

As the World Turns

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No flat earth imagery for this editorial! I want to keep it real. And is there anything more “real” than a soap opera? Ergo my title, which was the title of the second-longest-running soap opera of all time, which ran for 54 years! That covers nearly my whole lifetime, and provides an appropriate lead-in for an analogy to religious liberty over that period.

Maybe I'd better backtrack a little by way of full disclosure: I am not a fan of soap operas. In channel surfing mode I often caught the wave foam of *World* plots, but seldom paused to try to figure out the convoluted relationships. Once when my Hispanic wife and I were living back in Australia we had a several-month flirtation with an Argentine soap entitled *Rosa de Lehos* or *Rosa From Far Away*. My wife, Rosadelia, loved it for obvious reasons. But overall I have a fair respect for the drama, the intricate detail of the soap as it attempts to take real life and turn it into Ibsen. Unfortunately the end result is to real life what pro wrestling is to *The Hunger Games!*

Not good analogies! Let's try on the religious freedom one and fit it to soap opera. Lately it has hit me that much in the religious liberty world plays to the soap imagery.

It came as a flash of enlightenment during my news bingeing recently. I had barely digested the latest presidential executive order on religious liberty—an expected rollback of the Johnson Amendment, but not quite that risqué, it turned out—when I was treated to live video of the president doing the sword dance shuffle in Saudi Arabia. The surreality of it all has to be compared to soap opera. And far be it to criticize the presidential role—I'm sure the latest trip will only help the poll numbers. But on the level of soap opera the president is a player among many others, and the whole tale blurs romance and paternity so thoroughly it might take 54 years to untangle.

But think for a moment what these two cameo moments say.

An executive order on religious freedom might not really be necessary if we had a Constitution. Sorry, we do—so why the order? The U.S. Constitution nod to religious freedom is short and absolute: no establishment of religion and no restriction on religious faith, and no religious test for public office. Not complicated unless you like soap opera and subplots. In reality many of the powers that be—let's call them actors—are not too keen on generalized religious freedom. What they want is freedom to do as their faith requires and money or laws to facilitate that view. And the brass ring seems to be political power. But one has to ask what political power allied to a religious viewpoint will accomplish!

Well, how about taking a visit to Saudi Arabia. Go via a stream of information and videos on the Internet rather than with any official party, and you get a taste of how politically empowered religion feels like. For the honored guest it's the sword dance (I still remember our family laughing at pictures of my father enthusiastically sword dancing on an official trip there years ago), but for religious dissidents and criminals the edge of the sword is more cutting. Sometimes the experience involves dead bodies hung like grapes on a crane for public viewing. Political power for religious sentiment is de rigeur in Saudi Arabia and beyond into political Islam. In Aceh, Indonesia, for example, it translated into 83 swipes of the cane for gay behavior. A little like the spate of death penalty legislation for gays in several African countries that allowed politically ambitious fundamentalists from the United States to advise them. It's probably on their agenda for the West, too. Of course, some of the more extreme, like Christian Reconstructionists, would like the death penalty for Sabbathbreaking and adultery, too. Sorry, Saudi Arabia, for the criticism; maybe you are just a plot twist or two ahead of us.

Of course, the United States needs to cultivate friendships with as many other nations as it can, and there is no logic to shunning them politically. But surely a little realism wouldn't go awry. But soap opera is never quite about realism, is it?

Realism would mean confronting some realities that have been more than 54 years in the making or unmaking. Disdain for the separation of church and state, no matter how grammatical the argument, is not going to make for religious harmony and avoid religious compulsion. Hatred for the so-called workers' paradise of Communism helped lead to a capitalism on steroids that acts as if it has a free market right to disallow religious accommodation in the workplace (hint: it's time to enact the Workplace Religious Freedom Act so long held at bay by employers and others). It's time to realize that the war on terror, apart from being a misapplied term in dealing with religiously inspired political violence, has stolen a whole bevy of civil rights. And the rights family don't do well when mistreated: sooner or later the lovely daughter religious rights suffers indignities. Soap opera thinking rules the day.

A little realism would make us more sensitive to the rapid decline of religious liberty and civil rights around the world. The greatest tragedy of North Korea is the soul-destroying uniformity imposed on its citizenry and the hatred for religious expression beyond worship of the state. A little realism would see the religious aggression of Islam to Christianity as part of a bigger problem that includes violence within Islam and its resentments of past mistreatment at the hands of other faiths. The burden of history is very much with us today, and religion is as heavy as any influence.

A little realism would have us see that the security state is ultimately antithetical to religious freedom. A little realism would have us see that politically favoring one religious group leads to establishment and rivalry. A little realism would have us see that political professions of faith have about as much chance of being effective in guaranteeing religious freedom as the rich Pharisee's prayer was of being heard by the Divine.

In the Good Book there is a moment when the prophet Hosea laments for God that "my people are destroyed for lack of knowledge" (Hosea 4:6). Imagine trying to pick up the plot for *As the World Turns*. Watching one or two episodes might just confuse a casual viewer. Taking the ridiculous to a sublime analogy, it's certain that if we are uninformed about the real nature of religious liberty we will likely lose it. Or even worse, is the prospect we could lose it and not know we had lost it, because it was not familiar to us. (Known unknowns!) We must be informed about our laws that support religious freedom. We owe it to ourselves to know a little of its history—about how it was gained civilly. And in my view, it can hardly even qualify as religious freedom if we are not religious enough to care. Without these considerations, even religious freedom becomes, in the words of Shakespeare (from *Macbeth*, Act V), "A tale told by an idiot, full of sound and fury, signifying nothing."

Article Author: [Lincoln E. Steed](#)

Lincoln E. Steed is the editor of *Liberty* magazine, a 200,000 circulation religious liberty journal which is distributed to political leaders, judiciary, lawyers and other thought leaders in North America. He is additionally the host of the weekly [3ABN](#) television show "The Liberty Insider," and the radio program "Lifequest Liberty."

The Burden of Freedom

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In book five of *The Brothers Karamazov*, in the section “The Grand Inquisitor,” the great Russian novelist Fyodor Dostoyevsky (1821-1881) has Jesus return to earth in the sixteenth century, at the height of the Spanish Inquisition. That day “almost a hundred heretics had, *for the greater glory of God*, been burnt by the cardinal, the Grand Inquisitor.” People recognize Jesus and mob Him, but the Grand Inquisitor has Him arrested and locked in a dungeon. He visits the dungeon and harangues Jesus for His gift of freedom of choice. Humans don’t appreciate it, he says. To be sure, they are tormented by it. It’s a great burden for them to bear. It is not freedom, asserts the Grand Inquisitor, but bread and security, that people truly desire.

Again, continued the Grand Inquisitor, people yearn for authority. That’s why they readily surrender the gift of freedom and eagerly submit to superior power and worship it. Unable to shoulder the burden of freedom, they seek refuge in mass worship and unanimously hold dogmas. “This craving for *community* of worship is the chief misery of every man individually and of all humanity from the beginning of time. For the sake of common worship they’ve slain each other with the sword.” The Grand Inquisitor then tells Jesus that only three powers can satisfy the servile humankind—“bread,” “mystery,” and “authority.” But Jesus had rejected all three in the wilderness. What He had rejected, however, the church had accepted and used to prodigious advantage.¹ “Always in the name of Christ,” as René Girard ironically put it, “but in a spirit contrary to his—for the advent of an earthly kingdom more in keeping with the limitations of human nature.”²

Or, in the Grand Inquisitor’s own words: “We have corrected Your work. . . . And men rejoiced that they were again led like a flock, and that the terrible gift that had brought them such suffering, was, at last lifted from their hearts. . . . Why have You come now to hinder us?” demanded the Grand Inquisitor.³ In a clear allusion to Jesus’ trial, Dostoyevsky has Him silent throughout, thereby tacitly directing the reader to the gospel, to Jesus’ nonviolence and self-sacrificing love. “For me,” as he put it in *A Writer’s Diary*, “the moral model and ideal is given: Christ. I ask, Would He have burned heretics? No. So that means burning heretics is an immoral act.”⁴ Not only did Dostoyevsky hold Christ as the ideal model—the crux of his masterpieces was that imitating Christ’s self-sacrificing love was the only solution to the existential human problems in modern society.

Of these, the problem of freedom or of individual liberty was fundamental. Starting with the Protestant Reformation, modernization shattered traditional pillars and structures. By the nineteenth century the center of gravity had shifted from society to the individual. All modern freedoms: freedom of religion, freedom of speech, freedom of assembly, freedom from arbitrary arrest, were entrenched in the nineteenth century, urgently raising the specter of social anarchy and moral corruption. The idea of the decline or crisis of Western civilization first registered in the nineteenth century. Too much freedom, it was feared, led to anarchy and licentiousness. And liberalism, the movement that sought more liberty, or freedom from restraint and tradition, came to be viewed as a menace to morality and social order, a view seemingly validated by the European revolutions of 1848-1849.

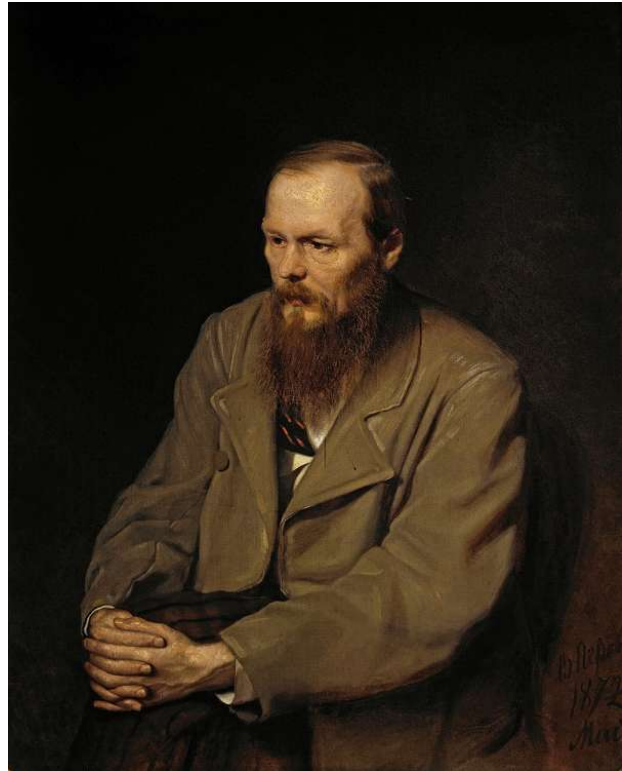
These revolutions (which forced the pope to flee Rome and led to the creation of the Italian Republic) presaged the *Syllabus of Errors* (1864), the encyclical that condemned the 80 “errors” afflicting the modern world. And the last error of thought, epitomizing all 80, was that “the Roman pontiff can and should reconcile with progress, liberalism, and modern civilisation.”⁵ With this encyclical the pope cemented the Catholic Church’s alliance with the reactionary parties wishing to restore the despotism of the ancient regime. Sharply opposing them were radical liberals and socialists seeking to complete the ideals of the French Revolution.

The arguments for and against freedom, mainly by French and German intellectuals, which flowed from the clash between the forces of reaction and revolution, supplied the materials for Dostoyevsky’s literary masterpieces. Like his fellow radical Russian intellectuals, Dostoyevsky grew up in a world dominated by Western philosophy. But he

broke away after his imprisonment in Siberia. Attacking the Westernized Russian intelligentsia, especially the radical

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nihilists who denied free will and reduced human motivation to rational self-interest, he formulated a Christian moral vision that put a high premium on freedom and Christ's selfless love.

In *Notes From the Underground* (1864) Dostoyevsky has a nameless narrator, the Underground Man, who met all the conditions that, according to the Russian intelligentsia, made him the epitome of “a rational egoist”: revolt against rationalism, utilitarianism, socialism, and liberalism. He brilliantly showed him as torn apart by pungent passions and an obstinate will that made him knowingly deceive himself and self-destructively use reason in the service of unreason.

For Dostoyevsky, this irrationalism is a universal human problem. “What are we to do,” he wrote, “with the millions of facts showing that people *knowingly*, that is fully aware of their real advantage, have put it aside and rushed off unto another road.” That people acted “against the laws of reason [*rassudok*], against their own advantage;” refuted the “law of rational self-interest.”⁶ As such, it is “descriptively false as a theory of behavior.”⁷ It's false, as Dostoyevsky hauntingly showed through his psychologically tormented characters, because it overlooks the spiritual dimension of

humanity, the evil deeply rooted in human nature.

Ironically, many Western critics of Dostoyevsky, blinded by the same rationalistic presuppositions that he inveighed against, have overlooked or minimized the spiritual dimension of his work. This is unfortunate. His Christian moral vision, like that of Kierkegaard, whom he never knew, was polemically formulated in response to the atheistic, rationalistic, and nihilistic ideological visions that make up our modern present. And his genius was to expose the inner existential conflict, the war between good and evil, within which these ideological visions were concocted.⁸ For Dostoyevsky, as said in *The Brothers Karamazov*, “God and the devil are fighting there and the battlefield is the heart of man.”⁹ Indeed, in *The Possessed* (or *The Devils*), a chilling vision of hubris, self-contradiction, treachery, mayhem, murder, and suicide, he attributed the ideological choices made by the radicals to the devil’s deception or demonic possession. As we know, *The Possessed* was an uncannily accurate prophecy of the grotesque violence, despotism and spiritual deformations of the Russian Revolution.

This makes Dostoyevsky’s masterpieces especially relevant for us. For the “identity crisis” of his conflicted nihilistic characters is identical to the one afflicting many in the West today. And like nineteenth-century Russia, it’s a grave threat to freedom. It has all the totalitarian impulses that produced the Bolshevik Revolution. Indeed, in “The Grand Inquisitor” Dostoyevsky predicted the collapse of Western liberalism and the return of Western nations to Catholicism, to reestablish a universal medieval-like *societas perfecta*. As put by the Grand Inquisitor: “Mankind as a whole has always striven to organize a universal state.” Accordingly, a time will come when “freedom, free thought, and science will lead them [Western nations] into such straits . . . , [they] will crawl fawning to our feet and whine to us: ‘Yes, you were right, . . . and we come back to you, save us from ourselves.’”¹⁰

This prediction was not mere artistic imaginativeness on Dostoyevsky’s part. It was based on the biblical book of Revelation. Again from the Grand Inquisitor: “Ages are yet to come of the confusion of free thought, of their science and cannibalism. For having begun to build their tower of Babel without us, they will end, of course, with cannibalism. But then the beast will crawl to us and lick our feet and spatter them with tears of blood. And we shall sit upon the beast and raise the cup, and on it will be written, ‘Mystery.’” (This is a direct allusion to Revelation 13 and 17.) Regarding Protestants, “the flock will come together again and will submit once more.”¹¹ Interestingly, Ellen G. White, also a nineteenth-century writer, predicted the reunion, or common cause, of Protestantism and Catholicism, and that it will be enabled by mystery and magic, or “spiritualism.”¹²

That is why, according to the Grand Inquisitor, “they [Western nations] will marvel at us and will be awe-stricken before us” (an allusion to Revelation 13:3). “We shall tell them that every sin will be expiated, if it is done with our permission.” In a sign of willful demonic self-delusion, the Grand Inquisitor knows that his rebellion was prophesied in Revelation 17:16. “We are told that the harlot who sits upon the beast, and holds in her hands the *mystery*, shall be put to shame, that the weak will rise up again and will rend her royal purple and will strip naked her loathsome body. But then I [Grand Inquisitor] “will stand up before Thee [God] . . . and say: ‘Judge us if Thou canst and darest.’”¹³

For Dostoyevsky the Grand Inquisitor’s God-defying arrogance was identical to the blatant atheism of radical socialists. Both arrogated to themselves divine prerogatives: they deified themselves. They had “succumbed to the Devil’s third temptation” of an earthly kingdom based on human material interests,¹⁴ and so had liberalism. That’s why it was doomed. As Shatov put it in *The Possessed*: “Not one single nation . . . has, yet, based its life on reason and science” “because ‘the search for God’ is unquenchable. . . . It is the force of an incessant and unwavering affirmation of life and denial of death.” And he concluded, “There has never yet existed a people without religion—that is, without a concept of good and evil.”¹⁵

Tocqueville made the same point. “In times of fervor it sometimes happens that men abandon their religion, but they only escape from its yoke in order to submit to that of another. Faith changes its allegiance but does not die.”¹⁶ To be sure, this can be seen in the reappearance in secular ideologies, albeit in abstract debased form, of moral

antimonies and specters of God and the devil. It is curiously ironic, as Dostoyevsky showed, that we deny God's existence but readily worship man-gods (the Stalins and Hitlers), just as we deny the devil's existence but blithely demonize the Other. If this involuntarily attests to the inescapable reality of God and the devil, then the lesson of Dostoyevsky's masterpieces is that it is impossible for us to get rid of God and the devil and go "beyond good and evil," as Nietzsche advocated.

Going beyond "good and evil" is not only what Communism and Fascism did, but also Anglo-American liberalism when, in the 1960s, under the spell of French Nietzscheanism or postmodernism, it made the individual the arbiter of good and evil, or a god, to put it bluntly. This point requires emphasis. Unlike European liberalism that grew out of the French Revolution and was based on reason and decidedly anti-Christian, Anglo-American liberalism grew out of the Puritan Revolution, and was based on the individual's direct relationship with God. Locke, John Milton, Richard Price, and other prominent thinkers used the Bible to elucidate "the meaning of English liberty in contradiction to Catholic practices and principles [viewed as] paradigmatic of unfreedom itself."¹⁷ In other words, they stood fully within the Protestant tradition, which sought to purify rather than destroy Christianity—just like the French *philosophes*.

As Tocqueville noted, the crucial political consequence of staying within the Christian vision is "among the Anglo-Americans," that "the human spirit never sees an unlimited field before itself; however bold it is, from time to time it feels that it must halt before insurmountable barriers."¹⁸ If the ultimate barrier is God, then without Him "everything is permitted," as Dostoyevsky famously noted. Indeed, the Anglo-American credo of limited government is inseparably linked to belief in God and the experience of both religious and political absolutism. Hear John Cotton (1584-1652): "Let all the world learn to give mortal man no greater power than they are content they shall use, for use it they will. . . . It is necessary that all power that is on earth be limited, church power or other."¹⁹ To be sure, for the limits it set on human pretensions or ambitions Tocqueville called "religion [Protestantism], which never intervenes directly in the government of American society, . . . the first of [their] political institutions."²⁰

That is why, writing in 1835, he noted that "up till now no one in the United States has dared to profess the maxim that everything is allowed in the interests of society, an impious maxim apparently invented . . . to legitimize every future tyrant."²¹ For the United States the future has arrived. To put it bluntly, we are now witnessing the decadence, the broad moral breakdown of American society visible in its political life.

While postmodernism has corrupted and blinded liberals, the sanctimonious politics of cultural despair, and the nostalgia of a past that never was, has done the same to conservatives. But above all, the moral breakdown issues from the advanced decomposition of American Christianity, its deformation of the gospel into a form of psychotherapy and the church into an appendage of American culture and politics. I am recalling here Fritz Stern's perceptive diagnosis of the "silent secularization of Protestant Germany that left an unacknowledged spiritual vacuum in which pseudo-religions [with false prophets and false messiahs] could flourish."²²

America—indeed, Western democracy—needs a religious revival, another Reformation. The underground pathologies, the existential anxieties and pungent passions laid bare in 2016, cannot be solved by reason or politically. Indeed, they strikingly parallel those Dostoyevsky diagnosed. As he argued, the only remedy is moral regeneration based on Christ's self-sacrificing love. Ominously, his prophecy of the collapse of liberalism is being fulfilled before our very eyes.

Liberalism is etymologically related to liberty. For the first liberty from which all modern liberties emanated is religious liberty, the freedom to worship God according to one's conscience. True, modern liberties have degenerated into license, but it is because they were severed from the divine root. Reconnect them, and liberalism will be saved from collapse. Of course, the alternative is to surrender liberty to the Grand Inquisitor. But this is a choice that each one of us has to make.

- ¹Fyodor Dostoyevsky, *The Brothers Karamazov*, trans. Constance Garnett (New York: Barnes & Noble Classics, 2004), pp. 229-241.
- ² René Girard, *Resurrection From the Underground: Feodor Dostoyevsky*, ed. and trans. James G. Williams (East Lansing, Mich.: Michigan State University Press, 2012), p. 62.
- ³ Dostoyevsky, p. 238.
- ⁴ Dostoyevsky, cited in James P. Scanlan, *Dostoevsky the Thinker* (Ithaca, N.Y.: Cornell University Press, 2002), p. 98.
- ⁵ Frederick Brown, *For the Soul of France: Culture Wars in the Age of Dreyfus* (New York: Anchor Books, 2010), p. 19.
- ⁶ Scanlan, p. 68.
- ⁷ *Ibid.*, p. 72.
- ⁸ George A. Panichas, "Dostoevski and Satanism," *Journal of Religion*, 45, no. 1 (January 1965): 12-29.
- ⁹ Dostoyevsky, p. 107.
- ¹⁰ *Ibid.*, p. 239.
- ¹¹ *Ibid.*
- ¹² Ellen G. White, *The Great Controversy* (Mountain View, Calif.: Pacific Press Pub. Assn., 1911), p. 588.
- ¹³ Dostoyevsky, p. 240.
- ¹⁴ Dostoyevsky, *The Possessed*, trans. Andrew R. MacAndrew (New York: New American Library, 1962), p. 236.
- ¹⁵ *Ibid.*, p. 237.
- ¹⁶ Alexis de Tocqueville, *Democracy in America*, trans. George Lawrence (New York: Perennial Classics, 2000), p. 299.
- ¹⁷ Clement Fatovic, "The Anti-Catholic Roots of Liberal and Republican Conceptions of Freedom in English Political Thought," *Journal of History of Ideas*, 66, no.1 (January 2005): 40.
- ¹⁸ Tocqueville, p. 292.
- ¹⁹ John Cotton, cited in *American Protestantism*, Winthrop S. Hudson (Chicago: University of Chicago Press, 1961), p. 15.
- ²⁰ Tocqueville, p. 292.
- ²¹ *Ibid.*
- ²² Fritz Stern, *Dreams and Delusions: The Drama of German History* (New Haven, Conn.: Yale University Press, 1987), p. 11.

Article Author: [Elijah Mvundura](#)

Elijah Mvundura writes from Calgary, Alberta, Canada. He has graduate degrees in economic history, European history, and education.

The Two Kingdoms

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If we are to come to a correct understanding of Luther's thought regarding the two kingdoms, spiritual and temporal, the kingdom of God and the kingdom of the world, the best place to begin is with his treatise on worldly authority, *Von Weltlicher Obrigkeit* (1523)....

Luther insists that it is of primary importance not to confuse the two kingdoms. Each must be true to its divine mission. Through the gospel God rules His spiritual kingdom, forgives sins, justifies, and sanctifies. But He does not thereby supersede or abolish the earthly kingdom: in its domain it is to rule with power and the sword. Any attempt to rule the world with the gospel is a double error, carrying a double penalty. First, the gospel is destroyed, and becomes a new Law to take the place of the old—man makes Christ another Moses, as Luther puts it. And in addition the world suffers: to quote Luther, "What would be the result of an attempt to rule the world by the gospel and the abolition of earthly law and force? It would be loosing savage beasts from their chains. The wicked, under cover of the Christian name, would make unjust use of their gospel freedom." And again: "To try to rule a country, or the world, by the gospel would be like putting wolves, lions, eagles, and sheep all together in the fold and saying to them, 'Now graze, and live a godly and peaceful life together. The door is open, and there is pasture enough, and no watchdog you need fear.' The sheep would keep the peace, sure enough, but they would not live long."

It would be false to try to rule Christians by the law, persuading them that through their own deeds and the workings of the law they could win justification before God. For that end God has ordained the gospel and the forgiveness of sins. And it would be equally false to try to rule the world with the gospel, for to do that God has ordained law, rulers, power, and the sword.

Luther, in issuing this solemn warning against confusing the two kingdoms or authorities, is setting his face against two different adversaries. On the one side, he opposes the Roman Catholic hierarchy, which in the name of the gospel lays claim to worldly power, and thereby imperils the gospel. But he is equally opposed to those whom he calls fanatics. They held that it is the Christian's task to seek to rule society by the principles of the Sermon on the Mount, and that evil should not be resisted, but all earthly law and power abolished. This view is, of course, found in various forms in our day, as it was then. We frequently encounter the statement that the great failure of our society has been that it has not the courage to apply the ethical principles of the Sermon on the Mount to our common life and our relations in the state. Such a view finds no support in Luther. He is against it: it is contrary to the will of God to try to rule the world through the gospel. God has ordained an entirely different authority to rule the world. It is in accordance with His will that power and the sword are used to that end, and the world is under the sway of that authority, and not of the gospel.

The "Autonomy" of Worldly Life

What is the logical consequence of the sharp line Luther draws between the kingdom of God and the kingdom of the world, between spiritual rule and temporal? Does it not mean that earthly life is set free to follow its own standards, and that we are confronted with a domain where Christianity has nothing to say? Does it not mean, as has sometimes been said, that Luther makes political life a law unto itself? Evangelical theology, especially in Germany, has frequently answered that question in the affirmative in recent years. Christianity, it is held, is concerned with man's inner life, with his relation to God: with secular and political life it has nothing whatever to do. The latter is propelled by its own power and acknowledges its own laws. For Christians to judge political life by Christian or ethical criteria is an encroachment. And here we come to the core of the problem presented by Luther's conception of the state and of politics.

Unfortunately, theology has in the past occasionally allowed itself to be led astray by the political trends of the day, and to misinterpret Luther's doctrine of the two kingdoms as a plea for secularization. It is easy to understand that

for those who think solely along political lines it is inconceivable that political life should have to be subservient to an outside will, the will of God. But to hold up Luther on that account as an advocate of a secularized, autonomous political sphere of activity is a grotesque falsification. No one fought as he did against the secularization of society. No one so vigorously affirmed that earthly government is as much God's own rule as is spiritual, and that God never drops the reins from His own hands. How then can anyone throw upon him responsibility for a position which holds state and political life to be sovereign and autonomous? A glance into his treatise on worldly authority will suffice to convince one of the utter falsity of the assertion that he preached the detachment of Christianity from state and political life. In almost the first line of his introduction to this pamphlet he says that he is going to "write about worldly authority and its sword, and how to use the same in a Christian manner." Luther realized very well that there is a Christian and an unchristian way of using power. It is not the business of the spiritual ministry to bear the sword, but it must demonstrate the Christian way of bearing it. Without this very often neglected aspect of Luther's teaching, his whole doctrine of the two kingdoms becomes distorted and unintelligible. The church is betraying an essential part of its mission if it does not continually, by exhortation and warning, remind those in earthly authority of the law of God to which they are subject. It has not merely to protest when the temporal authorities interfere with its own freedom to preach and to live as a church; it is commissioned to interpret the will of God in regard to the various ordinances He has instituted in the world to regulate man's relation with his neighbors, and to stand forth uncompromisingly against injustice and tyranny. "To rebuke the authorities," writes Luther, "is certainly not a revolutionary act when it is done at the divine command and in accordance with the law of God, openly, fearlessly, and honestly. It would, in fact, be much more dangerous to the public weal if a preacher were not to rebuke authority for its injustices."

Thus there is neither confusion nor separation between the two kingdoms. The spiritual order does not claim ecclesiastical domination over the temporal, but on the other hand the temporal must not be permitted to become secularized, for the worldly government stands under the judgment of God and is bound by His will.

This double view which Luther takes of temporal life—that on the one hand it is not to be ruled by the gospel, and on the other is subject to the law and judgment of God—has given rise to much opposition, and many have thought to find a contradiction between the two aspects. And indeed, it is not too easy to grasp exactly what he does mean. It would be much simpler to drop one half and abide by the other. He says, for instance, that the world is not to be ruled by the gospel: then the inference is immediately drawn that Christianity has not to do with temporal life, and the result is secularism. On the other hand, "the life of the world is subject to the will of God," hence the inference that the gospel is the basic principle and the law of the earthly realm, and we find ourselves among the "fanatics." But Luther recognizes the two realms, his inevitable conclusion from a full understanding of the meaning of the gospel....

The wielding of secular power, like every other vocation, offers two alternatives, serving the devil or serving God. Any use of power for its own sake is serving the devil. Power is a deadly temptation to selfishness and vainglory, and for that reason Luther utters the warning "He who would be a Christian ruler must put away the thought that he would rule and be mighty. For the mark of judgment is upon all life whose end is self-advancement, and upon all works which are not done in love. And these are done in love when their end is not the desire or advantage or honor or comfort of the doer, but the honor and advantage and good of others."

We may seek in vain for any fully evolved doctrine of the state in Luther's thought. But he has given us what is more valuable still: he has shown us the Christian way of looking on the state and its responsibilities. In these days, so full of brutal lust for power and of the deification of the state often according to a feignedly Christian concept, there is a very special need that we should see the true purpose of God concerning temporal power. And for that there is no better guide than the New Testament, and Martin Luther, its greatest interpreter.

This article by Anders Nygren is excerpted from a longer article that appeared in the August 2002 issue of the *Journal of Lutheran Ethics* (volume 2, issue 8). Used by permission.

Liberty on the Air

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“There’s far too much religion in this world.”

That statement coming from the editor of *Liberty* magazine took me by surprise. I’m sure many of our listeners stopped what they were doing and leaned just a little closer to their radios. How could a Christian journalist make such a startling statement, and during an international broadcast no less?

One thing I’m learning to accept as host of *LifeQuest Liberty*, the flagship radio program jointly sponsored by *Liberty* magazine and the Three Angels Broadcasting Network, is startling statements. Guests make them all the time. But I know that as soon as they’re expressed, the other shoe will drop, and what was once surprising will turn into something enlightening. This day was no different.

“Yes, there’s far too much religion in this world,” editor Lincoln Steed repeated, “and far too little spirituality.”

There it was: the problem, and the solution! Religion is simply a collection of individuals who interpret and follow a set of moral guidelines the same way—whether those guidelines originate from the Christian Bible, the Muslim Koran, the Hindu Shruti, the Buddhist Tripitaka, or the *Book of Mormon*. Each believer looks to his or her “sacred” text for instructions. All decisions, uplifting or otherwise, tend to spring from their reading and application of what they believe the “divine” words reveal.

That’s why you’ll find, under close examination, that most if not all of the armies involved in the major conflicts that have bloodied history march under a common banner: “We’re just doing what our god has instructed us to do.” The gods of religion have ordered their faithful followers to blow up airplanes, behead women and children, toss innocent people into gas chambers, burn dissidents at the stake, purge entire countries of heretics, and hang the Son of God on a rough-hewn cross.

Folks driven by pure spirituality, on the other hand, are too concerned about the human condition—about the equality of everyone they meet, about living a life of selfless service—to do anyone any harm. They want to build up, not tear down. They want to save, not destroy. Surprisingly, they’ve read the very same sacred texts as everyone else, but have come away with a very different set of marching orders.

Spirituality is what turned a simple nun into Mother Teresa. It’s what altered the life of a lawyer, motivating him to become Mahatma Gandhi. It’s the driving force behind every true act of kindness, every heartfelt word of encouragement, every pair of open arms ready to receive and minister to those who are different, marginalized, persecuted, or cast out.

So, it seems, Editor Steed is right. There is far too much religion in this world! What we need is a good dose of spirituality injected into the hearts and minds of people everywhere. When you combine the moral compass of spirituality with the deep-hearted fervor of religion, the result can literally change the course of history for the better.

Shekels Without Shackles

“School vouchers are a really bad idea.”

Here we go again. This time it was Amireh Al-Haddad, director of the Southern Union Conference Religious Liberty Department, speaking to me from Atlanta, Georgia.

The concept of the U.S. government providing funds for Christian moms and dads to send Christian sons and daughters to Christian schools represented to me a much-needed financial shot in the arm for Christian education. But there was a problem. Ms. Haddad insisted that government assistance would come with government strings.

This was already happening in some areas, forcing certain education institutions to rethink enjoying the ready inflow of cash.

“There are no shekels without shackles,” Amireh stated. “The government is never going to give you money without attached requirements, even for ‘opportunity scholarships’, as vouchers are called today.” She went on to add, “It’s like taking your first puff on a cigarette thinking you’ll never become a chain smoker. Before long, you’re dependent on that source of funding, and you can’t be released.”

I asked her for an example of where this leads. She offered one from a couple years back. “A Florida proposal for school vouchers insisted that (1) you can’t require a child to attend a religious chapel, (2) you can’t discriminate in hiring practices, and (3) you can’t select students from just your church body, but must open the school to anyone who wants to attend. Also, with the government’s fresh take on what constitutes male and female, your place of learning must provide transgender bathrooms.”

I ended that show convinced that Christian education should support itself the old-fashioned way: by depending on God’s blessings and church member generosity. That would be much more prudent for everyone involved, now and in the long run.

On a Mission

Liberty is a magazine on a mission, and it doesn’t care who it surprises along the way, especially if that disclosure jolts someone out of a dangerous lethargy. Religious freedom isn’t a given, nor is it guaranteed in most parts of the world. Even those of us who live in the more tolerant nations such as the United States must remain on guard, because, as it’s often said, the devil is in the details. Sometimes the danger is hidden where you’d least expect it.

That’s why, besides *Liberty* magazine, which has been in print for more than a century, there’s *Liberty Insider*, a weekly television program airing globally over the Three Angels Broadcasting Network; a growing and dynamic Web site, www.libertymagazine.org; and the radio program I host called *LifeQuest Liberty*. This short, pithy program reaches audiences around the world on both the 3ABN and LifeTalk Radio networks. The men and women who help create *Liberty*’s global outreach want people to read, see, and hear the truth, even when it’s not popular or generally accepted.

The Baker and the Clerk

“He should bake the cake.”

Remember the news report concerning a small business owner who refused to bake a wedding cake for a gay couple? Or how about the town clerk in Kentucky who refused to issue a marriage license for a same-sex marriage? I thought for sure that Editor Steed would come down in support of the baker and the clerk. I was wrong.

He told me over the air that when you run a business in this country, you can’t discriminate against self-proclaimed sexual identity, just as you can’t refuse service based on skin color. (Yes, some people of faith do want to use their right to restrict the rights of others, but Editor Steed sees a contradiction in that.) And the clerk in Kentucky? She had every right to personally withdraw her services in this matter, passing the license request to someone else in the office who didn’t feel so opposed to the gay and lesbian lifestyle. But that’s not what she did, and the rest is religious liberty history.

Lincoln concluded that program by saying that if someone announces, “I won’t do this because of my beliefs,” that’s very acceptable. However, if that same someone proclaims, “*You can’t do this* because of my beliefs,” he or she has crossed the line.

The Rule of the Day

“This is not a Christian nation.”

Time and time again, when referring to the United States of America, I've heard this phrase pass through the lips of very knowledgeable people. It's a fact that would certainly shock most of my Christian friends on Facebook who insist that God is in charge, and that everything that goes on in this country is the direct result of His leading.

But, as my guests have said, America was designed from the ground up not to be tied to any particular deity or belief system. After all, most who formed this new nation were here in an attempt to escape religious persecution in Europe. The very last thing they wanted to do was set up a new government in which intolerance of various faiths was the rule of the day. They'd spent months on the high seas getting away from just that. So they'd bent over backwards, not to create a Christian nation, but to create a nation in which Christians and Muslims and agnostics and atheists and those who worshipped bugs and trees could feel safe to follow their conscience wherever it led—within civil constraints, of course. They even constructed what Thomas Jefferson characterized as a big wall of separation between church and state, insisting that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” To call the U.S. of A. a Christian nation is arguably to contradict the Constitution's First Amendment.

And so it goes. Week after week, show after show, I ask questions, and the answers continually surprise me. But *Liberty* magazine has been surprising people for a very long time and will continue to do so as long as readers, viewers, and listeners insist on knowing the whole, undiluted truth.

Religious freedom is precious and worth fighting for. That same freedom must be shared with those who worship other gods, follow other faiths, or simply look to themselves for all the answers. Only then can religion become the *spiritual* force our world needs so desperately.

Article Author: [Charles Mills](#)

Charles Mills, a media producer, is the host of "LifeQuest Liberty" radio program. He writes from Berkeley Springs, West Virginia.

Unleashing the Churches!

 libertymagazine.org/article/unleashing-the-churches

During his presidential campaign Donald Trump reported that evangelical preachers had told him that the Johnson Amendment prevented them from endorsing him from the pulpit, so he promised to take steps to repeal it. In a speech to evangelical leaders Trump said, “If you like somebody or want somebody to represent you, you should have the right to do it.” Once elected, at the National Prayer Breakfast on February 2, 2017, Trump promised to “totally destroy” it. A so-called Religious Liberty executive order issued in May left the Johnson Amendment largely intact.

In recent years the Johnson Amendment has come under fire from religious groups and political candidates who claim it stifles the free speech rights of clergy to directly opine about candidates from the pulpit.

The Johnson Amendment is an Internal Revenue Service (IRS) rule that prohibits nonprofit organizations from endorsing or campaigning against political candidates. It was introduced by its namesake, then-freshman United States Senator Lyndon Baines Johnson, in 1954 after he faced intense opposition from conservative nonprofit organizations. Congress passed it without debate, and it was added to the current version of the IRS Code in 1986.

Although it is not necessary for churches to apply for 501(c)(3) status to receive tax-deductible donations, it serves as a certification that the organization has met the requirements for a tax-exempt organization. Without it, the burden of proof shifts to donors to prove that the church has met the requirements of tax-exempt status in order to claim the tax deduction. Regardless of whether a church has applied for an exemption or not, the Johnson Amendment still applies to the church.

Although a 501(c)(3) organization that endorses political candidates could face IRS penalties ranging from being required to pay an excise tax on political expenditures to revocation of tax-exempt status, IRS enforcement actions are extremely rare. Given the lack of direct enforcement, the courts have not directly ruled on the issue of what pastors may or may not say from the pulpit during the election cycle.

In an effort to provoke IRS enforcement actions and force the matter to court, some members of the clergy have participated in “Pulpit Freedom Sunday,” an initiative begun by the Alliance Defending Freedom in 2008. On a specified Sunday each year, participating preachers give strong political sermons and send recordings of those sermons to the IRS. If the IRS took the bait and began an enforcement action, the churches would gain standing to attack the Johnson Amendment in federal court. So far, the IRS has ignored the initiative, much to the frustration of the participating clergy.*

The tax-exempt status of churches and other charities predates the U.S. tax code by several centuries, tracing back to the Charitable Uses Act passed by the British Parliament in 1601. The preamble to the act indicates that the government wanted to encourage private contributions to organizations that conducted certain activities that the government believed were beneficial to society.

The desire to encourage private contributions to public interest organizations carried over to the United States in the original 1913 income tax law; American lawmakers exempted “any corporation or association organized and operated exclusively for religious, charitable, scientific, or educational purposes, no part of the net income of which inures to the benefit of any private shareholder or individual.”

Against nearly 400 years of tax-exempt status, the prohibition against political endorsements in 1954 is a relatively recent development.

Examples of IRS enforcement remain rare. In 2000 a federal court affirmed an IRS decision revoking the tax-exempt status of an upstate New York church that had published full-page newspaper advertisements in 1992 encouraging

Christians not to vote for presidential candidate Bill Clinton (*Branch Ministries v. Rossotti*, 2000). The court found that the church had violated the law when it bought the advertisement for the purpose of opposing a candidate, attributed the advertisement to the church, and solicited tax-deductible donations for the cost.

After the enforcement action, the church reorganized and continued nonprofit operations under another name.

In 2009 the IRS dropped a case it had brought against Catholic Answers, a nonprofit apologetics organization, after investigating whether the organization's president had violated the Johnson Amendment when he had written that presidential candidate John Kerry should not receive Communion because of his support for legal abortion.

Also in 2009 a federal judge blocked an IRS investigation of a church because the IRS had not followed the Church Audit Procedures Act of 1984, which required the IRS summons to be authorized by a regional IRS commissioner or higher. It turned out that the IRS had eliminated the regional commissioner position, and, according to the court, the statute superseded the IRS operating procedures, rendering the IRS position a legal impossibility.

The lack of enforcement could be due to nonprofits scrupulously following the rules or the difficulty and immense unpopularity of enforcement. In a practical sense, the amendment preserves the notion that houses of worship can establish a sanctuary from the divisive political speech that characterizes social media that parishioners engage in during the rest of the week. At the same time, churches are welcome to address all kinds of issues that may lead to an intersection with legislative action. This keeps the focus on the issues while avoiding the pitfalls and pain of ad hominem attacks on individual candidates and their supporters.

Is the Johnson Amendment Constitutional?

Although referred to as an "amendment," the Johnson Amendment is not enshrined in the First Amendment—it is a statutory provision that could be overturned by Congress or ignored by the executive branch.

While it is tempting to assert a "free exercise" right to religious speech, or a general freedom of speech argument, churches have the same limitations as all other 501(c)(3) nonprofit charities. The fact that 501(c)(3) is so broad, to the point where churches and entities such as hospitals are under the same category, creates an interesting issue. The purpose of the code is to encourage private donations to socially beneficial organizations and in many ways to perform privately the same types of activities that the government might otherwise perform.

For instance, a nonprofit hospital and a state-run hospital might provide nearly identical services. Yet the state is prohibited by the establishment clause from proselytizing, which is the primary purpose of most churches.

If the IRS did take an enforcement action against a church, challenging its tax-exempt status, the church would likely assert that political endorsement was part of its free exercise of religion. The IRS would counter that the free exercise clause would not protect the church under *Employment Division v. Smith* (1990), because the Johnson Amendment is not intended to disadvantage a religious group and is equally applied across all nonprofits.

Some might then argue that tax-exempt status is tantamount to a government subsidy and that, as such, the government can control the content of the speech of the organization. However, the establishment clause, through a vast trove of Supreme Court precedent, prohibits the state from paying for the religious mission of churches. The argument that the tax-exempt status represents state funding also fails in states that have passed Blaine Amendments, which bar religious institutions from receiving money from a state government.

Given these discrepancies between secular and religious nonprofits, it could be possible that houses of worship will ultimately be found to not fit within the existing 501(c)(3) rubric. In fact, they may properly occupy a separate tax-exempt category altogether. In *Citizens United v. FEC* (2010) the U.S. Supreme Court found that a law that prevented corporations and labor unions from using their money to electioneer violated the First Amendment's protection of freedom of speech.

Citizens United, a conservative 501(c)(4) corporation, made a film, *Hillary: The Movie*, which was critical of then-Senator Hillary Clinton. Citizens United sought injunctive relief against the Federal Election Commission's application of the Bipartisan Campaign Reform Act (BCRA). The BCRA prevented corporations or labor unions from funding "electioneering communications" from their treasuries and required the disclosure of donors to the communications and a disclaimer that the communication was not authorized by the candidate it intended to support.

In a 5–4 decision authorized by Justice Anthony Kennedy, the Supreme Court found that Citizens United, as a corporation, had free speech rights that were infringed upon by the BCRA. This decision foreshadowed the later finding in *Hobby Lobby* that corporations also have the right to free exercise of religion.

At the same time, the Court upheld the disclosure requirements and the ban on direct contributions to candidates from corporations and unions.

If a religious organization ever successfully chased an IRS enforcement action to the Supreme Court, the Court could apply the reasoning in *Citizens United* and *Hobby Lobby* to find that the Johnson Amendment unconstitutionally infringes on rights to free speech and the free exercise of religion. As to the issue of disclosure of donors for political purposes, the Court might find that, as with 501(c)(4) organizations, donors can remain anonymous. Similarly, the Court might conclude that direct contributions to political donors remain prohibited.

There is a very real fear that otherwise-nondeductible political campaign donations could be funneled through nonprofit organizations and that this could increase the power of candidates who could secure the endorsement of the major local congregations and larger amounts of tax-deductible donations while placing their opponents at a substantial disadvantage.

Congress is currently considering legislation to modify the Johnson Amendment. In the House, Representative Steve Scalise introduced a bill that would permit all 501(c)(3) organizations to endorse candidates provided that any associated spending is minimal. H.R. 781, dubbed the "Free Speech Fairness Act," would add a "special rule" preventing nonprofits from being "deemed to have participated in, or intervened in, any political campaign" because of "any statement" that "(a) is made in the ordinary course of the organization's regular and customary activities in carrying out its exempt purpose, and (b) results in the organization incurring not more than de minimis incremental expenses."

In application, this could mean that an endorsement from the pulpit during election season would not be considered a violation of the still-existent Johnson Amendment. However, if a church took the extraordinary step of holding a massive campaign rally, it would not likely constitute a "regular and customary activity."

This might satisfy religious nonprofits that want to endorse candidates, but it does not resolve the problem of tax-deductible donations being used for campaign purposes. Although corporations now enjoy nearly all of the rights of individual citizens, and it is entirely foreseeable that these corporate rights are extended to nonprofits, individuals still cannot deduct campaign donations.

The solution in the future might be for them to seek to be placed under an entirely new category that makes political endorsements taxable but exempts the majority of their work as nontaxable. Churches would probably need to predesignate how much of their work is political in nature as not tax-deductible, and the enforcement would be focused on whether they exceed the allotted amount of political speech.

This would follow some of the features of 501(c)(4) organizations, although the primary mission of the organizations would be religious rather than political. In contrast with 501(c)(3) organizations, 501(c)(4) organizations can engage in political campaigns and elections, so long as their primary activity is the promotion of social welfare and is related to the organization's purpose. Although donations generally could be considered tax-deductible, that portion spent on political activities and advocacy for particular candidates would be taxable.

This is not a perfect solution by any means, but it would avoid the charge that otherwise taxable campaign donations could be funneled into churches.

Although there may be a legally cognizable way for churches to get into the business of endorsing candidates, it could happen at tremendous cost. Churches that decide to introduce religious power to the world of politics could begin to pressure congregants to vote for or against particular candidates. Large churches could bankroll entire political campaigns and might expect favorable treatment in return. Churches could host campaign events, and members of the clergy could make religious claims that support their preferred candidates. As dissenting parishioners filter out, churches soon could be regarded as significant and desirable voting blocs.

Despite some loud exceptions, most houses of worship have regarded the Johnson Amendment as a welcome hedge, which has prevented clergy from seeing their congregations divided along political lines and allow them to focus on their religious mission.

See www.cnn.com/2016/10/01/politics/pulpit-freedom-sunday-johnson-amendment.

Article Author: [Michael D. Peabody](#)

Michael D. Peabody is an attorney in Los Angeles, California. He has practiced in the fields of workers compensation and employment law, including workplace discrimination and wrongful termination. He is a frequent contributor to *Liberty* magazine and edits *ReligiousLiberty.TV*, an independent website dedicated to celebrating liberty of conscience. Mr. Peabody is a favorite guest on *Liberty's* weekly radio show, "Lifequest Liberty."

Luther, Locke, and Human Dignity

libertymagazine.org/article/luther-locke-and-human-dignity

In the decades after Luther's formulation of the priesthood of all believers, various theologians and political thinkers explored the implications of that new theory of human equality for both church and state. As the role between church and state became adjusted in various countries, new conceptions and understandings of the individual arose. The Englishman John Locke was one thinker who took up the challenge of exploring how the individual should relate to the new church-state landscape created especially by more radical dissenting Protestants—who argued for a meaningful separation between the authority of church and state.

It has been shown that Locke's contribution to our modern conceptions of religious freedom and rights was influenced by a certain strand of dissenting Protestant thought that itself had roots in Luther's early thought about the priesthood of all believers.¹ The competing ideas of the individual and the state that Locke challenged also posited a transcendent realm, overseen by a Creator, who had created humans in His image. Yet they resulted in a much more cramped and limited conception of rights than Locke did. What was the difference between these competing schemes of rights and dignity?

Locke deals at length with the notion of paternalism in government and religion; decisively rejects it; and substitutes a combination of self-ownership and divine ownership that can best be described as stewardship.



Paternalism, Stewardship, and Self-Ownership

In short, the answer has to do with the kind of relationship between the individual, the community, and the transcendent. In the late seventeenth century, when Locke was writing, three conceptions of the relationship among

these elements resulted in three types or kinds of human dignity: the dignity of paternalism, seen especially in ideas of the divine right of kings and sacerdotal privilege; the dignity of stewardship, a concept of self-ownership in relation to others, but of God's ownership in relation to the transcendent; and the dignity of self-ownership, where the individual, autonomous self is the highest authority in relation to the self. This latter category was only partially developed in the seventeenth century, and awaited fuller expression in the eighteenth and especially nineteenth centuries, especially in the philosophies of John Stuart Mill.

The dignity of paternalism is the outlook that dominated the Middle Ages. It is well expressed in the legal philosophy and writing on human rights by Samuel Pufendorf, the seventeenth-century Lutheran political philosopher. Pufendorf defended a system of human rights and religious liberty, but it was filtered through a conception of the king and religious leaders as having paternal oversight over their subjects. He conceived of the metaphysical realm being mediated through religious and civil elites to the individual subjects.

This view resulted, despite its language of rights and human dignity, in a system that was inherently paternalistic, both civilly and religiously. Civil and religious rulers, at least those that were Christian, were ultimately responsible to God on behalf of the community; citizens and church members were the beneficiaries of this mediation, and were expected to play subservient roles to these elites civilly, intellectually, and spiritually.

The king was expected to oversee a state religion, in cooperation with bishops and priests, and guard and promote it with the civil laws and the force of the state. This view cut across confessional lines, and was characteristic not just of Roman Catholic countries, but also of magisterial Protestantism, as found in Calvin's Geneva, Luther's Germany, much of Elizabeth's England, and even Puritan New England.

But not all of Protestantism embraced this dignity of paternalism. There was a more individualistic brand of Protestantism, flowing from some of the early writings of Luther, and kept alive by the Anabaptists and others in the branch of the Radical Reformation. It spread beyond those historically termed "radicals." I term it a strand of dissenting Protestantism, meaning that they dissented from the magisterial Protestants who combined church and state over the individual believer.

As indicated earlier, John Locke, in his views on religious freedom, was influenced by this dissenting brand of Protestant thought. Locke deals at length with the notion of paternalism in government and religion; decisively rejects it; and substitutes a combination of self-ownership and divine ownership that can best be described as stewardship.²

John Locke's most famous political work is arguably his *Second Treatise of Government*, which most college students read at one time or another. But most people don't think to ask about the *First Treatise*, which is a much more obscure tract in our day and age. It is an extended attack, using Scripture and logical argument, on the notion of patriarchy in government, using as a foil Robert Filmer's *Patriarcha, or The Natural Power of Kings*. Filmer represents a long line of medieval thought that viewed the king as holding a paternal authority, derived from Adam, over his subjects. This authority gives him right as king and ruler to the unquestioning obedience of his subjects, and oversight over their religious beliefs and practices.

After dismantling Filmer's notions of patriarchy in the *First Treatise*, Locke spends much of the *Second Treatise* replacing Filmer's paternalistic oversight with conceptions of dual ownership, the ownership of the individual as against his or her neighbors and rulers, and the ultimate divine ownership of all persons. This dual ownership concept has caused some confusion, as scholars wonder which Locke really believed, self-ownership or divine ownership. The apparent conflict is readily resolved once one understands the biblical notion of stewardship. A steward is one to whom property is entrusted, and the steward has the rights of ownership against all other persons, though he or she is responsible ultimately to the owner for the good management of the property.

The Dignity of Stewardship

The dignity of stewardship is a profound concept that gives significant freedom in relation to others, but also of responsibility in relation to the divine and others that avoids the excesses of paternalism and a hyperindividualism. While one is free in body and soul from the intrusions of others, one has responsibilities to God to treat one's body as well as one's neighbor with appropriate respect and dignity. This stewardly relationship goes beyond a mere "right to be left alone," or a duty merely to leave others unmolested. Stewardship of self implies a responsibility to act with care of oneself, living in a manner to flourish as a human, but also to create conditions where the dignity of others can be realized, all being subject to the same divine oversight and expectation.

The ideal of stewardship means that the political question that comes to us from near the dawn of human time, "Am I my brother's keeper?" is answered with a resounding yes. But it is a yes that recognizes that while I am my brother's keeper, I am not his father or ruler, at least in manner that would interfere with his own stewardship obligations in this world and beyond. Negative liberties are not enough to fulfill these obligations, leaving persons alone who are struggling with conditions that threaten or impair their human dignity. The steward recognizes a need to help foster conditions where the dignity of all can be realized, and to do it in a way that does not undermine the impetus or motivation of others to exercise their roles as stewards of their persons, property, and liberty.

In opposing this paternalism in the *First Treatise*, Locke engages in an extended and close reading of Scripture to refute Filmer's arguments about Adam and his descendants. These theological disputes seem arcane to us today, and thus the book has faded into obscurity. Yet wherever there is an authoritarian, paternalistic government, the Locke/Filmer debate is still very much relevant. The paternalism can be a right-wing dictatorship, such as we saw in the twentieth century with fascism and Nazism.

But this paternalism can also take the form of the statism of left-wing Communism or oppressive socialism, or even a progressive social welfare state model that engages in a kind of soft tyranny of cultivating citizens' dependence on the state, undermining their own sense of stewardship, while imposing its transcendent moral framework upon all. While this soft tyranny may not yet fully characterize the nations of the West today, one can see sufficient elements of it in government and culture to make a revisit of the Locke/Filmer debates a very relevant exercise.

This soft tyranny also was implicated in another debate that Locke was part of. This argument was with those who would collapse all ownership into self-ownership, and either deny or ignore transcendent relationships, rights, and duties. This debate was perhaps in his day less fully developed, as fully fledged arguments about human autonomy in the absence of the divine did not become widespread until later in the eighteenth and even nineteenth centuries. Still, men like Pierre Bayle and Baruch Spinoza developed systems of thinking about humanity, its nature, purpose, and liberties, in the absence of knowledge or belief about the Divine, at least as conventionally understood.

Locke's response to these purely secular systems was blunt and succinct: "The taking away of God, though but even in thought, dissolves all."³ The element of stewardship in his system that created any sort of objective obligations to oneself and others, an external morality, discoverable through reason and experience, was in essence denied by these systems. If all one had was the autonomous, self-defining individual, then the limits of conduct were defined essentially by subjective human desire, except where that desire bumped up against the physical person or desire of another. While one had a duty not to harm another, and thus invade the autonomy of another, there was no clear basis of a duty to help another, unless one desired to.

Further, if there was no objective measure as to the worth or value of a desire, which is essentially the case if one rejects a belief in the transcendent, then society would lose the ability to objectively adjudge between conflicting desires. Perhaps the stronger desire should prevail, but how would that be determined except through how many shared that desire? Thus, all values, including ones that had been viewed as transcendent and having objective elements, are transmuted into subjective desires, and become subject to standard, majoritarian political processes.

Belief in rights, including the right of religious freedom, would become just another desire that would need to be balanced and traded off with any other desires that persons in society might have. Notions of individual rights might be paid lip service in light of the strong Western tradition. But in practice these systems of right would be subsumed

under a regime that attempted to equalize all competing desires. “Equality” would replace “liberty” as the central watchword of the civil rights activist. In the implementing of this equality, most liberties would be subject to majority rule. This would have the effect of subjecting rights to the same majoritarian democratic processes that deal with most questions of public and political policy.

In effect, the democratic system would revert to a new paternalism, not one based on the divine right of kings, bishops, and dictators, but on the collective subjective desires of the community of autonomous individuals. When one is prevented from acknowledging a transcendent element, there is no objective element of stewardship to consider, nothing to adjudicate between the conflicting desires of the members of the group, except a rule by the majority or the most popular desire.

Under this system the language of human dignity is retained, because humanity is all we have. Indeed, the human becomes virtually divine in a sense, because it defines and encompasses its own reality. But it is an extraordinarily limited divinity, as it is hemmed in and limited by the subjective desires of its divine neighbor. Ultimately, it is a very thin dignity that does not produce many meaningful, measurable duties toward oneself or others, except perhaps the duty to stay alive, and not to physically harm others.

In answering the age-old question “Am I my brother’s keeper?” the new dignity answers with a version of the clever evasion offered by the lawyer to Christ: “But who is my brother?” The answer to this question offered by the new dignity is: those who are aggrieved like me, whom I most identify with. Thus, we have the new regime of identity politics, in which one’s political view is tightly bound to one’s racial, ethnic, social, religious, gender, or class identity. Various competing groups will ally on those questions where the greatest number of desires overlap.

Crucially, the new system provides nothing objective or principled to press back against a majoritarian rule based on a new paternalism over the individual. Any number of issues take on the importance given previously to the most sacred notions of human rights, such as bodily integrity, the right to be free from torture and abuse, and the right and freedom of religious worship and practice.

Thus, our collective desire for safety and security in the age of terror is seen as justifying a policy and practice of “enhanced interrogation” methods that previously the American government had condemned as torture. Persons are held for years without trial and a failure of due process that would have been viewed, for the entirety of the twentieth century, as a gross violation of basic constitution rights.

People, including American citizens, who might be labeled “terrorists” are targeted, far from any active field of battle, for assassination by drone strikes based purely on presidential fiat. These assassinations are, again, acts that in pre-war-on-terror times would have been viewed as illegal and unconstitutional, as well as unethical and immoral. But our “desires” for safety and security are seen, in both the popular mind and in parts of the legal and political community, as overcoming our perceived enemies’ “desires” for liberty, bodily integrity, and even life.

In addition, in America, private sexual preferences and behaviors are given equal, and at times superior, legal pride of place and protection in a manner that impairs the convictions and practices of religious persons. In our new regime of human rights, all desires and preferences are equal, but as in George Orwell’s *Animal Farm*, some desires and preferences are more equal than others.

Those preferences that are more equal would be the ones whose ideological bases are those consistent with the ruling ideology of naturalistic materialism and secularism. Thus, personal sexual preferences, including same-sex behavior and marriage generally prevail against millennia-old religious and moral convictions regarding sexual behavior and the ordering of the family. All of these results flow logically and consistently, I believe, from the new, thin, purely self-ownership notion of human dignity.

But do we have actual, hard evidence that the Protestant concept of dignity has actually contributed to notions of modern democracy and human rights in our world? It is one thing to trace the ideas of Luther and Locke and their

impact on the founding of America, but international human rights have a much broader base than that. Can Protestantism truly claim to have impacted the world between Locke and the rise of twentieth-century civil rights, Martin Luther King, Jr., and international human rights? Come back next time to *Liberty*, and we will discuss a startling and persuasive answer to the role of dissenting, free church Protestant thought and the rise of worldwide democracy and civil rights.

¹ Nicholas P. Miller, *The Religious Roots of the First Amendment: Dissenting Protestantism and the Separation of Church and State* (New York: Oxford University Press, 2012), pp. 63-90.

² S. Adam Seagrave, "Self-Ownership vs. Divine Ownership: A Lockean Solution to a Liberal Democratic Dilemma," *American Journal of Political Science*, 55, no. 3 (July 2011): 710-723.

³ John Locke, *Two Treatises of Government and a Letter Concerning Toleration*, ed. Ian Shapiro (New Haven, Conn.: Yale University Press, 2003), p. 246. Because his view that atheism would undermine the validity of both morality and rights, Locke drew the conclusion that atheists should not be tolerated. I believe this was a mistaken conclusion that conflicted with his own premises of the importance of private judgment to religious belief. The reality is that the unbeliever and atheist should have the same freedom as the theist or supernaturalist to make their own judgments about ultimate reality, including a divine realm.

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

Nicholas Miller, Ph.D., is an attorney and associate professor of church history at Andrews University, Berrien Springs, Michigan. He is the author of the *The Religious Roots of the First Amendment* (New York: Oxford University Press, 2012), which more fully develops the theme of this article.

The Roots of the Quebec Incident

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On January 29, 2017, a man entered a mosque in Ste-Foy, a suburb of Quebec City, and, using a CZ-858 rifle and a 9-millimeter pistol, proceeded to shoot men at prayer, killing six and wounding another five. Authorities identified and charged Alexandre Bissonnette for the horrific crime.

We need to look at the circumstances that led to such behavior. There is a striking similarity between the Ste-Foy incident and that of a massacre in Norway in 2011. Both atrocities were carried out by young males. Both targeted Muslims, in the Norwegian instance also those seen as sympathetic to Muslims. Both the assailants see themselves as Christian crusaders. Let's look at the two killers and their sociocultural milieu.

People from the Holy Blossom Temple Synagogue and the Fairlawn United Church form a "Ring of Peace" outside the Imdadul Islamic Centre, during prayers, to show solidarity in condemning the deadly shooting at the Quebec Islamic Cultural Centre, in Toronto, Ontario, Canada February 3, 2017.
REUTERS/Mark Blinch



Bissonnette, a Laval University political science student, was apparently inspired to activism by a visit to Quebec City last March by Marine Le Pen, presidential candidate for France's National Front. She raised the alarm that Islam and Muslims are threatening Europe and the French way of life. This stance guaranteed her a substantial vote in this year's elections.

He also admires Donald Trump, whose statements about Muslims have been very polarizing. Bissonnette has been a member of the Parti Québécois, which, during the last provincial election campaign, presented a Charter of Values, which purported to be based on the religious neutrality of the state.

The charter was, in essence, a dress code, forbidding government employees from wearing "conspicuous" religious garb or symbols or covering their faces. While the proposed charter is worded broadly and would if implemented have affected Jews and Sikhs, the real target was Muslims, focusing especially on the minuscule number of Muslim women who do in fact cover their faces. And the criterion that symbols not be "conspicuous" would mean that there would be no problem for Christians wearing small crosses, as against Jews wearing yarmulkes, Sikhs with turbans, and especially Muslims with hijabs (scarves that cover the hair). The Parti Québécois (PQ) and the Liberal Party are the two largest provincial parties in Quebec.

Bissonnette frequently participated on social media, attacking immigrants in general and Muslims in particular. He wants only "White" immigrants, to prevent Whites being marginalized.

Returning to the cultural question, of which the PQ orientation is a part, Shachi Kurl, executive director of the Angus Reid Institute, called attention to surveys done by Angus Reid that distinguish Quebec from the rest of the country. At the time of the introduction of the Charter of Values, "nearly two thirds of respondents we polled in the province

said they felt the province was doing 'too much' to accommodate differences in culture and religion." Elsewhere in Canada only 17 percent felt that there was too much accommodation.

During the most recent federal election campaign, then-Prime Minister Stephen Harper tried to prevent a niqab-wearing woman from taking the citizenship oath. It was a battle he lost in court. (A niqab covers head and face, showing just the eyes.) His party also proposed a snitch line on which people could report "barbaric cultural practices." Currently a candidate to replace him as head of the Conservative Party wants to screen immigrants for "Canadian values." There are 14 candidates for the position, but only one, Michael Chong, favors a motion by Iqra Khalid, member of Parliament for the ruling Liberals, that calls on Parliament to "condemn Islamophobia and all forms of systemic racism and religious discrimination." Since the motion would not have the force of law, Conservative arguments that it would restrict criticism of Islam and its treatment of women and would open the door for sharia law are simply false. This attitude by the Conservatives gives haters a mask of legitimacy, especially coming as it does after the massacre.

Quebec history is replete with xenophobic hysteria: suspicion of Jehovah's Witnesses activity and priests warning parents not to allow their children to play with Protestant children are just a couple of examples. Quebec schools are no longer divided into Protestant and Catholic (in reality, schools for Catholics and schools for everyone else). In the past immigrants were often pushed into the Protestant system. Now, by contrast, newcomers with few exceptions must enroll in the French system.

A watershed event in the small town (under 2,000 people) of Hérouxville showed something of the depth of xenophobia in Quebec. In 2007 the town council adopted a code of conduct for newcomers, which included a prohibition of stoning or burning women and of genital mutilation. It does not appear that any immigrants have chosen to move there since. Other towns were prepared to endorse the code, when Premier Jean Charest took a step to defuse the situation.

Charest set up a commission to report back on what would be a reasonable accommodation of religious differences. The two-man commission included Gérard Bouchard, a PQ supporter and sociologist, and Charles Taylor, who ran for office for the social democratic New Democratic party, and who is a distinguished philosopher.

Their report favored limitations on religious garb and symbols only for figures of authority—judges, prosecuting attorneys, prison guards, and police. Now, in the shadow of the massacre, Taylor has reversed himself and rejected the limitations on these categories.

The Quiet Revolution, a throwing-off of the Catholic Church's stranglehold on Quebec culture, is often traced to the 1960 election of a Liberal government, after the death of Premier Maurice Duplessis, a reactionary Catholic who strove to impose his worldview. Yet elements of the old persist, separating Quebec as more intolerant than elsewhere in Canada.

The recent massacre brought out a massive show of sympathy throughout Quebec, as well as elsewhere in the country: sympathy for the families and for Muslims. Premier Philippe Couillard expressed his sincere condolences at the mosque speaking in French and Arabic. (He worked as a brain surgeon in Saudi Arabia for a time.) And as far as people in the public service are concerned, he said that face covering is a nonissue. As it should be, since few if any are doing this. Yet there is a Liberal bill before the National Assembly outlawing the practice. The PQ and the Coalition Avenir Québec (another opposition party) are demanding that the bill be expanded and strengthened, even beyond the scope of Bouchard-Taylor. Spokesmen from all the parties denounced the massacre and made sincere expressions of sympathy for the Muslim community. Yet on this nonissue Liberals, PQ, and Coalition Avenir Québec join together to water the soil that sprouts the likes of Alexandre Bissonnette. To his credit, Premier Couillard is now taking a strong stand against the "reasonable accommodation" argument and is on side with Taylor. Yet the face covering bill remains before the National Assembly.

To demonstrate the gap between Quebec and the rest of Canada on toleration, consider the issue of dress for

police. Until Couillard's shift, virtually all politicians in Quebec were on side for uniformity. Yet way back in 1990 a Sikh was allowed into the Royal Canadian Mounted Police (RCMP) wearing a turban. Last year the RCMP designed its own hijab for officers choosing to wear one. The Canadian Armed Forces permitted the hijab back in 1996.

Now let us turn to Anders Breivik in Norway. On July 22, 2011, he exploded a car bomb in a government building sector of Oslo, killing eight. He then made his way to the island of Utøya, situated in a lake. The island is owned by the youth organization of the Labor Party, and young Laborites were camping there at the time. Over the course of an hour, he hunted down and killed 69.

Like Bissonnette, he was specifically concerned about the supposed danger of Islamization. In addition to his Internet preoccupations, he also authored a massive nationalistic and racist manifesto. For both Breivik and Bissonnette, the role of the borderless Internet augments the influence of the national milieu.

For a number of years Breivik had been a member of the Progress Party. The party has grown in size, power, and influence to the point that it is now the junior partner in government, along with the Conservatives.

The Progress Party is anti-immigrant and anti-Muslim. It has come out strongly against any accommodations for Muslims. No hijabs for police. No halal meals in prison. It has been observed that its opposition to immigration and hostility to "the other" have been keys to its electoral success. Siv Jensen, leader of the party, declared that Norway was being subjected to Islamization by stealth. The party sees multiculturalism as a failure.

Norway's sociocultural milieu was the ground from which a Breivik could sprout. Culture defines what behaviors are acceptable. It also defines what deviance might look like. All the political leaders were horrified by Breivik's slaughter. There was a pledge to tone down the rhetoric. The pledge was honored in the breach, and it was anti-Muslim business as usual.

In Quebec the scene is quite the same. Again the general horror about the massacre. Again the commitment to tone down the rhetoric. Again, with the partial exception of Couillard's change in position, it is business as usual. The philosopher and social psychologist Theodor Adorno once commented on the strong anti-Semitism in pre-war Bavaria. Bavaria had no Jews. Today the Quebec Liberal government, acknowledging that there are no women clamoring to wear face coverings while working for the public service, nevertheless legislates to outlaw the practice. The two largest opposition parties demand that the legislation be expanded.

The sociocultural milieu defines the form that deviance is apt to take. Quebec has given us Alexandre Bissonnette. A special acknowledgment can go to the role played by the Party Québécois, his party. The Liberal premier has taken a strong stand against a broad dress code, while favoring a narrow one. Just as Taylor found his former halfway stance untenable, Couillard should also find his to be.

Article Author: [Reuel S. Amdur](#)

Reuel Amdur writes from Val-des-Monts, Quebec, Canada.