

HOW MUCH LIBERTY IS TOO MUCH?

Scripture Reading: Romans 13:1-7, RSV

Our Scripture Reading is a difficult passage. Although I'm not going to deal with it specifically today, it is one of the few, if not the only, texts in the Bible which delineate the relationship of the individual to the state, which is the subject of my sermon.

How much liberty is too much? Every government is in tension with its people in the sense that the rights of the individual are always to some extent rubbing against the needs of the community and the nation. In recent history one outstanding example of how the individual's rights were asserted to be preeminent over the state's was in the case of the Amish vs. the Social Security Administration. I'm sure that many of you recall the fact that the Amish have a religious conviction that the Gospel enjoins them to take care of their own people—the widows, the elderly, etc. Because they believe that it is a Gospel commission and their responsibility alone, they refuse to pay Social Security taxes and allow the government to do it in their place.

The Amish wanted to test the constitutionality of the government trying to force them to pay this tax. They won. In this particular instance the right of the individual to worship and to exercise his own religion freely came out on top.

In 1879 members of the Mormon Church claimed their constitutional right of free exercise of religion in relationship to their practice of polygamy. A federal law made it a criminal offense to have more than one wife. When the majority opinion was handed down, it read as follows:

Congress was deprived of all legislative power over *mere opinion* but was left free to reach actions which were in violation of *social duties* or *subversive of good order*. [Italics supplied]
(*Reynolds v. United States*, 98 U.S. 145, 1879.)

Chief Justice Waite, author of the opinion, had this to say as well:

Laws are made for the government of actions, and while they cannot interfere with mere religious beliefs and opinions, they may with practices. Suppose one believed that human sacrifices were a necessary part of a religious worship, would it be seriously contended that the civil government could not interfere to prevent a sacrifice? Or if a wife religiously believed it was her duty to burn herself upon the funeral pile of her dead husband, would it be beyond the power of the civil government to prevent her carrying her belief into practice? (*Ibid.*)

What has emerged since that ruling is this: One's beliefs are protected, even what one says about those beliefs, up to a point, but "one's actions are protected only to the extent they do not violate a compelling public interest."

In the case of Christian Scientists this has meant that a smallpox epidemic and the need for universal vaccinations take priority over their prohibitions against such medical aid. It has also meant in the case of Jehovah's Witnesses that a child may be given blood transfusions despite the parent's objections. Practices can be prevented or circumvented by law even if those practices are the "theological heart of the sect or church."

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There is no such thing as absolute liberty in terms of expressing and practicing the beliefs of your religion. The question is: Are the practices that you believe to be religiously compelled in some way inimical, antithetical to the public good? Of course that is a very subjective judgment. In this country it is quite liberal, but in other countries what is defined as inimical to the public good varies considerably. In communist countries people are in jail simply for *speaking*. Even though I believe this argument has a basis in logic and in reason, it must be remembered that it is the justification for all religious persecution. That is why it is so difficult to counter it. One is not denying that the conclusions are valid. Certain practices that might destroy the whole fabric of society have got to be prevented even if they are practices concerning religious worship and freedom. Nevertheless the conscientious person will break the law to obey what he believes his God requires.

In this country we are protected by the constitution, one of the most remarkable documents ever to emerge out of Western civilization, but there is a “soft” spot in the constitution. It can be changed if it is deemed necessary to preserve the social structure of this country. This past week a large pro-life demonstration took place in Washington. Its avowed purpose was to gain a constitutional amendment prohibiting abortions in this country. Others want different amendments; i.e., some Christian groups want prayers offered in public schools.

There is a drive on right now for a constitutional convention to be called and almost anything could happen in such a convention. What is ominous even in a free country like ours is the extent to which an emotional and overwhelming majority can legally limit the freedom of the minorities by altering the constitution. It is not something Americans have been prone to do; we have been fastidious about protecting the rights of minority groups, but in these cases there is a feeling that the social order is at stake. If we don't legislate these things, immorality will take over the country to a degree that we have never witnessed before. Once that happens we will collapse as a civilization just as Rome did. Even the Supreme Court would be helpless to protect minorities if the constitution were changed.

There are a lot of issues to which we think we have the answers as Christians, because we accept the Bible as God's word. That sense of certainty which is healthy in religious faith can be disastrous when it comes to passing laws. We have a lot to fear from the wind which seems to be blowing in this country for more rigid controls in areas one cannot be dogmatic about unless one is a Christian and accepts the Bible as his authority—pornography, etc. Everyone is trying to save the country. We are much too prone to use the arm of the law against issues that we believe are so evil, because of the revelation of God in the Bible, that a person's freedom needs to be curbed to prevent that evil from happening. That frightens me. I don't like the precedent that that kind of thing is tending to establish. This is perilously close to an egocentric notion of freedom: What you will be allowed to do in this country will be defined by what *I* believe, not necessarily by what you believe—even if what you believe is wrong and even if what you believe is evil. The issue of how much liberty can be given before the whole social structure is threatened is a difficult and vague issue to settle.

Adventists have been very libertarian in this respect. We have insisted that we cannot define freedom of speech as being what we want to preach and deny that right to other people. Even if these other beliefs seem to us to be evil, it would be hypocritical for us to deny their right to say them.

No society, however, can tolerate absolute freedom. It does on occasion bring us to the brink of anarchy. Where do we draw the line? It ought to be as far as possible away from curbing human

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freedoms. Those who push toward this much freedom (and I believe we are such a people) point to these considerations as being critical:

1. There should be no restraints on the voicing of opinions, no matter how radical or heretical they might seem to be, no matter how wrong they might be in the light of the community who believes it “knows” with certainty, for we can “never be sure that the opinion we are endeavoring to stifle is a false opinion.” And even if we were sure that it was false, “stifling it would be an evil still.” (John Stuart Mill *On Liberty*, Chapter 2.)
2. One must listen to the alternatives. They will either reinforce what one believes or seriously challenge it. Either way the search for truth is advanced. When a person’s life or the property of others is threatened, however, then a curbing of liberty may be necessary. The right to life must precede the right to liberty, in that sense. You have no right to stand up in a crowded auditorium and yell ‘Fire!’ when there is no fire, even though you have freedom of speech. The danger to human life by uttering that statement outweighs your right to speak.

Some of the worst mistakes made in history have been made when religion has used the arm of the state to enforce religious beliefs. Galileo is a case in point. It is one thing for the religion to make a decision as to who the heretics are; it is another thing for the state to then reinforce that decision with punitive measures like imprisonment or death. There is still a tendency in every culture to persecute dissidents and people with unpopular opinions.

When I was in New York City last November for a meeting of the American Academy of Religion, we went to New York University to see their new library which is an architectural spectacle. Out in front of the library, there was a hot debate going on between Iranian and American students. I was really ashamed of the swearing, the cursing and the attitudes manifested by Americans toward the Iranians. They had a right to express their opinions about the Ayatollah. That’s one of the great things about this country. You can stand up and say you like an enemy of this country. But the emotions were so intense among the American students. People who are different than we are, whether in hair style or political philosophy, must be tolerated. Libertarians would argue that that kind of behavior—persecuting those with different opinions—is a tyranny of its own that ought not to be tolerated. Intolerance is intolerable in this country! (It is also biblical.)

Even when false opinions are expressed, they force everyone who encounters those views to probe the roots of his or her own beliefs as citizen. J. S. Mill says that:

Nothing is so destructive to meaningful belief, even in religion, than lack of genuine discussion and blind adherence to orthodox or received opinions. In the course of time unexamined beliefs become empty and meaningless slogans, platitudes and clichés that have no more impact upon those who utter them than do the babblings of a parrot. (Burton M. Leiser, *Liberty, Justice and Morals: Contemporary Value Conflicts*, MacMillan, c. 1973, p. 311.)

Seventh-day Adventists have been very good in this respect. We have been just as concerned in this country about the freedom of Mormons and Jehovah’s Witnesses as about our own freedom. We have not allowed the fact that we think that they are speaking falsely to influence the kinds of support we give them for their own personal liberties. This country has allowed us to do that.

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There are places in the world, however, where that is not allowed. You have to be careful who you let the government know your friends are. What is the Seventh-day Adventist responsibility in a totalitarian regime, when that regime is denying the rights of worship and speech to certain religious groups like Jehovah's Witnesses? This is an issue we are wrestling with now and must continue to wrestle with in the next 5 to 10 years. In many countries we have a favored status because of our health work and our tendency to stay out of the political arena as much as possible. Frequently, we don't get involved as Jehovah's Witnesses do who won't even salute the flag of a country and will not in any sense declare allegiance to a ruler because they believe it conflicts with their allegiance to God. Because of those kinds of attitudes, they frequently get into trouble, especially with rulers who are insensitive to their beliefs and thinking. Seventh-day Adventists have not been very vocal in totalitarian states about the persecution of people like Jehovah's Witnesses. By being vocal about that persecution, we might just bring it upon ourselves.

How do we deal with such issues? The Golden Rule gives us a haunting feeling that if we insist that we have the rights and others defend those rights for us, we ought to be defending their rights for them. We're studying and praying about these problems, but the main moral quality that is necessary in this whole struggle for the maintenance of liberty here and around the world is that we must have courage. Cowardice will destroy liberty more quickly than anything else. William Sloane Coffin feels that the greatest moral problem today in America is cowardice:

It's cowardice that prevents us from coming up with new thoughts. It's cowardice that won't let us open our hearts to each other in more honest relationships. Americans have been taken over by an insurance mentality.

We want life to be reliable, predictable, safe. No one wants to take any risks.

The root of this cowardice is fear—fear of an uncertain future. But there's also a kind of internal terror. Common integrity now passes for courage. Rarely do you find a businessman or woman speaking out at any level. We're so anxious to climb higher, we keep our mouths shut. (William Sloane Coffin, Jr., quoted in *Self*, taken from *His*, February 1980, p. 7.)

That is a serious indictment.

The danger in being libertarian, in insisting on religious liberty, is that of slipping into error and making mistakes. That is the risk we have to take. Just as parents must not attempt to raise their children in an atmosphere where they are not allowed to make their own mistakes, no society can be so restrictive and controlling that it does not allow its citizens to make their own mistakes. We have chosen not to be protected against error.

The church is a different matter. I want to talk about this in my next sermon because the title, "How Much Liberty Is Too Much Liberty?" has an application in society and also in the church. Hans Kung has just been stripped of all his rights to speak as a Catholic theologian. Recently the Dutch Catholic leadership has been meeting in the Vatican with the Pope in an unprecedented meeting to discuss the theological differences between Dutch Catholicism and the Vatican. The church is defined differently than society. Society is defined by the belief that we all have freedoms and all of our opinions have equal value, even if some of them are wrong. The church, however, is defined primarily by the belief in

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Jesus Christ and in his revelation as normative and binding on all of us who claim to be Seventh-day Adventist Christians. Therefore the religious freedom we demand in society on religious principles we may not be able to demand within the church itself. There are limits. They are defined in the Bible and those limits have to be observed. We believe that we have truth in the Word of God. We believe that error has a different status in a theological community than it does in a political community. What, then, should the church's attitude be toward dissenters or heretics? This is a very live issue right now and I think we ought to look at what the Scriptures have to say about it. How much liberty is too much? In the society at large, in terms of personal opinions and ideas, there is no such thing as too much liberty. In terms of the practices that we might believe God wants us to observe conscientiously such as sacrificing human beings, there is such a thing as too much liberty. In the church, how much liberty is too much? You will have to wait for the answer to that in my next sermon.