

Meanwhile Back on Planet Earth

 libertymagazine.org/article/meanwhile-back-on-planet-earth

In the cyber world that so many of us inhabit, life has become startling of late. It is hard to ignore claims of the looming presence of the planet Nabiru. It is supposedly so close many claim to have already spotted it in the night sky! Soon we will feel its gravitational effect as it reverses the magnetic poles, unleashes untold cataclysms and perhaps even awakens the Nephelim (details hazy here, of course). But maybe they are here already in the reptilian bloodline that seems to have the entire human race under its spell and genetic control!

While I've never actually seen or heard proof of a real live member of the Illuminati, the Internet is positively buzzing with news of their latest plots. Tip: they are behind everything! The Protocols of Zion was a mild fabrication compared with the omnibus attributions given for their activity in wars, calamities and political machinations. By the way, I'd be less inclined to believe any of it if it were it not for that pesky Masonic-themed dollar bill and the unsettling shadows cast by a phallic symbol near the U.S Capitol.

And for background ambience dip your search engine into the lurid world of the mysteries of Antarctica: did outgoing Secretary of State Kerry really make an Election Day trip down south! And why have world religious leaders been rushing down to that pole to look-see. Is it global warming or UFO madness at work; or maybe just a New Swabia Thule Society reunion? Or just a flat earth peek-over-the-edge thing! Enquiring minds have never been more abuzz.

And here is the rub. The Internet may be populated with every species of conspiracy theory but it does give great evidence of a hungering for truth in a time of lies and dissembling. The zeitgeist is clearly troubled by things gone awry. Where once the optimists looked to the stars for consolation many now see only portents of doom.

I have long noted that when looking at the state of religious liberty you can't separate it from the general state of liberty and the prevailing state of affairs generally.

Whatever the underlying cause, it is a sad fact that recent events have conjured up the "worse" angels in the American psyche. The frank jingoism that was so evident during the Cold War and such episodes as the 1973 gas crisis and Vietnam is "baaack," to borrow from its pop culture manifestation.

It is a fact that much of the continuing confusion about a First Amendment separation of church and state is a byproduct of the cold war ideological rivalry between "Godless" Communism and a Christian West. Wrong on both counts; as Communism worshipped the false god of human progress and the West increasingly converted to a "Free Market" Polytheism that shared its pew space with any dictator and libertine opposed to the Reds. But in plighting our troth we allowed it was fitting to crowd our public spaces with 10 Commandment Monuments, allow religion into public schools, and make it a matter of theological certainty when we invoked the pledge of allegiance. No wonder desegregation and the civil rights movement caused such strife—it pitted one religious vision of a Godly nation against another. Thank God some clarity came out of that struggle; but it was not bloodless.

Now in our post Cold War angst we have reverted to skepticism on separation of church and state again, if I am to believe a myriad of statements by leading churchmen and the new administration's chief law officer.

During the Cold War the United States in particular opened its arms to many refugees from the horrors of totalitarian repression. But something odd happened: as the West adopted some of the security habits of the other and--as Edvarde Shevardnadze put it, "We are going to deprive you of an enemy—the Soviet threat evaporated, we began to close our hearts and borders. The result may be "The Wall"—which even if it fails to rise out of the southern desert like some modern feat of an Ozymandius is a corporate reality nonetheless.

There is no question the United States faces some existential threats; not least of which is a virulent form of militant Islam. But ironically it is the increasingly assumed role of religious/moral champion that most enrages them. A true

separation of church and state and an upheld respect for all faiths may appear a vulnerability against those that clamor for a caliphate, but it will tend to drain the energy of their cause.

The United States was early on thrust onto the world stage. And ironically it was a variant of the issue facing us today. Without international treaties and a navy, United States merchant ships were vulnerable, and many fell prey to “Barbary Pirates”—actually controlled by the various rulers along the coast of what is now Libya. Ships were taken and crews enslaved and officers held for ransom in a system that stretched all the way to the rulers of the Ottoman Empire based in Istanbul.

Presidents Adams and Jefferson were perplexed by the challenge. They raised a navy and confronted the pirates. As today, the issue was complex. Admiral Murad Rais of the Tripoli pirate fleet was born Peter Lisle of Scotch ancestry—he was a captured U.S. sailor who chose conversion rather than slavery and rose in the ranks of piracy. The whole adventure makes racy reading. It was eventually settled by the Treaty of Tripoli, which made a point of specifically stating that “the government of the United States is not, in any sense, founded on the Christian religion.” A smart call in dodging what almost automatically was a conflict of faith views!

Meanwhile in the real world we have filled the skies over Syria with Tomahawk missiles to punish an immoral act (the PC battles that have challenged sports team nomenclature obviously leave the deeper ironies unchallenged). And our resolve is further shown by dropping the biggest ever non-nuclear device on Afghanistan—a device which operates eerily like a napalm attack. The level of public opprobrium is startling—I hope it is not blood lust. One wonders what’s next.

In the Bible Book of Revelation there is an ominous prediction of an end-time nation that rises out of the sea—interpreted by this figure as a new land and people. It is described as a “lamb-like beast” which begins to “speak like a dragon.” That speaking takes the form of “bringing fire down from heaven in the sight of men.” And then it compels all to worship a certain way. (See revelation chapter 13.) This power has often been interpreted as the United States. I hope and pray that such an eventuality is far off or prevented by us staying the course on religious freedom—complete with a separation of church and state!

It seems apparent to any who ponder on these things that the myriad murmurings of the Internet are vastly overshadowed by the offline drama. It seems self evident that we have never been so close to the unthinkable—certainly not since the Cuban missile Crisis. It might evoke a quick rebuke to reach back to the Nazi era for illustration, but I’ll risk it. One of the more enigmatic figures of that regime was the Minister of Armaments and War Production, Albert Speer. He was a genius of organization if not morality; doubling industrial output during heavy Allied attacks. He was the only Nazi leader to admit culpability at Nuremberg, and was sentenced to 20 years, most spent in near isolation at Spandau prison. After release in 1966 he lived till 1981, and wrote some of the most insightful analysis of his experience. Let me quote from his memoirs, “Inside the Third Reich,” published in 1969. “The catastrophe of this war, ‘ I wrote in my diary in 1947, ‘has proved the sensitivity of the system of modern civilization evolved in the course of centuries. Now we know that we do not live in an earthquake-proof structure. The build-up of negative impulses, each reinforcing the other, can inexorably shake to pieces the complicated apparatus of the modern world. There is no halting this process by will alone. The danger is that the automation of progress will depersonalize man further and withdraw more of his self-responsibility.” Page 619.

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A New U.S. Administration Stimulates Evangelical Expectation

libertymagazine.org/article/a-new-u.s.-administration-stimulates-evangelical-expectation

The stakes were high for Evangelicals in 2016. The outcome of the presidential election would determine the direction of the Supreme Court, and along with it the fate of abortion, religious liberty, and other issues that are important to the Evangelical community. They responded to the challenge with a historically high turnout on Election Day. White Evangelicals by themselves make up more than a quarter of the entire electorate, and 81 percent of them voted for Donald Trump.¹ The only demographic groups that delivered a higher percentage of votes for Trump were Republican men (90 percent) and Republican women (89 percent). Evangelical turnout in support of Trump was especially strong in North Carolina and Florida. Trump narrowly won both states, and would not have gotten to 270 electoral votes without them. As one of Trump's most reliable and robust voter bases, Evangelicals naturally expect the Trump administration to champion their vision and goals for the future.

Make America Christian Again

President Donald Trump introduces Neil Gorsuch, accompanied by his wife, as his nominee for the Supreme Court on January 31, 2017.



Joseph Sullivan is a Caucasian grandfather in his 60s who resides in Yucca Valley, California. He was recently reelected president of the board of directors of the Morongo Basin Healthcare District. Sullivan was raised in a working-class Irish Catholic family in Anaconda, Montana. While his father was a staunch Democrat who worked in the copper mines near Butte, it was a career in law enforcement that impelled Sullivan to become a registered Republican. As a beat cop, Sullivan witnessed what he considered to be a gradual degradation of morals in society and a diminishing respect for authority. He blamed much of this on liberalism, and saw the GOP as the party that stood for law and order as well as the preservation of traditional values.

Sullivan identifies himself as an Evangelical Christian. According to Sullivan, “you have to show your faith in the community through your actions and your words so that people know what you stand for. They know you are spreading God’s Word through your actions.” Sullivan’s actions match his words. He adamantly strives for his faith to be the moral compass that directs the policy decisions he makes as an elected official.

Like many Evangelicals, Sullivan was initially a supporter of Ted Cruz’s campaign for the White House. He regarded Cruz to be “the perfect balance between Christian conservatism and Republican values.” Sullivan was initially cynical of Trump, as he considered the former reality show host to be a “showman and huckster who was in it only for the publicity.” However, as the primary season progressed and Trump racked up a commanding lead in the delegate count, Sullivan came to accept the likelihood that Trump would become the Republican nominee for

president. Sullivan decided that despite his shortcomings, Trump was the better alternative. Sullivan started warming up to Trump when he noticed that the Republican nominee was “surrounding himself with the right people” including Mike Pence, a favorite of Evangelicals. Sullivan finally hopped aboard the Trump train after listening to the candidate’s speech to a group of Evangelical pastors on August 11, 2016 in Orlando. It was during this event hosted by the American Renewal Project that Trump humbly asked the pastors to pray for him. He even self-deprecatingly joked that winning the White House is “probably the only way I’ll get into heaven.”² That speech convinced Sullivan that God was working through Trump, who was now demonstrating how “a worldly man can evolve into being a moral candidate.”

Donald Trump has renewed Joseph Sullivan’s hopes for America’s future. Sullivan’s vision for the next four years is that America returns to being a nation that is governed by biblical principles. He believes the Founders intended for the United States of America to be a country that lives in accordance with Scripture. Sullivan feels it was his generation (baby boomers) that initiated America’s gradual pivot away from the Christian ideals and values that made it exceptional. He also believes America’s descent into the moral abyss accelerated during the Obama presidency. Sullivan now believes America is embarking on a reawakening that will lead it back to greatness by once again relying on God for direction.

Abortion is one issue in which Joseph Sullivan has specific expectations for Trump’s presidency. He hopes Trump will deliver on his promise to defund Planned Parenthood if it does not stop killing unborn children. Like most Evangelicals, Sullivan believes abortion is against the teachings of Scripture. He does not believe taxpayer money should be used to pay for abortions. The public funding of abortions is essentially forcing Christian taxpayers to finance an activity that is in violation of their faith. Sullivan sees this as an abrogation of religious liberty.

Opportunity to Reverse *Roe v. Wade*

The Supreme Court’s *Roe v. Wade* decision was instrumental in arousing Evangelicals to mobilize into a political force in the 1970s. Abortion is an issue on which there is an overwhelming consensus among Evangelicals. According to Pew Research, 75 percent of White Evangelicals believe that having an abortion is morally wrong.³ There was a clear distinction between Donald Trump and Hillary Clinton on the abortion issue, as evidenced by their statements during the debate that took place in Las Vegas on October 19, 2016. It was during this third and final debate that moderator Chris Wallace asked a direct question about abortion. Hillary Clinton answered that she “will defend *Roe v. Wade*” because “we have come too far to have that turn back now.” In contrast, Donald Trump said he will appoint anti-abortion judges who will overturn *Roe*, and “the states will then make a determination.”

Trump’s battle plan for the abortion issue is nothing new; both President George H. W. Bush and George W. Bush expressed a desire to have *Roe v. Wade* overturned. However, only Trump will govern amid a set of circumstances that will enable him to create a five-justice majority on the Supreme Court that can actually overturn *Roe v. Wade*. George H. W. Bush held office during a time the Democrats controlled the Senate. This inhibited his ability to use the abortion issue as a litmus test in making judicial appointments, and so he resorted to rolling the dice and selecting David Souter, whose lack of a track record on the abortion issue made him palatable to Senate Democrats. Trump will not face this dilemma for at least the next two years, because the Republicans now have a majority in the Senate. Therefore, Trump need not compromise on his Supreme Court nomination in order to appease Democrats.

George W. Bush served alongside a Republican-controlled Senate, and he had the opportunity to appoint two justices. However, one of his appointments replaced a justice that was already pro-life (Rehnquist), so there was no possibility to change the Court’s balance on *Roe v. Wade*. In contrast, there is a strong likelihood that President Trump will indeed have the elusive opportunity to alter the ideological makeup of the Supreme Court. There are presently three justices that are critical of *Roe v. Wade* (Roberts, Thomas, and Alito). Trump will select a successor to Justice Scalia, and that individual could join the aforementioned trio. After that, Trump will likely have a chance to select more justices, as Ginsburg and Kennedy are both over the age of 80. If Trump replaces either of them with a justice who is pro-life, then there will be the five-justice majority necessary to overturn *Roe v. Wade*.

Delivering on the Hopes and Expectations

Donald Trump may not be an Evangelical. A twice-divorced billionaire who is best known for ostentatious real estate properties is not an ideal exemplification of the life and teachings of Jesus Christ. However, Trump delivered a campaign message that resonated with Evangelicals, and they responded with a level of support that even surpassed that of George W. Bush, who was perceived as a true Evangelical. Now that Trump is president, many Evangelicals have high hopes for the realization of their vision for America under a Trump presidency. It is up to the forty-fifth president of the United States to assure this loyal voter base that they made the right choice by voting for him, and he can do that by giving a voice to Evangelicals in his administration and recognizing their goals and vision for the future of this nation.

EDITORIAL NOTE:

This is a forthright analysis of what Evangelicals expect of the new U.S. administration. Their support was pivotal in the recent election. And their moral sense does derive from the very bedrock of a Christian sensibility that has long characterized the United States. However, this magazine has long cautioned that the Evangelical agenda, at least since the 1970s, has, in seeking a political solution to moral problems, risked the very safety afforded by a separation of church and state. We will see how this recent wholehearted support for a hoped religious agenda from a very secular campaign will benefit them: and, probably more important, will it support the religious liberty of all faiths? Narrow religious entitlement and a conflation of state and a religious viewpoint have a poor track record for freedom. We pray for the best. -Lincoln E. Steed, Editor

¹ Pew, www.pewresearch.org/fact-tank/2016/11/09/how-the-faithful-voted-a-preliminary-2016-analysis/

² www.cbsnews.com/news/donald-trump-winning-white-house-probably-only-way-ill-get-into-heaven/

www.pewresearch.org/fact-tank/2016/06/27/5-facts-about-abortion/

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The Road to Freedom

libertymagazine.org/article/the-road-to-freedom

There was little fanfare when then President Obama signed the Frank R. Wolf International Religious Freedom Act (IRFA) into law on December 16, 2016. He affixed his signature to the hard-won legislation along with some 50 other bills, ranging from the National Park Service Centennial Act to the Inspectors General Empowerment Act.

Yet for the bipartisan group of religious freedom advocates and religious leaders who had supported IRFA on its five-year, often painfully sluggish journey through the legislative process, it was a moment to savor. Russell Moore, president of the Southern Baptists' Ethics and Religious Liberty Commission, called it an affirmation that religious freedom is "rooted in our deepest commitments as Americans." And he hoped this update to the first IRFA—passed more than 18 years ago—would help "persecuted religious minorities around the globe will see that they have not been forgotten."

Congressman Frank Wolf delivers a speech at the 2016 International Religious Liberty Summit.



Rex Tillerson being sworn in as secretary of state on February 1, 2017



Bishop Oscar Cantu, chair of the Committee on International Justice and Peace of the United States Conference of Catholic Bishops, echoed Moore's thoughts. Cantu summed up the feelings of many supporters of IRFA when he told the *National Catholic Register* that he hoped the law would "raise the profile of religious freedom, put the international community on notice, and make clear that the people of the United States will be watching."

But for many longtime religious freedom watchers, these sentiments spark a sense of déjà vu. A quick scan of news reports from late 1998, written in the days and weeks after President Bill Clinton signed the original International

Religious Freedom Act into law, reveals similar hopes and expectations.

Advocates then predicted a new era, where the treatment of religious minorities abroad would make a tangible difference in relations between the U.S. and its diplomatic and trade partners. They expressed hopes that religious freedom concerns would be integrated into U.S. foreign policy and filter into the Department of State's training, strategic planning, and actions. They confidently spoke of religious freedom violations leading to U.S. action, ranging from diplomatic protests to economic sanctions.

These predictions and hopes, though, have largely been dashed.

Any analysis of last year's update to IRFA must inevitably take place through the lens of these 18 long years of disappointment. Disappointment that the office of ambassador-at-large for international religious freedom—a centerpiece of the original law—has been largely underresourced and marginalized.

Disappointment that the process under IRFA intended to trigger sanctions against countries engaged in particularly egregious violations of religious freedom has remained largely dormant.

Disappointment that, despite the careful infrastructure created by IRFA, Washington has been consistently slow to act in officially recognizing religious atrocities—even the genocidal devastation perpetrated by ISIS against Christians and Yazidis in Iraq.

Disappointment that the impact of IRFA has fallen so far short of the intent of its drafters; that, in the 2013 words of noted religious freedom advocate Thomas F. Farr, IRFA has done little to influence U.S. foreign relations “except perhaps to irritate our banker (China) or our erstwhile ally in oil (Saudi Arabia).” And until changes are made to IRFA, added Farr, “America's religious freedom policy will remain a powerful idea that has not yet gelled.”¹

IRFA Reset

Last year's update to IRFA represents an attempt, once again, to take the idea of religious freedom from the realm of ideal to the realm of action. This time it has the advantage of hindsight—a somewhat clearer understanding of why, despite high hopes for the 1998 IRFA, religious freedom as an influencing principle has had little actual impact on the processes and policies of the U.S. Department of State.

The updating legislation addresses some major structural issue that many believe contributed to the ineffectiveness of the original framework.

First, it brings the office of the ambassador-at-large for international religious freedom in from the diplomatic wilderness by mandating that the ambassador report directly to the secretary of state rather than to lower-level officials. This raises the status of the ambassador-at-large for international religious freedom to the same level as other at-large ambassadors, such as those for AIDS coordination or global women's issues. It further bolsters the International Religious Freedom office at the State Department by calling for a minimum number of full-time staff.

The new legislation also *mandates* religious freedom training for all foreign service officers—as opposed to merely providing it as a training elective. This, many believe, is an especially critical piece of the puzzle. This training exposes the men and women who practice U.S. foreign policy to the many practical ways in which enhanced religious freedom contributes to a nation's social, economic, and political stability. Thus, diplomats will see how actively supporting religious freedom lines up with core U.S. foreign policy objectives in promoting a more secure and prosperous global landscape.

Other measures in the 2016 IRFA include an enhanced watchdog framework that will supplement the lists and annual reports already produced by the State Department. It establishes an “entities of particular concern” category (mirroring the already-extant “countries of particular concern” category). This will focus on nonstate actors, such as Boko Haram and ISIS and other militant nongovernment entities.

Further, it creates a “designated persons list” to name individuals who engage in religious repression or persecution, and allows the president to institute sanctions against persecutors.

Bigger Questions

The 2016 IRFA is named for former Congressman Frank Wolf—a very fitting recognition of his relentless campaigning, both in, and now out, of office, for stronger U.S. engagement with religious freedom issues abroad. Wolf gave a major speech in May 2016 in Washington, D.C., at the International Religious Liberty Summit² held at the Newseum’s Religious Freedom Center. [That speech was featured in *Liberty* recently.] He gave an impassioned appeal for a more proactive U.S. response to religious repressors around the world, and spoke of individuals he had met in some of the world’s most unforgiving environments for religious minorities.

“While our national interests are complex and manifold, we can be assured that it always benefits a great nation to stand boldly with the forgotten, the oppressed, the silenced and the imprisoned,” he said. “If not America, then who?”

This, perhaps, hints at questions that remain lurking, unanswered, behind all the discussions of IRFA. Is this really a job for America? Is pursuing a religious freedom agenda via U.S. foreign policy, with all its potentially messy entanglements and ambiguities, a suitable way to support persecuted religious minorities and nurture a global culture of religious tolerance?

These are legitimate, though complex, questions. At the very least, they should prompt religious freedom advocates to stay alert. There is, without doubt, the potential for compromise of the secular nature of the state and its various mechanisms, or for the distortion of the very principle of religious freedom itself.

But for me, the alternative—inaction—is unacceptable. As the late Elie Wiesel wrote: “We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented.” IRFA takes a side. And given the outsized role the U.S. plays within global geopolitics and trade, this is not an inconsequential thing. The law provides new tools for documenting religious freedom violations and potentially enhances the impact of religious freedom concerns within U.S. foreign policy. Seemingly good things, yes, but fraught with political and moral complexity. As a practical matter, any attempt to advance a high moral principle through the somewhat incompatible vehicle of national interest will require ongoing vigilance and review.

Waiting

Will the Frank R. Wolf International Religious Freedom Act bring real change to the culture of the State Department? Will it increase the weight of religious freedom issues within the U.S. foreign policy? Will it translate into some tangible step forward for displaced Iraqi Christians, waiting anxiously in camps in Erbil, Lebanon, and Jordan for a sign they can safely return to their homes? For the communities in northern Nigeria, living in fear of unpredictable and deadly assaults from militant Islamists? For the millions of other members of religious minorities worldwide who face ongoing discrimination, dislocation, or worse?

Despite the intent of the law’s drafters and the ardent hopes of its supporters, any success will ultimately be dependent on its application.

How precisely will Secretary Rex Tillerson and the ambassador-at-large understand and apply the requirements of the law? Will the Trump administration now follow the lead of its predecessors in adopting as narrow an interpretation as possible of its responsibilities under IRFA? As with the 1998 law, we must wait and see. Only the coming years will reveal whether the aspirational intent of the 2016 IRFA law will survive its implementation.

Illustration by Greg Newbold

¹ <https://www.firstthings.com/article/2013/11/our-failed-religious-freedom-policy>

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Human Dignity and Rights

 libertymagazine.org/article/human-dignity-and-rights

The concept of human dignity has become central to modern systems of civil and religious rights in the Western world—indeed, in most of the world at large. The centrality of human dignity to systems of rights was enshrined internationally in the Universal Declaration of Human Rights adopted by the United Nations in 1948. In its preamble that document declares that the “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” The word human “dignity” is used no less than five times throughout the document. The concept of an “equal” dignity “inherent” to, or “endowed” in, humanity serves as the central ideological foundation and justification for the rights outlined in the Declaration.

The Declaration was dramatically influential in twentieth-century political development. Not only was it adopted by the United Nations with no negative votes (48 in favor, 8 abstentions)—it became the model for national constitution writing since then. It has been adopted by or influenced most national constitutions written since 1948, and during that time has become the world’s “most translated document.”¹ Since then, about 200 other documents have been written protecting human rights in the world, and at least 65 of these mention the Universal Declaration in their preambles.²

1) Failure of Dignity and Rights in the Modern World



It is safe to say that the concept of human dignity has become perhaps one of the most widespread, articulated, shared values in the international community. Until recently, one really could not find anyone in the twentieth century arguing against human dignity and rights. In the past decade there has been an academic critique of human rights as being part of a program of imperialistic, Western, enlightenment individualism.³ Still, at the popular and political level, the concepts have been largely considered sacrosanct. At least in theory. Practice has been a very different matter.

Not long ago the U.S. State Department released a detailed report about the brutal and coercive “enhanced interrogation” techniques that the Central Intelligence Agency carried out in the war on terror in the years after September 11. The report left “no doubt that the methods used to extract information from some terrorist suspects caused profound pain, suffering and humiliation. It also leaves no doubt that the harm caused by the use of these techniques outweighed any potential benefit.”⁴

One need not linger on American human rights abuses in the war on terror to know that the concept of human dignity is in trouble in the twenty-first century. If one of the pillar countries for human rights protections has fallen into this kind of officially sanctioned inhumane behavior, then the situation around much of the world is probably equally as poor and in some instances much worse. Indeed, monitoring groups confirm that in the past decade torture has been used by more than 150 countries around the world, including many instances against political prisoners. Those countries we view as modern strongholds of civil rights are implicated in twentieth-century torture, including France,

England, Germany, Spain, and the United States.⁵

The fact that the American government released a self-critical report of its agency's actions, however, is not all bad news. It is evidence that American leadership still takes the notion of human rights and dignity as being of some importance. Still, one is left with the sense that while human dignity may be the most widespread international value in theory, it may also at the same time be the most widely violated and ignored value in practice.

What has caused this radical disjuncture between ideal and practice? Is there something about the concept of human dignity that is too thin and insubstantial to serve as a robust foundation for rights? Is there a way of connecting concepts of dignity with existing values that people may take with more seriousness, given their apparent disregard of this widespread idea that seems most remembered by its violation?

Some have criticized the notion of human dignity as being too vague and insubstantial a soil to provide firm rooting for ideas about human rights. This critique seems supported by the observed widespread abuse of human rights. But is it possible that our current prevailing conceptions of human dignity are shallower than those that informed the Universal Declaration? Is it possible that there are competing, or at least overlapping, notions of dignity, some of which are thicker and more substantial than others?

2) Competing Ideas of Dignity—Thin and Thick

I want to propose that this is indeed the case. That fully secularized notions of dignity, devoid of metaphysical content or connection, have come to dominate general thinking in legal and political circles when it comes to talk about human dignity and rights. American intellectual and Protestant theologian Reinhold Niebuhr saw this happening in America just a few years after the adoption of the Declaration. In 1952 he wrote that “despite the constant emphasis upon the ‘dignity of man’ in our own liberal culture, its predominate naturalistic bias frequently results in views of human nature in which the dignity of man is not clear.”⁶ These secularized conceptions have come to obscure thicker, deeper conceptions of human dignity flowing out of metaphysical conceptions of human nature and identity.

Some of the fault for this may lie in the ambiguous wording of the Universal Declaration. It was drafted to be as inclusive as possible, as it sought to attract support from all the nations of the world. Because of this desire for inclusivity, it has been claimed that “one of the Declaration's most remarkable features is its failure to posit a metaphysical foundation—religious or natural law-based—for the ‘inherent dignity’ invoked within its preamble.”⁷ This is at least a partially true statement. Nowhere in the Declaration is there a mention of God or religion, except as the latter was part of human identity to be protected.⁸

And yet there are still key terms and phrases in the Declaration that reveal at the very least an implicit metaphysical grounding to the document. The first line about all humans having “inherent dignity” is suggestive of an essentialist construct to human nature that cannot be explained on purely materialistic grounds. Indeed, it has been recognized, I believe rightly so, as a reference to the eighteenth-century metaphysical Enlightenment “doctrine of inherent human rights.”⁹

This sense of universal, metaphysical grounding is heightened by the language in Article 1 that says that all humans are “endowed” with “reason and conscience.” “Endowed” is an active verb that suggests an actor outside the human that places within it these qualities of thought and conviction. This word would seem to provide more than a coincidental connection with the United States' Declaration of Independence that asserts “all men are created equal” and “are *endowed* by their Creator with certain unalienable rights . . .”

Further, the word “conscience” has a distinct moral connection that ties it to metaphysically-based views of right and wrong. It has been noted that the Declaration's notion of conscience contains within it the eighteenth-century Enlightenment notion of epistemic universality. That is, as stated in the preamble, it is the “conscience of mankind”—

not just elite experts, or Western thinkers—that has been outraged by recent barbarous acts.¹⁰

The above-discussed language in the Declaration that reveals metaphysical assumptions of inherent rights and dignity, that are recognized universally by human reason and conscience, provides a pathway back to early modern conceptions of human dignity, based at least in part on Martin Luther’s priesthood of all believers, that arguably has more grounding and force than some of our more modern notions. It causes the document to contain within it, should one seek it, a transcendent grounding that has more bite, or energy, as well as popular rhetorical and persuasive power, than entirely secularized versions of human dignity.

But the theistic thinker must recognize that an appeal to the transcendent or supernatural will not itself guarantee a robust level of human dignity. The Middle Ages itself had pervasive and widespread concepts of the supernatural and transcendent, and yet human dignity was not thus guaranteed to all individuals. In the age of the Crusades and the Inquisition, all too often human dignity in that world was more of a corporate conception, ascribed to human and institutional elites. Actual, common, individual persons often sank beneath this generic dignity accorded to his or her superior representatives, either in the church or the state.

In a continuing article I will explore what Protestant thinkers did to respond to this corporate conception of human dignity, and how it responds to the two extremes of dignity and rights that tug at the realization of human dignity in our own world today.

¹ <http://www.guinnessworldrecords.com/records-1000/most-translated-document/> (viewed on August 1, 2014).

² http://ccnmtl.columbia.edu/projects/mmt/udhr/preamble_section_4/discussion_5.html (viewed on August 1, 2014).

³ See, Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, Mass.: Belknap Press, 2012); Samuel Moyn, *Christian Human Rights* (Philadelphia: University of Pennsylvania Press, 2015); Eric Posner, *The Twilight of Human Rights* (New York: Oxford University Press, 2014).

⁴ <http://rt.com/usa/176884-leaked-post-911-torture-report/> (viewed on August 1, 2014).

⁵ en.wikipedia.org/wiki/use_of_torture_since_1948

⁶ Reinhold Niebuhr, *The Irony of American History* (New York: Scribner’s, 1952), p. 6.

⁷ Jenna Reinbold, “Political Myth and the Sacred Center of Human Rights: The Universal Declaration and the Narrative of ‘Inherent Human Dignity,’”

Human Rights Review 12 (2011): 150.

⁸ Mary Ann Glendon, in her account of the creation of the Universal Declaration and the role played by Eleanor Roosevelt, quotes Roosevelt as explaining the absence of a reference to God in the Declaration as follows: “Now, I happen to believe that we are born free and equal in dignity and rights because there is a divine Creator, and there is a divine spark in men. But, there were other people around the table who wanted it expressed in such a way that they could think in their particular way about this question, and finally, these words were agreed upon because they . . . left it to each of us to put in our own reasons, as we say, for that end.” (*A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* [New York: Random House, 2001], p. 147).

⁹ Johannes, Morsink, *Inherent Human Rights: Philosophical Roots of the Universal Declaration* (Philadelphia: University of Pennsylvania Press, 2009), p. 17. Charles Malik was responsible for drafting the Preamble, and it was he that inserted the language about “inherent dignity.” While the concept of dignity was earlier mentioned in the preamble to the United Nations Charter, Malik evidently added the word “inherent,” which does not appear in that

earlier preamble. Malik was a very committed Greek Orthodox believer and religious thinker, and it is evident that the word is intended to have metaphysical implications. Glendon, pp. 117, 118, 125-127.

¹⁰ Marsink, p. 18.

Article Author: [Nicholas P. Miller](#)

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Partners or Protestors?

 libertymagazine.org/article/partners-or-protestors

On October 31, 1517, Martin Luther nailed his now-famous 95 theses to the door of the All Saints' Church in Wittenberg, Germany. In his theses Luther remonstrated against the use of relics, usury, simony, nepotism, and the sale of indulgences.

Initiating what in later years was termed the Protestant Reformation, Luther questioned papal authority, the dominant role of the church in society, and most important, the role of the church in defining the conditions of salvation. Through the Scriptures, Luther and other Reformers taught the five “solae”—*sola fide* (by faith alone), *sola Scriptura* (by the Scriptures alone), *solus Christus* (by Christ alone), *sola gratia* (by grace alone), and *soli Deo gloria* (to God's glory alone).



The Diet of Augsburg

Because of the growth of various Protestant groups in the years following Luther's remonstrance, European society was faced with the dilemma of how to re order society so as to accommodate most of these new religious groups. From the Roman Catholic perspective, such heretical movements did not have the right to exist, and efforts were put forth to curtail, contain, and eradicate them. In spite of such opposition, the Protestant groups grew, and eventually were tolerated as part of the European religious landscape.

In particular, Austria for a time nearly became a dominant Lutheran stronghold. However, the Hapsburgs, after contending with the French and the Turks, “harshly persecuted Protestants and reestablished a Catholic preponderance in Austria,”¹ which has continued to the present

day.²

In Germany, Lutheranism spread rapidly throughout much of the territory.³ Despite such gains, however, Catholicism regained much of its lost territory through the Counter-Reformation.⁴ Through the Diets of Speyer I (1526) and II (1529), a compromise was reached that allowed the Catholic Mass to be performed in those areas with a majority Catholic presence, and Lutheran services to be held where Lutherans were the dominant group.⁵ However, doctrinal differences were so pronounced and distinct between Catholics and Protestants that ensuing conflicts and violence required more than the mere territorial respect offered by the Diets of Speyer I and II. In 1532 the Peace of Nuremberg granted temporary recognition of Protestants as part of the status quo, which was more of a political solution than heretofore. Through subsequent imperial diets and treaties, leading to the Peace of Augsburg (1555), Protestants obtained official and permanent recognition, which inaugurated a religious truce among Catholics and Protestants.⁶ Thus, the existence of both Catholics and Lutherans required the development of a mutually tolerable environment, which can be noted to the present day.⁷

Against such an historical backdrop, the modern ecumenical movement has advanced significantly and in an alarming manner to those who value the original Protestant positions. As an ecumenical gesture culminating after several decades of dialogue, the Roman Catholic Church and the Lutheran World Federation signed “The Joint

Declaration on the Doctrine of Justification by Faith” on October 31, 1999 (the same date as the posting of Luther’s 95 theses). In the preamble, paragraph 5, it states, “The present Joint Declaration has this intention: namely, to show that on the basis of their dialogue the subscribing Lutheran churches and the Roman Catholic Church are now able to articulate a common understanding of our justification by God’s grace through faith in Christ.”⁸ Although the remainder of the document outlines theological aspects of justification and cites biblical references, there are some Lutheran groups, such as the Lutheran Church—Missouri Synod and the Wisconsin Evangelical Lutheran Synod, as well as former Catholic priest Richard Bennet,⁹ who oppose the document on grounds that it does not correctly reflect Luther’s theology of justification, and most important, that it does not contradict any of the teachings of the Council of Trent (the Catholic ecumenical council [1545-1563] that condemned the Protestant Reformation teachings, in particular the doctrine of justification by faith).¹⁰ Thus, the document more accurately reflects a change in Lutheran theological concepts, rather than any change in Catholic theological teachings.

What has been the far-reaching impact of the Joint Declaration? On July 24, 2006, Catholic News Service reported that the World Methodist Conference, on July 18, 2006, had adopted the document. Catholics, Lutherans, and Methodists hailed the unanimous vote as a step that will aid their communities “to work more closely in proclaiming the gospel message of salvation.”¹¹

In February 2014 Tony Palmer, an Anglican priest, spoke about ecumenism to a group of (mostly Pentecostal/Evangelical) ministers in Dallas, Texas. He declared that the Protestant Reformation was over. He used the signing of the Joint Declaration as the basis of his argument. In his speech he was encouraging other Protestant churches to discontinue their “protest” and to work in unison with the Catholic Church.¹²

Recently I had the opportunity to travel to Austria. While I was there, I dialogued with Oliver Fichtberger, a Seventh-day Adventist Christian minister. Following is part of our discussion regarding the current status of religious freedom in Austria and Germany, in light of the ecumenical movement that has accelerated in recent years.

Q: Since part of the ecumenical movement implies unity of core doctrinal beliefs, what is the history of Sunday laws in Germany and Austria?

A: Currently the possibility of a Sunday law is being discussed on a European level. Seventh-day Adventists are waiting to see its development. In Austria and Germany most stores are closed on Sundays, but basic commodities can be bought. However, I am not as concerned so much with stores being closed on Sunday as I am with other legislation that more directly impacts one’s religious experience, at least for Seventh-day Adventists. Let me explain. Even if one is not allowed to work on Sunday, such as not cutting one’s lawn, it is still not a major problem, because one can always do it at another time. However, Sabbath issues have a more direct impact on SDA members. Sometimes students encounter the challenge that some exams are offered only on the Sabbath, or workers should show up in the office on Sabbath. Fortunately, the Seventh-day Adventist Church is already recognized for its Sabbath observance practices, so the government is working in the church’s favor. Because of religious freedom under the Austrian Constitution, most schools do not require Seventh-day Adventists to take exams on Sabbath. Usually a student needs simply to present a letter from the church to obtain exemption. However, the work environment is different, because there are no laws to protect the employee. Even though the German and Austrian constitutions have religious freedom guarantees, they have no labor law guarantees related to religious freedom. An additional hardship in the field of labor is that it operates much like a market environment. If an employer sees an employee as a good worker, and is willing to invest in him or her, then they will make an accommodation. But if not, then that employer will look for another worker.

It is now 500 years since the Reformation. However, the changed sense of religious identity and impending religious legislation make it seem that time is running backwards in Europe. Even the rapid growth of Islam in Western Europe is a reminder of the dynamic of 500 years ago and makes it more likely that protective religious legislation will continue to blur the Catholic/Protestant identities that were so important during the Reformation.

¹ Lewis W. Spitz, "Lutheranism: An Overview," in Hans J. Hillerbrand, ed., *The Oxford Encyclopedia of the Reformation* (New York: Oxford University Press, 1996), vol. 2, p. 469.

² According to the 2001 census, 73.6 percent of Austrians identify themselves as Roman Catholic; Protestants ranked at 4.7 percent, Muslims at 4.2 percent, and 12 percent as non-religious (accessed on June 25, 2014, from <http://worldpopulationreview.com/countries/austria-population/>).

³ Spitz, vol. 2, pp. 467-468.

⁴ Bernard Vogler, "Popular Religions in Germany," trans. Simone Wyss, in *The Oxford Encyclopedia of the Reformation*, vol. 3, p. 301.

⁵ Eike Wolgast, "Protestation of Speyer," trans. Susan M. Sisler, in *The Oxford Encyclopedia of the Reformation*, vol. 4, pp. 103-105.

⁶ Gunter Vogler, "Peace of Nuremberg," trans. Wolfgang Katenz, in *The Oxford Encyclopedia of the Reformation*, vol. 3, pp. 162, 163.

⁷ Statistics for 2008 reveal that each group of Catholics and Protestants were equally represented by 34 percent of the population, Muslims by 3.7 percent and other or no affiliation by 28.3 percent (accessed on June 25, 2014, from <http://www.nationmaster.com/country-info/profiles/Germany/Religion>).

⁸ Lutheran World Federation and the Roman Catholic Church, "The Joint Declaration on the Doctrine of Justification by Faith," preamble, para. 5 (accessed on June 25, 2014, from http://www.vatican.va/roman_curia/pontifical_councils/chrstuni/documents/rc_pc_chrstuni_doc_31101999_cath-luth-joint-declaration_en.html).

⁹ Richard Bennet, "The Roman Catholic-Lutheran Joint Declaration on the Doctrine of Justification: A Denial of the Gospel and Righteousness of Christ" (accessed on June 25, 2014, from <http://www.jesus-is-lord.com/jd.htm>).

¹⁰ Rev. Paul T. McCain, "A Betrayal of the Gospel: The Joint Declaration on the Doctrine of Justification" (accessed on June 25, 2014, from <http://www.lutheranonline.com/lo/553/FSLO-1361564553-111553.pdf>). See also Catholic theologian Robert Sungenis, who notes inconsistencies in the document with historical theological concepts of justification, <http://www.christiantruth.com/articles/sungenisjointdeclaration.html> (accessed on June 25, 2014).

¹¹ Cindy Wooden, "Methodists Adopt Catholic-Lutheran Declaration on Justification," *Catholic News Service*, July 24, 2006 (accessed on June 25, 2014, from <http://www.catholicnews.com/data/stories/cns/0604186.htm>).

¹² Tony Palmer, "Pope Francis sends video message to Kenneth Copeland" (accessed on June 27, 2014, from www.youtube.com/watch?v=uA4EPOfic5A).

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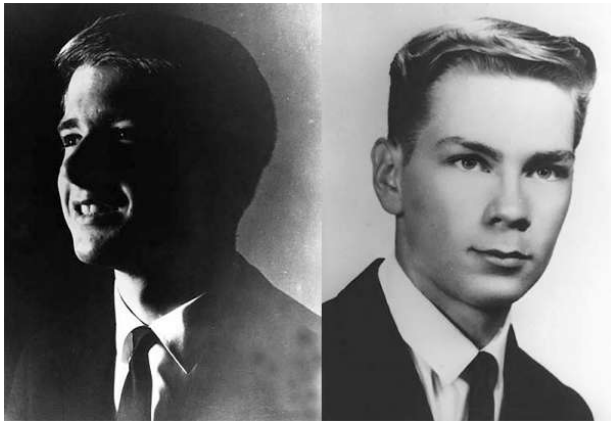
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Conscience Goes to War

 libertymagazine.org/article/conscience-goes-to-war

It doesn't make sense. Why would you want to join today's military while absolutely refusing to fire a weapon, drop a bomb, or end the life of someone bound and determined to end yours? What possible good is an unarmed soldier, sailor, or airman?

Historically, many such individuals, labeled "conscientious objectors," were penalized, imprisoned, or executed. After all, the marching order of most wars is to kill or be killed, and whoever does it most efficiently wins.



Enter William of Orange, the leader of the Dutch revolt against the Spanish Hapsburgs. In the 1570s he allowed members of the conscience-driven Dutch Mennonites to refuse military service in exchange for cold, hard cash.¹

But the world would have to wait almost 200 more years before formal legislation to exempt such individuals from using deadly force was put in place in Great Britain. This time the Quakers were bucking the system.²

The United States, the new home of Quakers, Mennonites, and many other religious groups whose fundamental belief system insisted that members make love, not war, permitted such a

choice from its very founding allowing individual states the option of accepting or rejecting such requests.³

In 1948 the right of conscience over commands was partially addressed by the United Nations General Assembly in Article 18 of the Universal Declaration of Human Rights. It read: "Everyone has the right to freedom of thoughts, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance."⁴

It would seem that, in America at least, today's all-volunteer fighting forces would be immune to such requests. But that's not the case. There's another aspect of the military experience for which young men and women strive and that all branches of the armed forces recognize as valuable. It's called "service," and hundreds are answering the call to serve without sacrificing someone else's life. How does the military address this motivation? Are there policies in place that provide open arms to those who choose to answer the call to service without answering the call to kill?

With the release of the movie *Hacksaw Ridge*, public attention has been piqued as to what's possible when it comes to serving a country without a gun in your hand. Anyone who has seen the movie agrees that war is, beyond a doubt, hell on earth. It is carnage writ large. Yet Desmond Doss's weapon of choice was a first-aid kit. [Read the article on Desmond Doss and the Hacksaw Ridge experience in the January 2017 issue.]

His story has captured the imagination of millions. His actions on a stony escarpment showed that there is more than one way to fight an enemy—that bravery isn't measured by how many smoking holes you punch through a perceived bad guy, but how many field dressings, splints, and bleeding arm and leg stumps you bind. What saved 75 men on Hacksaw Ridge wasn't a new type of artillery weapon or freshly developed shell, but a double bowline knot tied by the bloodstained fingers of someone who insisted that prayer be part of any military offensive.

Fast-forward to today. How does our modern fighting force deal with those in their ranks who choose not to carry a weapon into battle? I spoke with Lieutenant Commander Robert Mills, a Navy chaplain presently stationed in the Northeast. His insights provide a glimpse into the military mind-set and the choices soldiers, sailors, and airmen have when it comes to following their individual consciences into battle.

He requested that I add this statement: The opinions expressed here are his alone and may or may not reflect the official perspective of the United States military.

Chaplain Mills, what were the circumstances surrounding your initial viewing of *Hacksaw Ridge*?

I went with a friend who is a Marine Corps major on, appropriately enough, Veterans Day. He asked me to join him in case he had some questions concerning some of the issues raised by the film. It was a matinee showing, and throughout we were whispering back and forth, discussing what we were seeing on the screen. After the end credits rolled, we sat in the empty, darkened theater and had a good conversation about Desmond Doss and his beliefs. It was very enlightening—for us both. He knew that I was somewhat familiar with Doss—his life and his case. When I was younger, I had read several books about him. My companion was also very interested to get my input on whether Hollywood got it right; whether it was an accurate movie or not.

Did they get it right? Was it accurate?

I think for the most part, yes. There were some details that were overly dramatized, and some events that really happened were left out. But according to what I've read about Desmond Doss's life before *Hacksaw Ridge* the movie, I think Mel Gibson and Hollywood got it pretty close.

Has anything changed since World War II when it comes to the tolerance or acceptance of those with beliefs not always in sync with the military?

In general, no. However, some of the specific ways we understand conscientious objectors and how we work with them in the military have changed. During World War II we had a draft. Men, and some women, were basically compelled to go into the military. Today it's an all-volunteer force, and we haven't had a draft since the early 1970s. So it's a slightly different vector. Everyone who's in the military has volunteered to be there. But, in general, the broad strokes are still applicable from the policies that were in place during World War II.

I have to ask this question because I know it's on the mind of a lot of young people today. Do recruiters tell the whole story? Or should they be considered the “used-car salesman” of the military when someone shows up interested in a life of service for his or her country?

Our recruiters have an incredibly difficult job. They're competing with so many different avenues of entertainment, avocation, and vocation for young people. Some occasionally oversell. They do occasionally exaggerate. So the best advice I'd have for a young person who is considering a military career is not only to talk with a recruiter but to speak with a person who has been in the military for a long time—perhaps a friend or relative who may have served in the past. Ask them the same kinds of questions you'd ask a recruiter in order to get the point of view from somebody who's been there and done that—someone who doesn't have a vested interest in getting them into the service.

If a person has fundamental beliefs that go against the military norm, they shouldn't join. That I understand. But let's say that someone's already in the military and they have a change of heart and begin to believe as Desmond Doss believed. They realize that they don't want to kill people. They don't want to do what the military is training them to do. What are their options at that point?

That's an excellent question, and fortunately we have very comprehensive policies in place for folks who find themselves changing midstream. They may have just joined a particular faith group, or their shift in priorities may be born out of personal convictions. Basically, when we discover that they are refusing to serve in the traditional sense,

we put them through a series of interviews. We ask them questions to find out where their new ideas have come from and if those positions are firm, fixed, sincere, and deeply held. The chaplain is part of that process, as is the commanding officer and an investigating officer who will also ask questions about the person's belief. The chaplain will fill out a form that indicates whether he or she finds that that person's beliefs are indeed firm, fixed, sincere, and deeply held. It's also determined whether he or she is opposed to all war or whether they're simply opposed to the particular war in which we happen to be engaged at the time. There's a difference. The policy states that the person needs to be an objector to *all* wars.

The military, of course, is aware of religious beliefs, and that's why they have people like you—chaplains who are serving a wide variety of faiths. Is a religious belief enough? In other words, if I say to you, "Chaplain Mills, I can't do this because my church says I can't do this." Is that enough?

No. There has to be a deeply held personal belief in place. Just because your church says no doesn't let you off the hook as far as conscientious objection is concerned. On the other hand, there are some churches whose members do bear arms in the military. We occasionally find people from those churches who've developed a deeply held belief against bearing arms and taking life. I think the military has been fairly wise in saying we're not going to apply a blanket policy to all cases. We're going to take these cases one by one, using basic guidelines outlined within policy. We're going to allow them to be adjudicated one at a time so that we're not doing violence to a person's personal convictions.

Chaplain Mills, you are a Christian, and you serve all denominations. Some of them, as you say, are OK with bearing weapons. Other religions, such as the religion of Doss, who was a Seventh-day Adventist, promote the concept of not killing anyone. Is God selective? Is God saying, "OK, I'm going to forgive these people over here who are bearing arms, but I'm not going to forgive those people over there who are bearing arms, because they know better." How do you bring those two perspectives together? I'm sure this is something you have to deal with on a daily basis when you try to juggle so many different religious philosophies.

We do have to deal with a lot of different understandings and worldviews. Part of the training that we get as chaplains is to sort through those various views to find the kernel of deeply held belief in the heart of the person who is coming to talk with us. I can't second-guess God and say that He applies one set of standards for one group and another set for another group. I don't believe that's my place. However, what I'm asked to do is talk with people and evaluate how deeply held their belief is. There are some who would hide behind conscientious objection just to get out of the tough duties facing them. We need to prevent this. At the same time, we need to be able to support those who have a deeply held moral belief against war or against their personal participation in it. It's interesting that Desmond Doss did not want to be called a conscientious objector originally. He said, "Please call me a conscientious *cooperator*." He was able to have a deferment because he worked in the defense industry at a shipyard. But he said, "No, I want to go in and serve. I just can't bear arms." So we need to find the kernel of truth shaping the deeply held moral belief in a person's life and support that truth.

What I hear you saying is that if two people are standing before you—or before God—and one is carrying a gun and the other one is not carrying a gun, that doesn't determine God's love for that person, how much He cares for that person, or His ability to save that person.

Absolutely! People have different beliefs. They have different understandings of the world. Two men can be standing together, as you said—one with a weapon in hand and ready to kill for his country and one who says no, I can't do that, but I will gladly serve. I believe God honors both. I believe God respects both. And I firmly believe that we as a nation have a moral responsibility to understand the wide range of personal beliefs people carry in their hearts and, whenever possible, support and defend them.

I like the word that you're using there: *serve*. You are telling us—you are telling the young people of this country—that service is the end goal. Some can serve with a gun. Some can serve with a computer. Some can serve with a medical kit. But *service* is the bottom line.

That's what drove Desmond Doss. He wanted to help his fellow human beings and he wanted to serve. Those of the generation that I work with most—the millennial generation—have a strong desire to serve, to help, to make things better.

That's very encouraging for those young people who are considering being part of the military. It sounds like our armed forces are open to their personal beliefs. However, you've given a little caveat. That belief has to come from the heart. So how can you as a chaplain know the difference when someone stands before you and says I don't want to carry a gun? How do you know that it's from the heart; that it's from God?

It's not an easy question to answer, because sometimes people lie. What we try to do as chaplains is develop a relationship with the person; a relationship of trust. We attempt to remove some of the reasons that that person might lie, and this allows him or her to be authentic with us. And, yes, the service does recommend that if people have strongly held beliefs against war, they not enter the military to begin with. However, this introduces an interesting dichotomy, because Desmond Doss had those beliefs and he still entered the military. He faced some pretty cruel persecution and some very real barriers getting to where he got. But I've always been impressed that he overcame them all. He stood by his beliefs and served honorably, bringing great credit to his country, his church, and his God.

Charles Mills is host of *LifeQuest Liberty*, the flagship radio outreach of *Liberty* magazine. He writes from Berkeley Springs, West Virginia. Disclosure: Lieutenant Commander Robert Mills is his nephew!

¹ Robert Paul Churchill, "Conscientious Objection," in Donald A. Wells, *An Encyclopedia of War and Ethics* (Westport, Conn.: Greenwood Press, 1996).

² *Ibid.*

³ *Ibid.*

⁴ United Nations Association in Canada, "Questions and Answers About the Universal Declaration of Human Rights."

Article Author: [Charles Mills](#)

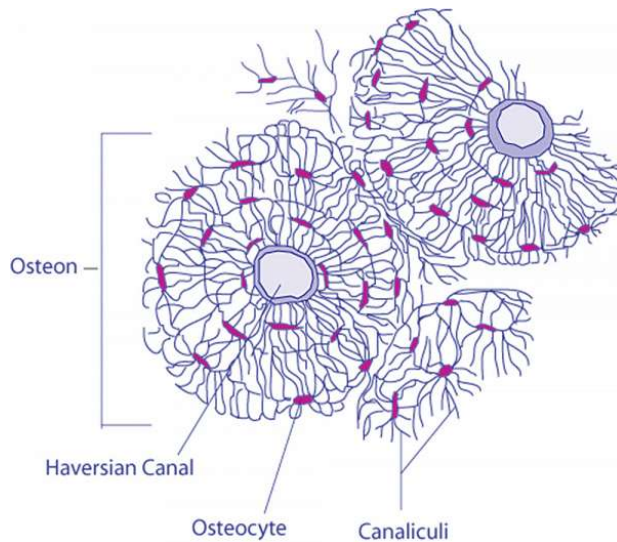
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An Anomaly in the Paradigm

 libertymagazine.org/article/an-anomaly-in-the-paradigm

An unfunny thing about political revolutions (the ones that succeed, anyway): those who “rage against the machine,” the revolutionaries, upon taking power eventually become the establishment, the powers-that-be, the “machine” (even if another model) that they once raged against. And with rare exceptions, the new machine becomes as dogmatic and intolerant of dissent as what they replaced (sometimes even more so).

This motif doesn't happen only in political revolutions, i.e., the French, the Cuban, the Bolshevik, etc. Arguably, the most consequential revolution ever, the scientific revolution, is a powerful case in point.



Because of science's overwhelming epistemological and intellectual dominance today (“But it's science!”), few realize that science and scientists were once iconoclasts, outcasts, troublemakers, even revolutionaries. After all, it wasn't called the scientific *revolution* for nothing.

In many ways the scientific revolution was the final expression of the Renaissance, and another manifestation of the Enlightenment. From the sixteenth century onward, in Europe, what occurred wasn't a change just in what people knew but in what it meant *to know* something. “Natural philosophers” (the word “scientist” was a nineteenth-century invention) were rejecting the old authorities, seeking to study the world on its own terms. Breaking free from the stranglehold that Aristotelianism held on intellectual thought for centuries, they began to see the world quantitatively, mathematically, instead of qualitatively, with its Aristotelian “perfections” and the like. Such men as Francis Bacon, Nicolaus Copernicus, Johannes Kepler, Galileo Galilei, Isaac Newton, and René Descartes slowly but surely broke the noosphere free from the old intellectual regime. Francis Bacon (1561-1626), in trouble for rejecting Aristotelianism, declared in one of the most revolutionary lines ever: “I cannot be called on to abide by the sentence of a tribunal

which is itself on its trial.”

By the nineteenth and twentieth centuries science's intellectual dominance had become all but absolute. And, like all absolutists, the scientific-industrial complex brooks little dissent or tolerance for those who challenge its canon and creeds.

And just how little can be seen in the story of Mark Armitage.

The Microscopist

Mark Armitage, now in his 60s, is a microscopist, a microscope scientist, having served as the president of the Southern California Society for Microscopy, which describes itself as “dedicated to increasing interest and information in all areas of microscopy and microanalysis, including, but not limited to: transmission electron, scanning electron and electron microprobe, ion probe, microbeam analysis, optical and confocal microscopies, and microspectroscopies.”

In 2009 Armitage had been hired, part-time but permanent, by California State University Northridge (CSUN) to install and run the electron microscope and confocal microscope suite of laboratories in the Biology Department at CSUN. He was to set up a \$1 million electron microscope laboratory for the Biology Department and to make sure that all the microscopes were running to specification. He was also to acquire and install a \$350,000 confocal microscope and was to be the point man in the Biology Department for the training of the confocal microscope. He was also to train the professors and undergraduate and graduate students in the art of microscopy. Over the next two years he trained six professors and 44 students on the use of the system, and in 2012 Armitage was asked to teach a graduate course for the department in biological imaging.

In 2012 he was characterized by top department personnel as a person who is “tops” and was called a “superb microscopist with many decades of experience.” In May of 2012 the department had him produce a 12-hour training video complete with examinations to prepare students for further training on the confocal microscope—a video series still in use today.

At the same time all this was happening, a subtext existed: Mark Armitage was a creationist, whose views were known when hired. “During the interview,” he testified in a deposition, “we discussed my being a creationist. In fact, I told the panel that Lorence Collins, in the CSUN Geology Department, published a critique of my creationist research on the CSUN Web site. (It remains there to this day.) My creationism was also apparent from the list of my publications (30 or more), which I provided to the interviewers on my résumé. My résumé also identifies my having obtained a master’s degree from the Institute for Creation Research.”

Nevertheless, probably given the mechanical-technical nature of his work, he got the job, and, from all indications, Mark Armitage was very good at it.

The Anomaly

In the summer of 2012 Armitage participated in a dig at the Hell Creek Formation, in Montana, a world-famous dinosaur graveyard. On the dig he and others uncovered the largest *Triceratops* horn ever found at that location. It weighed 18 pounds. He coauthored a peer-review paper in a scholarly journal about the find. The abstract to the paper read:

“Soft fibrillar bone tissues were obtained from a supraorbital horn of *Triceratops horridus* collected at the Hell Creek Formation in Montana, U.S.A. Soft material was present in pre- and post-decalcified bone. Horn material yielded numerous small sheets of lamellar bone matrix. This matrix possessed visible microstructures consistent with lamellar bone osteocytes. Some sheets of soft tissue had multiple layers of intact tissues with osteocyte-like structures featuring filipodial-like interconnections and secondary branching. Both oblate and stellate types of osteocyte-like cells were present in sheets of soft tissues and exhibited organelle-like microstructures. SEM analysis yielded osteocyte-like cells featuring filipodial extensions of 18-20 μm in length. Filipodial extensions were delicate and showed no evidence of any permineralization or crystallization artifact and therefore were interpreted to be soft. This is the first report of sheets of soft tissues from *Triceratops* horn bearing layers of osteocytes, and extends the range and type of dinosaur specimens known to contain nonfossilized material in bone matrix.”

In layman’s terms, what that meant was soft tissue existed in the *Triceratops* horn. The problem? If the *Triceratops* is 68 million years old, as it is supposed to be, then it would be highly unlikely, if not impossible, for soft tissue

remains to have been found there. But it was, which meant that this discovery was a classic example of a “Kuhnian anomaly in the paradigm.” *A Kuhnian anomaly in the paradigm?*

What is that, and why did it get him fired?

Thomas Kuhn’s Challenge

The words “anomaly” and “paradigm,” though long existing in the English language, took on a new significance with a book by scientist Thomas Kuhn. Published in 1962, Kuhn’s *The Structure of Scientific Revolutions* became a phenomenon that has impacted the way people have thought about science, and the claims of science, ever since. Loved, hated, emulated, and reviled, Kuhn’s book still reverberates today.

According to Kuhn, science doesn’t work in anywhere near as rationally or objectively as the hoi polloi are led to believe. Instead, science and scientific research are, really, just another subjective way that humans can view the world that they are part of and interact with. It’s often a fruitful interaction, for sure, but fruitfulness isn’t synonymous with correctness or truth. The conclusions of the scientist are, Kuhn wrote, “possibly determined by his prior experience in other fields, by the accident of his investigations, and by his own individual makeup? . . . An apparently arbitrary element, compounded of personal and historical accident, is always a formative ingredient of the beliefs espoused by a given scientific community at a given time.”

Kuhn made the word “paradigm” a household term (at least in households interested in the philosophy of science). For Kuhn, a paradigm is the background, the assumptions, the framework or model, in which scientific research takes place. The paradigm determines the questions asked, the places to look for answers, and the methods considered legitimate in looking for those answers. Paradigms are kind of the supertheories or metatheories that sustain an entire tradition of scientific research and theorizing.

In the National Football League, when a play is challenged by an opposing team, the referees examine the play itself, but only in the context of the rules of the game. The rules are not being challenged, or questioned; instead, the rules are what determines if the challenge or question is valid. For Kuhn, the paradigm is, simply, the rules of the game.

When a scientist works within a paradigm, they are doing what Kuhn famously referred to as “normal science.” When engaged in “normal science,” the scientist is not questioning the paradigm; on the contrary, the paradigm is what questions everything else. The framework is not judged by what unfolds within it; no, the framework judges what unfolds within it instead. The truth or falsity of a hypothesis is determined by how it jives with the paradigm.

Enter the “anomaly.” As normal science progresses, Kuhn argued, over time “anomalies”—phenomena that don’t do what they are supposed to (at least according to the paradigm)—might arise. Anomalies are data that don’t seem to be reading the scientific literature; they are experiments producing results that shouldn’t be there. According to the paradigm, X should occur when you do y, but z does instead, and z does so over and over. When enough anomalies occur, persist, and can’t be explained away within the paradigm, science reaches a “crisis,” and the paradigm that dominated that branch of science is called into question. When it’s overturned, that’s what Kuhn called a “revolution.”

And if anything ever qualified as a Kuhnian anomaly in the paradigm, soft tissue in a dinosaur fossil supposedly 68 million years old would, indeed, be one.

The Termination of Mark Armitage

The implications of Armitage’s findings were not lost on his employers. Not long after Armitage returned from the dig, and word got around about the soft tissue, one of the biology professors confronted him in the lab and shouted, “We are not going to tolerate your religion or your pet creationist projects in this department!” According to Mark, he never, in the context of the find, talked about his religion. He didn’t need to; soft tissue in a fossil dated 68 million years ago said it all for him.

Armitage wasn't the first one to find soft tissue on dinosaur fossils, and scientists have been wrestling with the challenge of how to explain this anomaly ever since. There appears to be only three options. First, it's not really soft tissue, but even hard-core evolutionists agree that's what it is. Second, there must be some unknown mechanism that can preserve the tissue, including remains of red blood cells, for millions of years. That's what some scientists are trying to do, find some way to "save the phenomena," and explain how soft tissue could be preserved for millions and millions of years. The third is to question the paradigm itself—an unthinkable option for the scientific-industrial complex, which so readily explains what followed for Mark Armitage.

After the outburst Armitage was told by his supervisor to just keep doing his job in the lab (Armitage studied the horn in his own personal lab on his own time). Then, on February 13, 2013, "Soft Sheets of Fibrillar Bone From a Fossil of the Supraorbital Horn of the Dinosaur *Triceratops horridus*" was published online, then in *Acta Histochemica* (volume 115, issue 6, July 2013, pages 603-608), a paper he wrote with biologist Kevin Lee Anderson of Arkansas State University-Beebe. Nothing in the paper mentioned God, the Bible, the Genesis creation account, Noah's flood, or anything religious. It didn't make an attempt to explain how the tissue got there.

It didn't need to. The implications of the soft tissue itself, the anomaly, and the threat it posed to the paradigm, were so clear that within days of the publication, Armitage had been warned by a fellow employee that a "witch hunt" was in progress, and that Mark Armitage was deemed the witch. Later he was asked to resign, and, refusing, was fired. The given reason was that because of "lack of financial resources," the lab was being closed (it never was).

In short, two weeks after he published an article in a prestigious peer-reviewed journal, in which he simply documented his find—never once mentioning God, faith, divinity, or creation in the article—Mark Armitage become another victim of the scientific-industrial complex's intellectual intolerance.

The Suit

Despite the anomaly of Armitage's find, nothing was anomalous about his firing. On the contrary, it's the scientific-industrial complex doing another version of its own kind of "normal science"—which is shutting down whenever possible any opposition to the prevailing paradigm, especially one as fraught with the metaphysical implications of soft tissue in a fossil supposedly 68 million years old.

The commonly promoted idea of cold hard rationalistic scientists objectively following the evidence wherever it leads has long been known to be a myth, even before Kuhn made that knowledge fashionable. Science is, after all, a human endeavor, and as such it comes burdened with all the prejudices, foibles, fears, and presuppositions of anything human. However much one can respect science, and stand in awe of its achievements, scientists can be as bigoted and as prosecutorial as their political counterparts. Scientists have been known to cut each other's throats when challenged from within a given paradigm. But when something challenges the entire paradigm itself, nothing short of the nuclear option is off the table.

Knowing the injustice of what happened to him, Armitage sued.

"I did so," Mark said, "because the discovery of soft tissue was not about me or about dinosaurs, or about science. It was about the gospel, and the truth of God's Word. When millennials hear about soft tissue, they short-circuit. It challenges everything they have been taught all their lives."

His scientific colleagues short-circuited as well, which might explain the blatant in-your-face firing of a man who had done stellar work (CSUN showed no interest in talking about the case, even after it was over). The school's various excuses for the sudden termination—that he was only a "temporary" employee, or there were "budget cuts"—rang hollow before the obvious: Armitage was fired only because of the intellectual intolerance that other scientists felt toward creationists. Whether on the advice of their own counsel, or whether the scientists saw the overwhelming evidence against them, whatever the reason, before allowing the suit to go to court, CSUN settled, paying compensatory damages, lawyer's fees, and money for lost wages.

“My client,” said his attorney, Alan Reinach, of the Church-State Council, “got about 15 times his annual salary, the only admission of guilt an employee ever receives in these sorts of cases.”

The Scientist as Rebel?

Princeton theoretical physicist Freeman Dyson asserted that the common element of all science is “rebellion against the restrictions imposed by the locally prevailing culture, Western or Eastern, as the case may be.”

He has to be kidding. The scientist as rebel? Maybe in the seventeenth and eighteenth centuries, but not today. That idea is more outdated than the luminiferous ether, which was once deemed more certain than even evolution is now. Far from rebelling against culture, science helps shape it, and even proceeds from it.

Meanwhile, woe to anyone who dares question, much less rebel against, the scientific culture’s creeds and canons, especially when it comes to the regime’s metaphysical assumptions regarding origins. At one time the in-your-face antagonist against dogmatic authority, science has now become that dogmatic authority, and Mark Armitage the latest rebel against it.

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