

ISSUES IN PERSPECTIVE

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PERSPECTIVE NUMBER ONE

TEXAS, LDS FUNDAMENTALISTS AND REMOVING CHILDREN FROM PARENTS

Several weeks ago the state of Texas, responding to reports and telephone calls about sexual child abuse, raided a compound consisting of the Fundamentalist Church of Jesus Christ of Latter Day Saints (FLDS; aka Mormon Fundamentalists). A total of 437 children were removed from the compound, on the basis of allegations that abusive practices such as marrying young girls (i.e., 12 and 13 year olds) to older men were common. [There is now the strong possibility that this initial call was a hoax.] A group of the polygamists from the compound are now in the Texas courts seeking to regain custody of their children. The case cuts across confusing and sometimes contradictory legal terrain that involves religious freedom, parental rights and the state's interest in protecting its residents. How should we think about this case?

- First, a historical thought about FLDS. LDS beginnings revolve totally around Joseph Smith, who was born on 23 December 1805 in Sharon, Vermont. His early years were greatly influenced by his father, who curiously spent a great deal of time searching for buried treasure using unorthodox and often occult methods. His life changed in 1820 when he supposedly received a vision from God the Father and the Son, who told him that all other religions were an abomination but that he was the prophet to bring restoration. In 1823 another vision from the angel Moroni further solidified Smith's charge from God. The angel informed him that he would uncover a number of golden plates that needed translating. He discovered these plates, inscribed with what he called "reformed Egyptian hieroglyphics," outside Palmyra, New York. He was able to translate them with a huge pair of spectacles that he called the "Urim and Thummim." According to his story, between 1827 and 1829 he "translated" the plates and in 1830 published *The Book of Mormon*. The plates were purportedly taken to heaven by Moroni. In another vision from John the Baptist in 1829, Smith received the Aaronic priesthood and founded the "Church of Jesus Christ of Latter-Day Saints." He subsequently relocated his religious headquarters to Ohio and Missouri, but, according to Boa, "Mormons were accused of a number of crimes in those places and were required to leave Missouri" in 1839 by order of the governor. The Mormons, led by Smith, relocated to Illinois, where they built the city of Nauvoo, where he instituted the practice of polygamy. When Smith and his brother Hyrum tried to destroy a local newspaper office because of its stand against the Mormons, they were arrested and jailed in Carthage, Illinois. Tragically, an angry mob stormed the prison and on 27 June 1844 shot and killed the two brothers, making them martyrs. The leadership mantle passed to Brigham Young, the "First President" and prophet of the church. Under Young's leadership, the Mormons relocated to Salt Lake City in July 1847. There they settled down and built their unique brand of religion. Young's influence was virtually dictatorial, but it provided the stability needed for the group

to grow. During this period, the US government sought to make Utah a state, but first the Mormons resisted this effort and later refused to give up polygamy as a condition for statehood. Only when the government threatened the Mormons with property loss did they change their doctrine and abolish polygamy as a doctrine. Yet, even today, as this case demonstrates, there remain a core of Mormons, known as the Fundamentalist Church of Jesus Christ of Latter Day Saints, who practice polygamy as a key element of their faith and practice.

- Second, several concerns. (1) Although I find this group of LDS fundamentalists and their practice of polygamy repugnant and without biblical support, I am concerned about the actions of the state of Texas in this matter. For example, Kevin Hasson, president of the Becket Fund for Religious Liberty, poses this question: “Can the government interfere with how you raise your kids? Except in extraordinary circumstances, the answer is no.” He goes on, this is “. . . in fact a very serious, very mainstream question.” Also, Stephanie Simon, in a helpful article on this subject, summarizes how the courts have looked at cases like this: “Courts have long struggled with how and when to limit parental rights, especially when they are wrapped up with religious beliefs. In the 1940s, the US Supreme Court ruled that a guardian had no right to violate child labor laws by asking a 9-year-old to distribute Jehovah’s Witness pamphlets, though evangelizing is a central part of that faith. Three decades later, the court granted Amish the right to withdraw their children from school after eight grade, in accordance with their faith, despite truancy laws. In more modern times, courts routinely grapple with child-custody cases that pit parents of differing religious beliefs against each other.” So, how does this case fit in this evolving legal tradition and precedent? I have some significant concerns. It depends on how the case is framed and decided. If the issue is how mothers raise their children to be obedient, what about millions of people (of many faiths) who raise their children to be obedient to parents and to God? R. Albert Mohler, Jr., a prominent Southern Baptist leader, also argues that if the question is about independent decision making, then what about women who believe that the Bible instructs them to submit to the servant leadership of their husband? He goes on: “The state must be certain it does not trample on rights that are precious to all of us, including the right of religious believers to follow the dictates of their own church.” (2) On the other side of this question is the duty of the state to protect its citizens. There is evidence that the church engaged in “a pervasive pattern of grooming” girls to have sex with middle-age men. Is this an acceptable practice in our culture? Few would agree that it is, but if it is tainted with a religious dictate, can the state intervene? Should it? Is this a pervasive issue of concrete, blatant child abuse? Or has it been sensationalized? Has the state of Texas truly proved its case of widespread child abuse?

In short, this is a potentially dangerous case that could further impede genuine religious liberty in the United States. It is delicate and it is emotional. But as a civilization, we must exercise enormous care in giving the state the power to take children away from their parents when the issue involved revolves around religious convictions and practices. Polygamous practices of the FLDS I find personally repugnant and having no biblical warrant. However, I remain very concerned about the power of the state to seize children! As with many ethical and legal matters, there is enormous tension. May God give us great wisdom and discernment.

See Stephanie Simon in the *Wall Street Journal* (25 April 2008) and James P. Eckman, *The Truth About Worldviews*, pp. 98-100.

PERSPECTIVE NUMBER TWO

THE TRAGEDY OF JIMMY CARTER

Former president Jimmy Carter recently met in Syria with the exiled head of Hamas, one of the most egregious terrorist organizations in the Middle East. That this was controversial is an understatement. Is meeting with such a leader wrong? Not necessarily, but the way it was done is problematic and serious.

Bernard-Henri Levy suggests that “the problem is the spectacular and useless embrace he exchanged with the senior Hamas dignitary, Nasser Shaer, in Ramallah. The problem is also the wreath he laid piously at the grave of Yasser Arafat, who, as Mr. Carter knows better than anyone else, was a real obstacle to peace. It is also in Cairo that, if we are to believe another Hamas leader, Mahmoud Zahar, whose statement so far has not been denied, Mr. Carter apparently described Hamas as a ‘national liberation movement’—this party which has made a cult of death, a mythology of blood and race, and an anti-Semitism along the lines of the Protocols of the Elders of Zion into a linchpin of its ideology.” Amazingly as well, while Carter was meeting with the Hamas leaders, the first car bombing in several months received not one disapproving word from Carter. Finally, Carter has basically humiliated through his actions toward Hamas, the only Palestinian leader—Mahmoud Abbas—who at the risk of his life continues to seek a two state solution in his negotiations with Israel.

The blatant facts are that Hamas continues to refuse to recognize the existence of the state of Israel. As I mentioned on a recent *Issues in Perspective*, Hamas promotes vitriolic anti-Semitism in children’s programs on its TV station. As a result of Carter’s meeting with the Hamas leadership, Hamas has said it will end its violent terrorism against Israel if Israel returns to the pre-1967 borders. But even given Israel’s actions doing that, the same leaders stated that they still will not recognize Israel’s right to exist. What kind of peaceful solution is that? What did Carter accomplish by his ridiculous visit, other than to feed further the propaganda machine of one of the most violent terrorist organizations in the Middle East.

Consider this: In Jerusalem seven Israelis and one American were slaughtered by a terrorist attack on a Jewish seminary in that city. Before their blood dried on the library floor, Hamas supporters were dancing in the streets of Gaza, while Hamas leaders promised more attacks. CBS reported that “At mosques in Gaza City. . . many residents performed prayers of thanksgiving — only performed in cases of great victory to thank God.” This is the evidence of Hamas and how it views Israel. Does not Jimmy Carter realize that Israel is the only state in the Middle East that allows freedom for all faiths, freedom of the press, freedom for women, and a respect for human life unknown in the Muslim world? As Chuck Colson has observed: “Israel is the only country that mourns when America mourns and that stands up for the same values we do.”

In my judgment, Jimmy Carter is a very tragic figure. To give legitimacy to a terrorist organization like Hamas makes no sense to me. He achieved absolutely nothing other than giving Hamas a propaganda victory of significant proportions. If that was his goal, he achieved that. But if he had another goal, to somehow coax Hamas into meaningful negotiations, he is delusional. That will never occur—and that comes from the mouth of Hamas leaders. There is absolutely no evidence that Hamas will ever recognize the right of Israel to exist. If that is a given, there is nothing to talk about. Tragically and incomprehensibly, Jimmy Carter just does not get it! He is a most tragic figure?

See Bernard-Henri Levy in the *Wall Street Journal* (25 April 2008) and “Breakpoint” (18 April 2008).

PERSPECTIVE NUMBER THREE

THE CRISIS IN PUBLIC EDUCATION

In a recent and powerful editorial, columnist George Will quotes from the provocative 1983 report on public education, *A Nation At Risk*: “If an unfriendly power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war.” We are now 25 years after this National Commission’s report. How are we doing?

In one very real sense, the US has bought a lie: That education is the answer to all social problems. It is not! Public education cannot compensate for the disintegration of the family and its horrifying effect on children. Will writes: “No [educational] reform can enable schools to cope with the 36.9% of all children and 69.9% of black children today born out of wedlock, which means among many other things, a continually renewed cohort of unruly adolescent males.” Throwing money at schools will not solve that problem. In 1966 a controversial report was published that proved rather conclusively that “the qualities of the families from which children come to school matter much more than money as predictors of schools’ effectiveness. The crucial denominator of problems of race and class—fractured families—would have to be faced.” But the US government and the entire educational establishment have ignored that truth.

Will writes: “In 1976, for the first time in its 119-year history, the National Educational Association, the teachers union, endorsed a presidential candidate, Jimmy Carter, who repaid it by creating the Education Department, a monument to the premise that money and government programs matter most. At the NEA’s behest, the nation has expanded the number of teachers much faster than the number of students has grown. Hiring more, rather than more competent, teachers meant more dues-paying union members. For decades, schools have been treated as laboratories for various equity experiments. Fads incubated in educational schools gave us ‘open’ classrooms, teachers as ‘facilitators of learning’ rather than transmitters of knowledge, abandonment of a literary canon in the name of ‘multiculturalism,’ and so on, producing a majority of high school juniors who could not locate the Civil War in the proper half-century.”

The educational crisis in the US is a crisis in reasoning. For some reason, we believe that spending great amounts of money will produce better test scores and better citizens. What the

US is ignoring is that education of children is the intersection of three of God's choicest institutions—the family, the church and the state. We have bought the lie that the state can do it better, ignoring the family, which is now thoroughly dysfunctional, and the faith community. The ones who are suffering the most are of course the children! Our need is not necessarily for more money for education; it is for teachers who have deep-seated faith and who see children the way God sees them; and a state that sees the importance of the family and faith as necessary ingredients in raising children. Until and unless everyone has that perspective, our educational system is doomed to ultimate failure.

See Will's essay in the *Washington Post* (24 April 2008).