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BUT THIS IS *OUR* COUNTRY: RELIGION, IDENTITY, AND THE CULTURE WARS*

T. JEREMY GUNN**

“O wad some Power the giftie gie us
To see oursels as ithers see us!”
- Robert Burns, *Ode to a Louse*

I. “OUR” COUNTRY

Several years ago, I was sent by the U.S. State Department to Central Asia to meet with government officials in order to assist religious minorities, including some Evangelical Christians, who were suffering from discrimination by governments as well as social groups. On my return flight, I was seated next to an American woman who boarded the plane at Frankfurt, Germany. In a very outgoing way she introduced herself by saying that she was an Evangelical Christian from Texas, the wife of an Army chaplain, and that she had been on a speaking tour talking to the wives of other chaplains. She then asked me what kind of work I did. When I told her that I was involved in promoting religious freedom internationally, and that I was returning from Central Asia, I naively hoped that she might approve. But I was mistaken. Referring to the United States, she said, “but we don’t have religious freedom here,” as if to reproach me for focusing my efforts abroad when there were far more compelling problems at home.

Beliefs such as “we don’t have religious freedom here,” or that “Christians are persecuted in the United States” are strongly held by a significant slice of the American population. One organization, coincidentally from Texas, sponsors conferences about the “war on Christians” in America. Knowing this, and against my better judgment, I asked my traveling companion what compelling example

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she might have of a lack of religious freedom in America. She immediately replied, with the air of triumph in giving me a proof-text, that “the Supreme Court has prohibited us from praying before football games.” She was obviously referring to the *Santa Fe v. Doe* decision, which held that school-sponsored prayers before football games at public schools are unconstitutional.¹

Of course, in Texas, it is high school football that is the *true* religion. If my sources are correct, my traveling companion should have had no fear that her religious freedom was endangered. Every Friday night in Texas, while high school football rivals are preparing to crush their opponents on the gridiron, God’s blessing continues to be solemnly invoked (Supreme Court be damned).

But rather than arguing facts or scripture² with my pleasant though insistent fellow passenger, and with no unwarranted optimism, I suggested to her what I hoped would be a meaningful response to her belief that true religious freedom mandates school-sponsored prayers. I suggested to her that outside the United States, Evangelical Christians do not want governments or public schools to promote prayers at schools. If Kazakhstan were to promote prayers at schools, Evangelical Christians would be pressured to prostrate themselves in the direction of Mecca. In Poland they would be pressured to cross themselves and pray for the Holy Spirit to lead the Holy Father. Such government-sponsored school prayers would obviously ostracize any child who resisted conforming to the dominant belief in the community.

In an ideal world, my interlocutor would have had a moment of quiet reflection followed by an epiphany. She would have said: “You know, I never thought of it that way. I would not want my child to be pressured to offer prayers that differ from our beliefs and it is not right that other children should be pressured to pray in a way that I believe is right.” This was not, of course, the answer that I received. Instead, she replied, “but this is *OUR* country.”

And therein lies the problem.

When a religious community dominates in any given political system, it all-too-frequently—whether in Kazakhstan, Poland, or west Texas—wants the political system to promote its own particular

1. *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000).

2. In the Sermon on the Mount, Jesus advised “And when thou prayest, thou shalt not be as the hypocrites are: for they love to pray standing in the synagogues and in the corners of the streets, that they may be seen of men. . . . But thou, when thou prayest, enter into the closet, and when thou has shut thy door, pray to thy Father which is in secret. . . .” *Matthew* 6:5-6 (King James).

religious values that are spoken of expansively as being “our values.” Wherever a religious community is in a minority, it typically has little difficulty understanding principles of equality, non-interference, the unfairness of social pressure, and freedom of conscience. But when it is in a position of dominance, it is more likely to prefer “our religious values,” “our country,” “our history,” and “our traditions.” Such uses of “our” do not in fact refer to “everyone,” but to the beliefs of the dominant community. Using the word that suggests apparent unity—“our”—the practical consequence is to divide the predominant “us” against the disfavored “them.”

II. RELIGION AND LAW IN COMPARATIVE PERSPECTIVE

Every country in the world regulates religion in an entirely different way. While there are certainly different national approaches to other legal subjects, such as securities law, contract law, criminal law, and even property law, the differences are relatively small and typically reflect variations of relatively minor legal choices. For example, while the question of the exact moment at which a contract is formed in one country may be different from that of another, the core contract principles will be recognizable across most cultures. However, when the legal issue pertains to religion, and particularly when the religious issue comes close to touching on the perceived national identity, countries will seize on dramatically different issues and debate their highly idiosyncratic concerns. There are dominant groups of people in each country who, like my Evangelical Christian interlocutor, will assert strong opinions about what the preeminent values should be in “our country.” These differences will reflect different notions of national identity that will not only provide for contrasts between countries, but also heighten divisions within countries.

The “religious” issue that perhaps most divides the Japanese people, for example, involves the permissibility of government officials, particularly the Prime Minister, visiting the *Yasukuni Jinja* (Yasukuni Shrine) in Tokyo. The Yasukuni Shrine is a multi-acre Shinto memorial located near the Imperial Palace in Tokyo that honors those Japanese soldiers who died in service of the Emperor, particularly during the Second World War. Its symbolic importance for the Japanese might be said to compare roughly to Arlington National Cemetery in the United States.

Although Yasukuni is a war memorial and not a cemetery, the names of the deceased “spirits” of the war dead are “enshrined” on handwritten scrolls and their spirits are respected through “ancestor worship.” The military museum housed on Yasukuni grounds tells its version of the Second World War, where Japan was repeatedly threatened by Korea, China, and ultimately by the United States. The bombing of Pearl Harbor in 1941, according to the Yasukuni military museum, was not an unprovoked aggressive attack by an expansionist military power in the Pacific, but was a justifiable and purely defensive response by the peace-loving Japanese people against unwarranted American aggression. Japanese soldiers were not involved in barbarities in Korea and China, but were bravely giving their lives to maintain the peace against violent terrorists.

The Japanese Constitution provides for a separation of religion and the state. For those who support the Yasukuni Shrine there is nothing unconstitutional about official state visits. A frequent argument is that the Yasukuni Shrine is not “religious”; rather it is a neutral monument that honors the brave soldiers who gave their lives for their country and their Emperor and that it commemorates simply what it means to be “Japanese” (*Nihonjiron*). But many of those who believe that the visits violate the Constitution argue that Yasukuni symbolizes the official “State Shinto” religion of “Emperor worship,” and that such worship was in part responsible for one of the darkest periods in Japanese history, where its armies and aggressive conquests in Manchuria and Korea led to horrendous war crimes. It does not simply commemorate sacrifice, but it is a place inhabited by the “spirits” of the deceased soldiers. Moreover, famous war criminals are themselves enshrined at Yasukuni, and official visits not only violate the Constitution, but are shameful reminders of past misdeeds. When a Prime Minister visits the shrine, the pages of Japanese newspapers typically are filled with arguments by constitutional lawyers and political leaders about whether the Constitution has been violated. (The newspapers in both of the Chinas as well as both of the Koreas do not debate the issue; they unequivocally condemn the visits.)

The propriety of a Prime Minister’s visit to Yasukuni prompts a vociferous debate about what it means to be Japanese. From a distance, the conflict over the Yasukuni Shrine easily appears to be less a debate about the legal interpretation of words in the Japanese Constitution and more about a conflict over what it means to be Japanese and which parts of history are to be admired or reviled. For

many, Yasukuni is a memorial that merely commemorates “our country.”

Remember the Evangelical Christian woman who believed that religious freedom demands prayers before American public school events because this is “our country.” I suspect that if she, as an American, were to visit the Yasukuni Shrine and examine the military museum on its grounds, she would not think that its sponsors were neutrally portraying what in their minds was “our country,” but that they were advancing a particular interpretation of Japanese history that was both militaristic and nationalistic.

While I was not able to transport magically my fellow-passenger to the Yasukuni Shrine (I did think wistfully of Woody Allen’s ability to make the real Marshall McLuhan appear at just the right moment in *Annie Hall*), I later had an interesting encounter with a Japanese national in Tokyo who also was an Evangelical Christian. Following my discussion with him about Japanese law and culture, he asked me a question about something that he said had always troubled him about religion and the Constitution in the United States. What single question might you think would trouble a Japanese Evangelical Christian about religion and the Constitution in the United States? His question was, “why does the president-elect place his hand on the Bible when taking the oath of office?” For him, this was a significant inconsistency in America’s supposed principles. Though he did not say so explicitly, I understood him to be suggesting that, from his perspective, he would not want a Japanese Prime Minister to take an oath of office with a hand placed on Shinto texts such as the *Nihongi* or the *Kojiki*. While the majority of Japanese might see such a gesture as an entirely fitting tribute to “our country,” it would not have been neutral from the point of view of a Japanese Evangelical Christian.

III. AMERICA’S CULTURAL WAR OVER RELIGION

Let us consider further this issue that troubled my Evangelical Christian interlocutor from Japan: the propriety of the president of the United States taking the oath of office with his hand placed on the Bible. Suppose that some civil liberties group—I will not mention any names here—decided to file suit to enjoin the oath-taking practice that is not prescribed in the Constitution but that has become a tradition since it was first introduced by George Washington. What do we imagine the Japanese Christian’s co-religionists in America might say

in response to such a suit being filed? Would they be troubled, as was he, by the propriety of a politician undertaking an ostensibly religious act in support of his unequivocal political agenda (with all of the potential hypocrisy and cynicism that this might entail)? Or would they more likely think of it as yet one more example of secular humanists attempting to drive religion out of the public square and denying America's religious heritage? It is not difficult to imagine the responses to such rhetorical questions.

We are undergoing what is increasingly referred to in America as a "culture war." (The term came into widespread use in the early 1990s, perhaps not coincidentally with the collapse of the former Soviet Union.) During culture wars, battles are fought over symbols that are often mistaken for substance. The vocabulary that is used evokes battles, struggles, enemies, and survival. Opponents are vilified, caricatured, distorted, and impugned. In a culture war, one is less concerned with historical accuracy and more concerned with using history to advance the national or ideological agenda. In an actual war, most do not think of it as wrong to lie to or about an enemy.

In the midst of a culture war we lose our perspective on what ought to be our underlying values and fall back on simplistic notions, both of our national identity and of our opponents. Culture wars may actually be less about struggles over culture—or over religion—and more about struggles over the displays of symbols for political purposes and for insisting on an exclusivist interpretation of those symbols. When we (or the Japanese or the Russians or the French) say "but this is *OUR* country," we ought to carefully weigh our fundamental values rather than noisily trumpet our symbols.