUIPA condemns government land-use regulation that “totally excludes religious assemblies from a jurisdiction” or “unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.”

Although the zoning laws under RLUIPA’s jurisdiction may seem mundane when compared to constitutional free exercise rights, it should be noted that such laws are necessary to society as, in certain circumstances, they protect religious buildings and sacred sites from unwanted commercial development or from proximity to establishments of an adult nature. As Broyles noted in his communications with San Diego County, if the county had continued to insist that its zoning ordinance required that the Joneses procure a permit to continue their Bible studies, the Joneses would have sought relief in a RLUIPA lawsuit.

Handling a Religious Liberty Issue

Based on information that can be gleaned from the public record and media reports, most parties involved in the Jones situation acted properly. The Joneses were convening their Tuesday night Bible studies at their home, which they had every right to do. San Diego County officials were attempting to enforce zoning regulations, which is their duty to do. One code enforcement officer, either out of overzealousness, confusion—or some combination of the two—cited the Joneses for violating the zoning ordinances. When the code enforcement officer’s error was made known to superiors, the situation was remedied, and the Joneses received an apology and the promise of a procedural review to prevent future mistakes.

However, the situation resulted in a media firestorm. National and regional news outlets were soon running stories with varying degrees of accuracy. Viral e-mails began appearing in in-boxes soon after. Ideologues on both ends of the spectrum reacted, and in some cases, overreacted. This situation is arguably even more regrettable than the initial controversy, which was resolved promptly and peaceably. However, irrespective of the particular facts of this situation—not all of which may be known publicly—there are lessons to be learned from this incident.

So, what should be done if one finds oneself in a situation where his or her religious liberty protections appear to be infringed? Only as a last resort should you contact the media or threaten litigation. Make sure you have all the facts—both before the situation arises and thereafter. *Liberty* magazine and the Baptist Joint Committee are two of several outlets from which people can find authoritative, unbiased information. Contact the officials with authority over your situation, and ask

Given what transpired in the Joneses’ case, some may fear that any religious liberty dispute will invariably beget a torrent of publicity and media attention.
pointed questions. If you are then unable to resolve the situation, more drastic measures, such as retaining counsel and alerting the media, may be appropriate.

Given what transpired in the Joneses’ case, some may fear that any religious liberty dispute will invariably beget a torrent of publicity and media attention. That is not so, and unduly inflaming a situation benefits no one, save for those with a political ax to grind. On the other hand, pointed but professional conversations with the powers that be—punctuated with a proper understanding of and respect for the constitutional and legislative underpinnings of religious liberty—can go a long way toward a satisfactory resolution of religious liberty disputes large and small.

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Author: James Gibson
Cross Purposes

Published in the March/April 2010 Magazine by Matthew F. McMearty

In a hill, far away, stood a plywood-covered cross, the emblem of religion and fame; and some love that white cross where the veterans remember those who were slain. Sounds like the makings of a hymn, but actually it is fodder for a church-state case before the United States Supreme Court. The case will determine the fate of a white, five-and-a-half-foot cross, which is the only national memorial to World War I and its veterans. The simple cross has stood for some 75 years upon what is known by locals as “Sunrise Rock” in the Mojave National Preserve near Cima, California. Its fate hinges on how the cross is characterized: as either a religious symbol or a secular monument for war veterans.

For those not familiar with the details of the case, a summary of how it came to the Supreme Court is in order. During oral arguments toward the end of Peter J. Eliasberg’s presentation, Chief Justice John Roberts, sounding like a curious schoolboy, asked, “Counsel, this probably doesn’t have anything to do with anything, but I’m just kind of curious, why is this cross put up—you know, in the middle of nowhere?” (Laughter.) Mr. Eliasberg replied, “Because the man who originally put up the cross—not this one, because it has been replaced a number of times, but the man who put up this particular cross, I believe was a homesteader in the area when the land was owned by the Bureau of Land Management, and I believe was a miner on the land.”

And so began the molehill that has become a mountain.

In 1934 the Veterans of Foreign Wars (VFW), Death Valley Post 2884, erected a cross on federal land at Sunrise Rock. The most recent replacement of the cross occurred in 1998 by its caretaker, Henry Sandoz, who did not obtain a permit to drill holes for the replacement cross. In 1999 the National Park Service of the U.S. Department of the Interior commissioned a historian who determined the cross was of no historic significance and ineligible for the National Register of Historic Places. Later that year the National Park Service (NPS) denied a private individual’s request to place a Buddhist memorial in the form of a stupa—a funerary dome-shaped structure usually housing Buddhist relics—near the site and stated its intention of removing the cross. In 2000 Frank Buono, a retired NPS employee of the preserve, wrote a letter to the director of NPS claiming the stand-alone Christian cross on federal land within the Mojave Preserve violates the establishment clause. On December 15, 2000, Congress enacted an appropriations bill that was signed by President Clinton in early 2001, a portion of which prohibited the use of federal funds for removing the cross.

The congressional prohibition on spending money to remove national memorials motivated Buono in March 2001 to file a lawsuit in the U.S. District Court for the Central District of California, challenging the constitutionality of the religious display on federal property. In 2002 Congress designated the cross as a “national memorial commemorating United States participation in World War I and honoring American veterans of that war.” The act also provided federal funding for making and installing a memorial plaque at the site and acquiring a replica of the site’s original cross. On July 24, 2002, the U.S. district court held that Buono had standing to sue and that the religious display violated the establishment clause. The court declared that the NPS was “permanently restrained and enjoined from permitting the display of the Latin cross in the area of Sunrise Rock in the Mojave National Preserve.” The very next day, the Department of the Interior initially covered the cross with a locked tarpaulin and then later covered it with plywood in an attempt to comply with the injunction, short of removing it.
But then in October 2002 Congress banned the use of federal funds to remove the cross, making it impossible for the NPS to comply with the district court's injunction to remove the cross. Afterward Congress authorized the secretary of the interior in 2004 to exchange the acre of land on which the national World War I memorial stood for five acres of privately owned land also within the preserve, and to convey the Sunrise Rock land to the Veterans Home of California in Barstow, VFW Post 385E. The new private owners, being veterans, would have a definite interest in maintaining a World War I memorial.

Buono then sought to have the injunction enforced. On June 7, 2004, a panel of the Ninth Circuit Court of Appeals affirmed the district court's holdings on Buono's standing, establishment clause violation, and its injunction. Since the land transfer could take up to two years to complete, the panel also held that the land transfer did not moot the case and left "for another day" the issue of "whether a transfer . . . would pass constitutional muster." Consequently, in April 2005 the district court on remand addressed the constitutionality of the land transfer, asserting that "for this court, that day is today." It held the land transfer unconstitutional and ordered that the secretary of the interior's "agents, employees, successors, assignees, or anyone acting in concert with them are permanently enjoined from implementing the provisions" for a land transfer. The petitioners appealed. The Ninth Circuit Court of Appeals in September 2007 affirmed the district court's ruling, and then in May 2008, it denied the petitioners' request for rehearing and en banc review.

The petitioners appealed to the Supreme Court, which in February 2009 granted certiorari for the petitioners.

This squabble over a small white cross out in the middle of no-man's-land involves much more than who gets to determine how establishment clause violations get remedied. But before sinking deeper into the cold waters of technical judicial procedures that lie under the surface of this ice cube made into an iceberg, a biblical analogy will help to crystallize the issue of authority at stake in this church-state problem heightened by a legislative-judiciary dispute.

The Bible gives historical details from the period of Israel's judges, and the overlap of that period overlapped with the beginning of the era of the kings. The Bible records in 1 Samuel 15 the story of what on the surface seemed a trivial dispute over whether or not some things under the divine ban were completely destroyed. Deep down, what was at stake was whether the word of the Lord spoken to Saul by the prophet Samuel was carried out by Saul as the Lord had commanded. Israel's constitutional authority was its maker—Yahweh and His Ten Commandments. The prophetic office served as the judiciary, issuing clarifications of the divine will/word. It issued commands to ensure the divine will was carried out. King Saul was the executive branch, implementing the divine commands.

The Lord declared through Samuel, "Now go and strike Amalek and utterly destroy all that he has, and do not spare him" (1 Samuel 15:3).* This is a bit too much for our modern ears, but nevertheless, after Saul defeated the Amalekites, he "and the people spared [King] Agag and the best of the sheep, the oxen, the fatlings, the lambs, and all that was good, and were not willing to destroy them utterly; but everything despised and worthless, that they utterly destroyed" (verse 9).

After the Lord told Samuel that Saul “turned back from following Me and has not carried out My commands” (verse 11), Samuel later met and confronted Saul. Saul greeted Samuel and declared unabashedly, "Blessed are you of the Lord! I have carried out the command of the Lord" (verse 13). To which Samuel retorted, "What then is this bleating of the sheep in my ears, and the lowing of the oxen which I hear?" (verse 14). After declaring the “hearing” test, Samuel questioned Saul: "Why then did you not obey the voice of the Lord?" (verse 19). To which Saul defiantly asserted, "I did obey the voice of the Lord, and went on the mission on which the Lord sent me, and have brought back Agag the king of Amalek, and have utterly destroyed the Amalekites" (verse 20).

To justify his course, Saul gave his rationalization for carrying out, in part, the Lord’s command to destroy everything: they spared the best for the purpose of eventually destroying the banned items when they would be sacrificed to the Lord (verses 20, 21). By focusing on sparing the sacrificial items, Saul had overlooked the fact that King Agag and the
other secular items of the spoils were preserved contrary to Samuel’s judiciary injunction to remove all of the Amalekites and their possessions from existence.

Like two ships passing in the night, so went the dialogue between the two briefs presented to the Supreme Court in Salazar v. Buono prior to oral arguments heard by the Court on October 7, 2009. On behalf of the petitioners, Department of Justice solicitor general Elena Kagan argued that the actions of Congress merely attempted to preserve a national monument on behalf of war veterans while remedying—at least eventually—the violation of the establishment clause and by complying with the court’s injunction not to display the cross by covering it over with plywood. On behalf of Frank Buono the respondent, Peter J. Eliasberg, lawyer for the American Civil Liberties Union Foundation of Southern California, argued that all of Congress’s actions revealed a consistent pattern designed to preserve a Christian cross as a religious symbol in the same location in order to circumvent a district court’s injunction to remove it, while claiming—erroneously at least—Congress remedied the violation of the establishment clause by engineering a land transfer contrary to standard process. There is just one problem: the lower courts and the Supreme Court continue to hear the “bleating of the sheep” in their ears because the cross still stands while the court’s injunction in terms of ordering the removal of the cross is under dispute.

The lower courts held that the stand-alone religious symbol on federal property violated the establishment clause, and therefore, must be removed by the NPS. Congress’s actions are similar to the teenager being told by his parents to immediately clean up his room by putting everything away. He proceeds to do so over the next six hours by throwing his messy “stuff” into the closet and under the bed. Congress basically argued, like King Saul, that there are different ways of complying with the injunction to no longer “display” the cross and for “cleaning up” establishment clause violations. It just takes extra time to comply. Besides, the establishment clause does not dictate “how” its violation needs to be remedied, and Congress’s right to interpret the Constitution does not make it subject to the district court’s discretion.

The church-state establishment clause controversy is the tip of the iceberg, but that issue will not be the basis of the Court’s decision, at least if Justice Antonin Scalia’s view that crosses as war memorials are only secular symbols of the dead falls short of majority support. The basis of the decision will most likely turn on procedural matters. It would seem that a majority of the Court would have little difficulty with the legitimacy of Buono’s standing or right to bring a lawsuit. If they revisit Buono’s right to sue, then the case will end up like Hein v. Freedom From Religion Foundation, resulting in Salazar becoming a repetitive waste of the Court’s time and wisdom. Justice Stephen Breyer voiced his concern that from a procedural perspective, the case “is a little boring,” and questioned why the Court even heard the case.

Will the Court uphold the lower courts and stop the congressional “wife swap” land transfer, resulting in the NPS destroying the cross just as the prophet Samuel destroyed Agag and the sacrificial livestock? That depends on how the Court clarifies whether or not the congressional land transfer legislation modified the lower court’s injunction to remove the cross. Of course, such procedural geek posturing hinges on whether or not the Court’s Conservative majority, a priori, wants the cross to remain.

On the one hand, one thing is certain: if the land transfer is overruled, the cross will be removed. But that will mean destroying an emotionally invested symbol of those who gave their lives in battle. It also will determine that Christian symbols united with ostensibly secular legislative purposes, per Smith, are uniting church and state. On the other hand, another thing is equally certain: if the land becomes private land, then the cross remains. That holding will mean Congress retains its own authority to interpret the Constitution to which the Supreme Court in principle acquiesces to the petitioners’ claim that lower courts cannot limit congressional authority to choose its own remedy for establishment clause violations. It also would mean the lower court’s permanent injunction amounted merely to a temporary “cover-up,” so to speak, until the land and the cross end up as private property. If the latter is the outcome, it only goes to prove, you can’t get around what the Lord means and what He says, but Congress might get around what a lower court says and means.

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2. Buono v. Kempthorne, 527 F.3d 758 (9th Cir. 2008), 11798-11799.


4. 2002 Act § 8137(a-c), 115 Stat. 2278. The amount of funding was up to $10,000 from the NPS budget.


10. Buono v. Kempthorne, 527 F.3d 758 (9th Cir. 2008).


12. This argument’s approach on the one hand denies the cross is a religious symbol because Congress is trying to preserve a secular war memorial, while on the other, Congress by its actions acknowledges it is a religious symbol per the courts’ perspective that it needs to be covered up and removed from federal land. The truth is that the cross is simultaneously a war memorial and a religious symbol, which all the differentiating in the world will not separate the fusion of both into a complete union of religion and governmental authority.


14. Ibid., respondents: pp. 38, 39. Justice Scalia asserted that the cross is the "most common" symbol for all war dead. This implies the cross does not symbolically represent the deceased soldiers' personal religious perspectives and is not a religious symbol per se. If Justice Scalia has his way, crosses as war memorials for deceased soldiers could stand alone on federal property. Of course, only those of a Christian perspective would think nothing wrong with a cross representing non-Christians as well. I mean no disrespect, being a Christian myself, but I sometimes have wondered about the incongruence between employing a cross to represent those who sacrificed their lives in battle in killing others for their country and the cross as a symbol of Jesus sacrificing His life for the sins of humanity in a cosmic battle without killing anyone in the process. Isn’t there a difference between justifiably fixing blame on others to kill them and taking the blame for others to save them?

15. Hein had the practical result of leaving in tact a questionable cooperation between the executive branch and religious institutions with proselytizing motives performing social services for the public at government expense. Basically, no one has sufficient standing to contest practice, and it continues from presidency to presidency.


Author: Matthew F. McMearty
Is fluoride in the water a Communist plot? Was World War I a conspiracy of the Illuminati (or the Jews)? Is there a secret government plan to supplant the U.S. dollar with an “Amero,” a currency that includes Canada and Mexico? Was the attack on 9/11 a conspiracy by high officials in the U.S. government (or Jews)? Regardless of your personal bias or political persuasion, there is probably a conspiracy theory that appeals to you.

Conspiracies are a part of human nature. They exist at every level of human interaction. We could probably say that where two or three are gathered together, there is a conspiracy theory. We could also paraphrase a law of physics and hypothesize that for every conspiracy, there is an equal and opposite conspiracy.

A problem with conspiracy theories is that they oversimplify world events in order to find a scapegoat. In any reasonably open society, with freedom of the press and access to historical documents, it is not hard to find out the truth, or at least enough of the facts to clear up any false theory. In the world of conspiracy theories, conjecture takes the place of diligence and fear takes the place of reason. Often a particular clique of evil people is given virtual omnipotence, as if when major events, such as world wars, take place, everything happens according to plan. Does the devil himself have so much power?

Not long ago I was discussing a certain conspiracy theory with a friend, which led to a discussion of conspiracy theories in general. My friend, in defense of certain conspiracy theories, used the Holocaust as an example of a secret conspiracy. In truth, it is exactly the opposite. Everything done by Hitler against the Jews was eventually done publicly. If it wasn’t, Christians and the larger society would not be so responsible. No one is responsible for things done without their knowledge.

**Mein Kampf**

Hitler made his ideology clear before he came to power in his infamous diatribe, *Mein Kampf* (“My Struggle”), written while he was in prison. In the book Hitler talks about a worldwide Jewish conspiracy to take over the world. He blamed Communism and all of Germany’s problems on the Jews. By making the Germans the victims, he could later justify his persecution of Germany’s perceived enemies. There is a certain demonic appeal in finding a scapegoat for problems. We are not responsible. We have someone to blame. The solution is clear.

The persecution of the Jews by Hitler and the Nazis was not done in secret. To any reasonable Christian, as soon as laws were passed against the Jews, as soon as Jews were required to wear a star, it should have been clear that this was morally wrong—even evil itself. The signs were there for everyone to see.

A literary forgery called the *Protocols of the Elders of Zion* (1903) influenced Hitler’s work. This work was published in czarist Russia. The book was touted as a transcript of secret documents by Jewish leaders. This work of fiction was a propaganda tool to blame Russia’s problems on the Jews, take the political heat off the czar, and justify persecution of the Jews. This account of a conspiracy was actually a part of a conspiracy itself! We have a right to ask of any conspiracy theory, is a particular conspiracy theory part of a conspiracy?
The only real conspiracies about the Holocaust are found in the people who deny it. Because almost everything was done in the open, because it was so well justified by centuries of bias and decades of propaganda, the Holocaust was meticulously documented by the Nazis. Since then it has been one of the most studied and acknowledged events of modern history. And yet even today some promote theories denying the Holocaust. They do this because of a particular bias or political agenda (conspiracy) of their own.

Many of the conspiracy theories that float around today are started by, or promoted by, nominal Christians. This is a shame because this kind of theoretical indulgence and idle gossip flies in the face of Christian duty and ethics. Many are based upon false theology not consistent with what the Bible teaches. Jesus never told His followers to be concerned with "secret" events or conspiracies. Jesus said, “Watch . . .” (Matthew 24:42; 25:13; 26:41; etc.). All the events and signs Jesus pointed to were observable. They did not have to be guessed or speculated about. He said, "When you see . . ." (Matthew 24:15, NIV).* We are not to be concerned with rumors (Matthew 24:6).

One World Government?

One of the most common fear-created myths promoted by Christians is that there must be a one-world government before Christ can come. This ignores that a persistent theme in the Bible is division. Sin has caused division in humanity. Not only does the Bible not predict one world government before the kingdom of God; it denies it.

“Just as you saw that the feet and toes were partly of baked clay and partly of iron, so this will be a divided kingdom” (Daniel 2:41).

The Bible does warn about an alliance between church and state (see Revelation 17:3ff). It does not advocate a military solution to the world’s problems, nor does it encourage Christians to take up arms against the state. The only world government it predicts is the kingdom of God that is brought about “not by human hands” (Daniel 2:45).

What Conspiracy Theories Have in Common

Here are some generalizations we can make about conspiracy theories:

1Conspiracy theories treat allegations as fact. Every allegation should be proven. We should not be content with a claim about secret societies or plans without hard documentation. If all the “books are cooked” and all the facts are hidden, then we can't trust the people who bring us the theory either.

2They reinforce our prejudices. Unless we want to lose all our credibility, we should be especially wary of conspiracy theories that seem to justify our opinions. Once again, allegations must be documented and proven. Truth can afford to be fair.

3They encourage cynicism and paranoia. Normal channels of information cannot be trusted according to this mind-set. Usually, in order to hold up, conspiracy theories depend upon an ever-widening group of coconspirators. This is especially true the longer the gap in time between the event and the present. The events of September 11, 2001, were among the most traumatic in the history of the U.S. As a result, they were investigated by a panel of all different political stripes. The 9/11 Commission had subpoena power and the investigative power of the entire government (CIA, FBI, etc.). Anyone who covered up information would be guilty of a crime and an accomplice to conspiracy. Although the 9/11 Commission may not have uncovered every element of what happened, and though questions remain, in order to believe it was an “inside job” would impugn literally thousands of people in government, law enforcement, and the military, including many political adversaries. A historical certainty is that the larger a given conspiracy, the more likely it is to be exposed.

4They tend to be almost religious in nature because they require a faith. They are cultish and imply, “You can't trust them (almost all society), but you can trust us.” A Website promoting the theory that the American dollar is about to be replaced by an “Amero” says, “Although the feds deny it . . .” In other words, every responsible government official can deny it, and yet people will believe it. In fact, government denial makes it more likely!
As the case of the Protocols, conspiracy theories are often born of conspiracies themselves. They are attempts to slander perceived enemies with innuendo and unsubstantiated allegations.

Unproven or unprovable? We should wonder why the evidence is not submitted to the appropriate authorities. Was a crime allegedly committed? The evidence should be submitted to the authorities. Often conspiracy theories revolve around the medical world. Quack remedies are espoused because the medical profession (hundreds of thousands of doctors and scientists around the world!) cannot be trusted. Is a remedy effective? Submit your research to a peer-reviewed journal. The excuses given by theory-mongers are a tacit admission that they cannot prove their theory. We should follow the advice of the Torah and be loath to bear false witness.

Ignorance is supplanted with false certainty. In reality, there are many unanswered questions in life. That does not give us license, however, to fill in the gaps with our favorite scapegoat. History can also be messy and full of chance occurrences. Conspiracy theories are attractive because they tie everything up in a neat little package. Life is more messy and complicated than that. The actions of a single individual are often hard to explain, let alone any group of people.

They promote pride and self-righteousness. As Paul said, “Knowledge puffs up, but love builds up” (1 Corinthians 8:1). Conspiracy theories are enticing because the adherent thinks he knows something. In truth, we’ve replaced honest doubt with false certainty. In the spiritual world, faith is required. In this world, we should see the evidence.

At best, conspiracy theories are a waste of time. At worst, they pander to the basest elements of human nature. Jesus said, “So do not be afraid of them. There is nothing concealed that will not be disclosed, or hidden that will not be made known” (Matthew 10:26). John tells us, “There is no fear in love. But perfect love drives out fear” (1 John 4:18).

Are All Conspiracies Evil?

With a small group of disciples who often met in secret, Jesus initiated a conspiracy to change the world. “Therefore go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you” (Matthew 28:19, 20). Christians are told to love their enemies and be kind to those who persecute us. We are to go about the cheerful performance of our daily duties while we “watch” for signs of the kingdom of God.

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Author: William McCall
Dialogue and Change

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by Halvard Thomsen

I am in Canterbury, England, at Canterbury Cathedral, home of the archbishop of Canterbury, head of the Anglican/Episcopal Church. I came to attend as an observer the annual meeting of the Council of Secretaries of the Christian World Communions. There are about 25 people attending the meeting: leaders from many denominations. Dr. John Graz, director of the Seventh-day Adventist Public Affairs and Religious Liberty Department for the world church, is the current secretary general of the Christian World Communions.

Today was mostly a day of reports by various denominations: Baptist World Alliance, World Evangelical Alliance, Roman Catholic, Seventh-day Adventist, Armenian Orthodox, and Mennonite World Conference. I was struck by several things during the reports:

First, I noted the respect shown for others’ distinct beliefs. The emphasis is on brotherhood within the mission of Christ for the world.

Second, I noted the awareness of Christian history/heritage over the centuries. Several groups referred to their long heritage—400 years for the Baptist movement and the Mennonites, who also trace their roots to the Anabaptists of the 1600s.

Third, I was struck by some of the questions following reports at how the Roman Catholic Church seems willing to absorb other groups without much concern for doctrinal compliance—most notable, of course, their recent overtures to the Anglican congregations and bishops who asked to join the Roman Catholic Church. There was a fair bit of discussion about that. The same theme of absorption was present in the report of the Orthodox bodies—minimizing the split of many centuries ago—even referring to the pope as the bishop of Rome! Can such deep doctrinal differences be ignored?

Then at dinner on Wednesday night I learned that the Italian court—yes, Italian—has ruled that the crucifix must be removed from public schools because of potential offense to students. We are in a strange paradigm of religious relationships.

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I am in the right, and you are in the wrong. When you are the stronger, you ought to tolerate me; for it is your duty to tolerate truth. But when I am the...

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