CRESCAT SCIENTIA

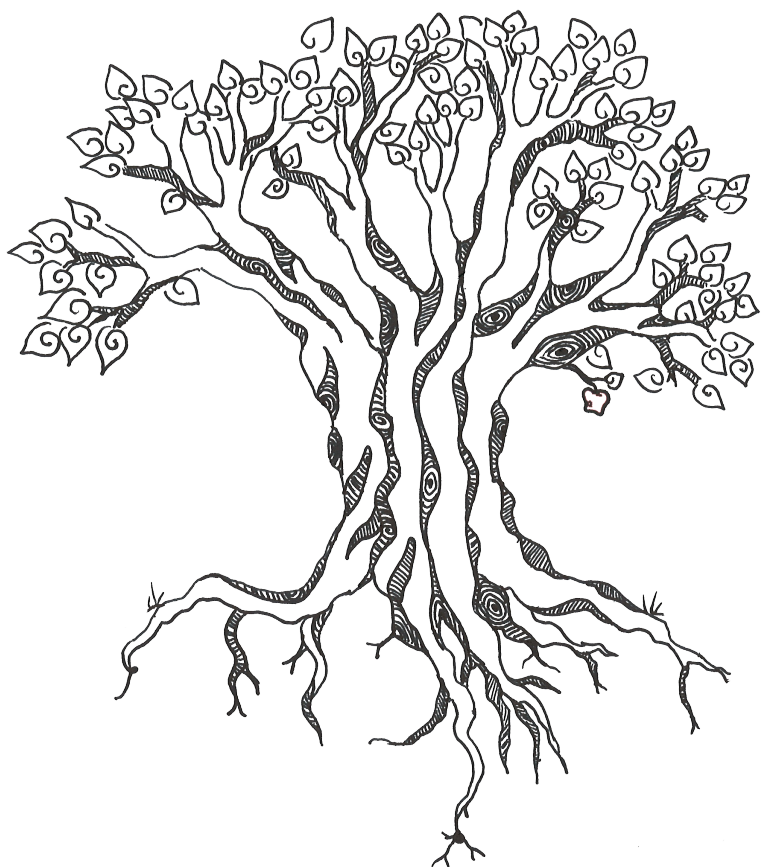## JOURNAL OF HISTORY AND POLITICAL SCIENCE

MAY KNOWLEDGE GROW

CRESCAT SCIENTIA

Journal of History and Political Science

Crescat Scientia is an annual publication of Utah Valley University's Department of History and Political Science. Issues are available for distribution during the spring semester of each academic year. To obtain subscription information or back copies of the journal, please contact the History Department:

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Advisor's Note

Dear Reader

2017 has the ring of history to it. We just don't know whether it will resound with dissonance or concord. Sydney Young, the editor-in-chief for this year's *Crescat Scientia*, has at all events orchestrated a wide gamut of historical papers with admirable harmony. This issue of Crescat touches on Marxism, Mormonism, terrorism, the American Dream, ancient medicine, peaceful resistance, and civil war. Award-winning entries from the Center for Constitutional Studies essay contest enrich the mix of undergraduate scholarship.

I want to take this opportunity to recognize my colleague Adam Eastman. A contributor to the very first Crescat in 2003, Adam went on to BYU, and then to the University of Oklahoma where he earned his Ph.D., before coming home to UVU as a lecturer in the history program. Not that every one of our majors should follow Adam's lead, but it is humbling to think that given a few years a former student might well reappear, having become rather more knowledgeable and accomplished than I am – humbling and rewarding. It's an honor to work with the likes of Adam Eastman.

Wherever this year's contributors go on their future adventures, I hope someday they look back at this time and wistfully recall their earlier efforts to make sense of humanity and history. For the present, join me in congratulating Sydney, her editorial staff, and especially the student authors, on the publication of *Crescat Scientia*, Volume 14.

May knowledge grow!

Keith Snedegar
Faculty Advisor

Editor's Note

"We are not makers of history. We are made by history."
–Martin Luther King Jr.

Through the events of history we are shaped, but what we do with this cumulation of past information today is completely up to us. We can learn from it, or we can dismiss it. The variety of topics in this year's edition of *Crescat Scientia* have analyzed and applied history in a way that readers can better understand historical events. Without the willingness and contribution of those that submitted this year, we would not have the glowing edition that we do.

Without the hard work and dedication of my staff this year, this edition would not have been possible. Specifically, I would like to thank my technical editor, Danielle Maddox, for her willingness and artistic flare she has personally contributed to the journal. I would have been beside myself without her aide and council. I express my gratitude to Dr. Snedegar, who has been allowed me to take the reigns, so to speak, and the journal in the direction my staff and I saw best fit.

In addition to this year's contributors, I would like to express thanks to the Center for Constitutional Studies for collaborating with us on the Religious Liberty Essay Contest. This has been a great experience for our participants and will hopefully benefit them in future endeavors in History and Constitutional Studies.

Lastly, a final thank you to our readers. It is with your reading and interpretation of these histories that we can learn from history and to help knowledge grow.

Sydney K Young
Editor-in-Chief
Crescat Scientia

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Achieving the American Dream: An Approach for Hispanic Minorities

| Molly Hone

America has been seen as the land of opportunity and advancement. It has been a place of new beginnings and a place to make something of yourself. This is known as the "American Dream." Recently, however, some have begun to question if the dream is still possible or if it is limited to only a few, special, chosen individuals. Many, like minorities, feel as if such a dream is unattainable for them and that America is no longer what it once was. This, of course, is far from the truth. The American Dream is still alive and can be achieved. In order for it to be attainable, all must have access to the same opportunities, which can be obtained and provided for, through education. To understand this reasoning, this paper will examine what constitutes the American Dream, challenges individuals such as minorities face in achieving it, and an example of what can be done to aid in overcoming those challenges.

Definitions

To begin, it must be determined what the American Dream is. If you were to ask ten people what their definition of the American Dream is, you'd probably get ten differing answers on what they believe the dream is. However, each of them would have one common theme: the ability to be able to become our fullest selves. Some may dream of great financial gain, or just the ability to support their loved ones, but in all the answers the common theme will be becoming who we are meant to be. According

to James Adams the American Dream is:

> That dream of a land in which life should be better and richer and fuller for everyone, with opportunity for each according to ability or achievement. It is a difficult dream for the European upper classes to interpret adequately, and too many of us ourselves have grown weary and mistrustful of it. It is not a dream of motor cars and high wages merely, but a dream of social order in which each man and each woman shall be able to attain to the fullest stature of which they are innately capable, and be recognized by others for what they are, regardless of the fortuitous circumstances of birth or position.[1]

Thomas Wolfe would follow this up with, "to every man, regardless of his birth, his shining, golden opportunity . . . the right to live, to work, to be himself, and to become whatever thing his manhood and his vision can combine to make him.[2] Both of these statements solidify what the American Dream is. The ability to be who we are meant to be, regardless of where we came from or who we are. Each of us has the same opportunity to become better.

Some see this merely has an unattainable dream, and see too many obstacles in their way to ever achieve such a dream. If one were to visit any major, inner city in the United States and speak to those of the lower class, or who are considered minorities, many would say that such a dream only exists for those who are privileged. For the white folks on the nice side of town. How true is this? What would those privileged have that these minority individuals do not? The answer is simple, opportunity.

Challenges

In order for all to have the same access in achieving the American Dream, then all must have access to the same opportunities. One of the outlets that this comes through is education. Education increases the standard of living in nearly all aspects of life. According to a report from Georgetown University, those who obtain a high school diploma or GED are expected to make over three hundred thousand more over a lifetime over those who did not. Those with a bachelor degree stand to make almost a million more over a lifetime than those with just a GED or high school diploma. Individuals that have a master's degree stand to make over a half million more than those with just a bachelor degree.[3] In addition

to more potential earnings, the more education an individual receives, the less likely they are to be incarcerated. A joint study done by UCLA and the University of Western Ontario in 2003 explored the correlation between imprisonment and education. Their findings were of no surprise. Through a series of qualitative tests, they found that the more years of education an individual had, the less likely they would be incarcerated. This appeared to be true not only generally, but also for all races as well.[4] Lastly, according to a study from the University of Michigan on the correlation between health and education, it was found that those who were more educated had more positive health outcomes. This may be due to having more income that allowed them better access to healthcare and/or a better understanding of how life choices affect one's health. In other words, the more education one received the more potentially healthy an individual would be.[5]

All of this has shown the importance of education to the wellbeing of an individual. However, it may still be questioned on what this has to do with achieving the American Dream. The American Dream is unachievable if individuals are worried about where their next paycheck or meal is coming from, or what is going to happen if they become sick. It is unattainable if poor life choices negatively affect one's health or leads them to being incarcerated. To achieve the American Dream, one must feel financially secure, healthy, and in good standing in society.

Knowing all of this, it can be determined that a greater emphasis would be put on the importance of gaining an education. However, this is not always the case, especially for minorities. According to a new research study, African Americans and Hispanics have historically held a much higher percentage of high school dropouts compared to whites. In the early 90s the national average for the dropout rate of Hispanics was 33% compared to 9% for whites. It then should come to no surprise that the standard of living for whites is much higher than that of Hispanics.[6] This connects to the idea that the less education an individual receives, the lower their quality of life. But why do these studies focus on high school education? High school is the time where individuals fully begin to make life choices that will affect their future. If they stay in school and finish they are more likely to continue to on to a further education or career. If not, they will more than likely face the negative effects of a lack of basic education.

Although, over the past few decades, the dropout rates for minorities like Hispanics have been in decline. According to the same Pew Research study in 2014, the dropout rate for Hispanics was 12%, still more than double that of whites, but a 20% drop is a significant improvement. This change has not happened on its own.[7] As it becomes more and more apparent the need to keep individuals, especially those in minority groups in school, organizations began to form to see what could be done. The majority of these organizations are nonprofits. An important distinction from government and for-profit organizations is the way these organizations function. Nonprofits pull the best of each of these types of organizations. The issues government entities come across is the inability to mobilize quickly and sometimes provide services for specific groups of people since their funding comes exclusively from the public. On the other hand, for profit organizations are motivated by money, so they will not provide services that are not profitable. Nonprofit organizations have therefore been created out of a necessity that neither of these entities could fill.

Solution

The conceptual idea of nonprofits was meant to be completely separate from both government entities and for profits. However, history has shown that not only is that idea unrealistic, but it is inefficient as well. These three sectors all have symbiotic relationships with one another. In simplified terms, governments receive funds mainly through taxes. These are taxes that citizens have the means to pay due to their jobs at for profit businesses. Nonprofits receive their funds entirely from government grants, or private donations from individuals or businesses. Businesses and citizens alike receive the services provided by both government entities and nonprofits. Donations to nonprofits also have the benefit of providing tax breaks, and in the right circumstances, good publicity for the business or individual.

Nonprofits have specifically been built into the current tax system to allow them to provide services without the fear of possible government retaliation against them if they don't conform to the current administration or societal beliefs. These protections allow the nonprofits to help groups, communities, or individuals who have historically been underserved by government entities. Traditionally nonprofits provide services,

education, and physical goods to individuals. Different nonprofits work in a variety of ways, but they all have the ultimate goal towards improving the quality of life. Whether that is in the form of protecting the environment, health clinics, soup kitchens, or community education classes, these organizations attempt to fix gaps left by society.

The dropout rates noted above are one example of these gaps and a reason why minorities find it difficult to believe that the American Dream is achievable for them. This, however, indicates a deeper issue that is pervasive in the Hispanic population: they are undereducated and therefore at a disadvantage in the job marketplace. This disadvantage leads to an inability to achieve their own version of the American Dream. One organization that helps to combat the issue is Latinos in Action (LIA); a 501(C)(3) nonprofit organization whose goals tailor around the idea of improving civic and educational engagement of the Latin American Community. Their ultimate mission is "Empowering Latino youth to lead and strengthen their communities through college and career readiness". They accomplish this through a variety of means. The majority of these means take place in the education system, in which students are taught courses on leadership, academic success, culture, and service. In addition, LIA seeks to work closely with other nonprofits and governmental organizations to further promote and achieve its goals.[8]

LIA is a unique organization. It is a nonprofit organization funded through United Way, private donations, and government grants. The LIA is also intricately linked with high schools and colleges (both public and private). This dichotomy allows the organization to reach students on a daily and personal basis, but it leaves the organization with a mixture of nonprofit and public sector elements. Funding for the organization comes from typical nonprofit sources, but those funds are used for normal administrative employees and to pay teachers to work in public schools. This creates an interesting dynamic as the teachers are paid by the school in behalf of the organization. These teachers still have to follow basic state and federal curriculum guidelines, but the content and guidelines fall within the goals of LIA and follows their mission.[9]

Each school has a chapter of LIA. The heads of each chapter are the teachers, and then students enroll in the classes or volunteer with the organization. The teachers of each chapter report to the principal of their schools, or to the deans of colleges if they are at the university level. There

is only a small administrative staff that works exclusively for the organization and has no additional ties with other public or nonprofit groups. This unusual system means the organization has both public and private employees.

This arrangement not only allows teachers to work one on one with students and be able to assist them on a regular basis, but also allows students to participate in the organization outside of the classroom. As part of the curriculum, LIA students go once a week to elementary schools to tutor elementary children in reading during their regular LIA class period. Outside of class students are required to complete additional service projects hosted by LIA. Juniors and seniors in high school also go on college campus tours to the local universities and community colleges. The underlying goal of the organization is to instill a desire to continue their education; whether it is the traditional route of college or through job trainings and individual certifications that allow for entry directly into the workforce.

This organization has chapters mainly in the state of Utah, but a growing number schools and school districts are using the program in Florida as well. These two states have been an excellent starting point for this nonprofit for two very contrasting reasons. Utah has historically had very low Latino graduation rates throughout the state. In 2015 the graduation rates for Hispanic high school students had jumped 17 points since 2010, but the jump only increased the graduation rate to 72%.[10] Florida, on the other hand, simply has the sheer numbers of students that need assistance. For the 2016-2017 school year, Utah has 108,141 Hispanic/Latino students enrolled in their K-12 classes, Florida has 913,073.[11][12]

In a short amount of time, these programs appear to have had positive outcomes for two school districts in Florida who have a large number of chapters in their high schools, Broward County Public School District and Orange County School District. In 2012 the dropout rate for Hispanic students in Broward County was 1.4%. By 2015 that number had dropped to 0.9%. Orange County saw similar results of a dropout rate in 2012 of 1.7% down to 0.3% in 2015.[13][14] Utah on the other hand can be viewed as a whole because there are LIA programs statewide, not just in a few select counties. In 2012 the Hispanic/Latino dropout rate was 10.5%.[15] Five years later that number has dropped to 8.8%.[16] While the Latinos in Action program is not the only factor in these changes, it increases awareness

in the community and provides invaluable resources for students.

Moving Forward

Latinos in Action presents a new model for what nonprofits can achieve if given the right access. The organization has a unique relationship with high school students and administrations, and therefore, it has unique challenges. As stated previously, nonprofits were meant to be separate from government entities. This organization cannot allow those barriers to exist since they work in the schools and offer elective classes as part of the school curriculum. LIA staff has to work side by side with the school administration on the curriculum of the classes, follow the school guidelines for attendance and outings, and most importantly, working with the teachers. The teachers are paid by LIA, but they work and fall under the management of the school they're assigned to.[17]

The administrative challenges are only a part of what nonprofits like LIA come across. One of the largest issues in achieving their mission statements is the students themselves overcoming their family and personal struggles. For many of these students, the LIA classes are the first time they are in the position to be mentors or tutors for younger students, the first time they are in a position to be leaders in their schools and communities, and more significantly, the first in their families to consider going to college. Students are ingrained at an early stage in school with the ideal of the American Dream, but for many students, it feels like a pipe dream. Due to the lack of faith, they tend to be apathetic towards school at best.

LIA and other programs like it work to overcome these obstacles with tenacity and common sense. LIA extensively uses social media to interact and educate students on the availability of their programs and services. To help schools, or when funding is an issue, the LIA teachers will teach other subjects as needed. Additionally, LIA is expanding and trying new programs to reach out to students' sooner, thereby helping to get them on the path towards graduation and college earlier as well. One new pilot program is a mentoring program through the nonprofit Big Brothers Big Sisters of Utah, called Mentor2.0. The students are matched with a big brother or sister and specifically mentored through their schoolwork. The mentoring program is different from the normal Big Brother Big Sister pairings. This is because they start at the high school level and focus exclusively on helping these high school students graduate to be-

come college ready. As an example, the LIA students at Cottonwood high school in Utah are required to participate in this mentoring program if they are enrolled in the LIA class.[18]

Living the Dream

The above example of LIA provides a model that can be followed to help individuals, especially minorities, achieve the American Dream. Organizations, like LIA, enable individuals to have resources they need to obtain an education. In addition, it also provides them with opportunities to grow and gain skills they can use as they move on to post-secondary education. Each of these then increases an individual's chance for a better standard of living, in all aspects. As they reach this goal, the better chance they have at obtaining the American Dream.

The American Dream is not dead. It lives on, but it is not a dream that's just given. It is one that must be worked for, and at times fought for. It's true that some in the United States face a tougher path to obtain the Dream, but that does not mean it is not possible. With the aid of nonprofit organizations and individual drive, any individual will be able to have access to the resources they need to achieve their own American Dream.

(Endnotes)

1 James Turslow Adams, *The Epic of America* (Boston, 1931), 214-215.

2 Thomas Wolfe, *You Can't Go Home Again* (New York, 1940), 425-434.

3 Anthony P. Carnevale, Stephen J. Rose, and Ban Cheah, *The College Payoff*: *Education, Occupations, Lifetime Earnings*. Report. Center on Education and the Workforce, Georgetown University (Georgetown University, 2011), 2-9.

4 Lance Lochner and Enrico Moretti, "The Effect of Education on Crime: Evidence from Prison Inmates, Arrests, and Self-Reports" *American Economic Review* 94 (2004), 155-189.

5 David M. Cutler, Adriana Lleras-Muney. "Education and Health: Evaluating Theories and Evidence." (National Poverty Center, 2006).

6 Jens Manuel Krogstad, "5 Facts about Latinos and Education." Pew Research Center (July 18, 2016). Accessed January 24, 2017.

7 Ibid.

8 Latinos in Action, "What We Do." Website.

9 Kristen Berrett, LIA instructor, interview by Molly Hone (November, 2016).

10 Benjamin Wood, "Big Gains in Latino Graduation Rates, but Utah Still Lags Nation," *Salt Lake Tribune* (May 13, 2015). Accessed January 25, 2017.

11 State of Utah, State Board of Education, *Student Demographics*. (2016).

12 State of Florida, Department of Education, *Membership by school/race/gender*. (2016).

13 State of Florida, Department of Education, *High School Dropout rates 2014-2015*. (2015).

14 State of Florida, Department of Education, *High School Dropout Rates 2011-2012*. (2012).

15 State of Utah, State Board of Education, *High School Dropout Rates 2011-2012*. (2012).

16 State of Utah, State Board of Education, *High School Dropout Rates 2012-2016*. (2016).

17 Berrett, interview by Molly Hone (November 2016)

18 Ibid.

## Bibliography

Adams, James Truslow. *The Epic of America*. Boston: Little, Brown and Co., 1931.

Berrett, Kristen. "LIA Instructor Interview." Interview by author. November 2016.

Carnevale, Anthony P., Stephen J. Rose, and Ban Cheah. *The College Payoff*: *Education, Occupations, Lifetime Earnings*. Report. Center on Education and the Workforce, Georgetown University. Washington, DC: Georgetown

University, 2011.

Cutler, David, and Adriana Lleras-Muney. "Education and Health: Evaluating Theories and Evidence." *National Poverty Center*, 2006.

Krogstad, Jens Manuel. "5 Facts About Latinos and Education." *Pew Research Center*, July 28, 2016. Accessed January 24, 2017.

Lochner, Lance, and Enrico Moretti. "The Effect of Education on Crime: Evidence from Prison Inmates, Arrests, and Self-Reports." *American Economic Review* 94 (2004).

State of Florida. Department of Education. *High School Dropout Rates 2011-2012.* 2012.

State of Florida. Department of Education. *High School Dropout Rates 2014-2015.* 2015.

State of Florida. Department of Education. *Membership by School/Race/Gender.* 2016.

State of Utah. Utah State Board of Education. *High School Dropout Rates 2011-2012.* 2012.

State of Utah. Utah State Board of Education. *High School Dropout Rates 2012-2016.* 2016.

State of Utah. State Board of Education. *Student Demographics.* 2016.

"What We Do." Latinos in Action. Accessed January 25, 2017. http://www.latinosinaction.org/.

Wolfe, Thomas. *You Can't Go Home Again*. New York: Harper Collins, 1940.

Wood, Benjamin. "Big Gains in Latino Graduation Rates, but Utah Still Lags Nation." *Salt Lake Tribune*, May 13, 2015. Accessed January 25, 2017.
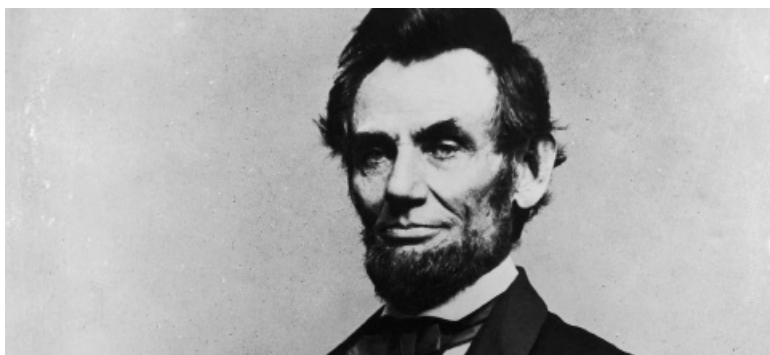
Abraham Lincoln: Generals of the Civil War

| Andre Jones & Val Peterson

Lincoln's Leadership

Though he did not possess the strategical expertise at the beginning of the Civil War, he developed it quickly by going to the Library of Congress and reading books on military strategy. Lincoln had the ability to learn on the job. It seemed that most of his generals were either insubordinate or unable to advance on the enemy due to fear or excuses, thus he had to learn quick to overcome this obstacle. Lincoln went out to the field and managed directly. At the Battle of Fort Stevens President Lincoln actually came under fire from Confederate sharpshooters (the second and last President to be in such a position). In Antietam on October 3rd, 1862, Lincoln personally visited the battlefield to urge General McClellan to attack Confederate forces. Besides making frequent appearances in camps and at parades, Lincoln even personally tested such new pieces of military technology such as the "coffee-mill" machine gun and the Spencer repeating rifle. He really was the Commander in Chief of the American military.

Lincoln possessed the ability to control his emotions. Of course, he got angry and frustrated, but he found a way to channel those emotions by writing what he called a "hot letter". After one of the bigger blunders of the war when General Meade allowed the Confederate forces to escape (causing the prolongment of the war), Lincoln wrote an angry letter, and then filed away the letter unsent having gotten the feelings off his

chest. Lincoln had weaknesses, but he was aware of them. He tended to give people too many chances, such as General McClellan who was general-in-chief of the Union Army. McClellan refused to follow directives about the war effort. To combat this weakness, Lincoln set a deadline and eventually removed McClellan from the position.

He had the capacity to listen to different points of view. It has been said that Lincoln's Cabinet was some of the best and brightest, but also contained some of his greatest political rivals. Despite this, Lincoln had a leadership style that pulled some of the greatest minds of his time together. He appointed people who ran against him in elections, who had different beliefs, or who seemed to disagree with him altogether. Lincoln created a climate where his Cabinet members felt able to disagree one with another without retaliation. This would also create long discussions and debates on many topics, but Lincoln knew when to stop the discussion and make a final decision.

Meet the Generals
George B. McClellan

General McClellan's relationship with Lincoln was burdened by his slow and overcautious leadership in the field, often times he was duped by his spies' fantastic exaggerations of enemy strength. Lincoln saw McClellan's merit with organization, but despite all the chances he gave him, McClellan still failed.

To McClellan's credit, he was the most organized general-in-chief for the Union's Army. However, as he was replaced by Halleck in the summer of 1862, McClellan's exchanges with his replacement resembled that of a pouty teenager.[1] He was defiant when he was released, disobeyed new general-in-chief Henry Halleck's orders on multiple occasions, and had inflated guesstimates about Confederate Gen. Robert E. Lee's armies the majority of his tenure. Halleck takes some condemnation as well for giving discretion to McClellan on the matter at a critical moment. When a guy clearly objects to something you have told him to do and then you give him discretion on the matter, his actions become predictable.

In early December 1861, after McClellan had been commander of the Army of the Potomac for more than four months, he had done little with it except conduct drills and reviews. Due to this, Lincoln drew on his reading and discussions of military strategy to propose a campaign

against Confederate Gen. Joseph E. Johnston's army to then occupy the Manassas-Centreville sector 25 miles from Washington. Lincoln's plan was to have part of the Army of the Potomac engage a frontal attack while the rest would move up on the rear of the enemy to flank them from the Occoquan Valley. This would cut communications using a pincer movement to stop the Confederates. Not only was this what Johnston feared the most, but Lincoln's premises was the perfect recipe for success. McClellan rejected the plan in favor of a safer and much longer movement all the way south on the Rappahannock River. Lincoln asked, "does not your plan involve a greatly larger expenditure of time . . . than mine?"[2] This also noted that the enemy army was the objective, not Richmond, and that this plan would allow the Army of the Potomac to work out of its own base whereas McClellan's plan would draw the enemy back toward his base partially disabling the Union supply line.
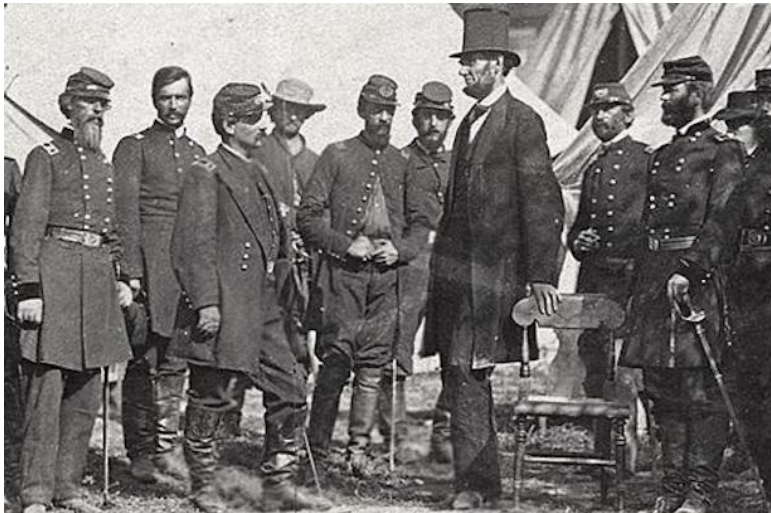
President Lincoln visiting General McClellan's headquarters at Antietam Battlefield.[3]

McClellan ignored Lincoln's questions and proceeded with his own plan, with an 8-4 vote from his division commanders who were in favor of it. Johnston then messed up McClellan's plan by withdrawing from

Manassas to the south bank of the Rappahannock — anticipating the maneuver that Lincoln suggested. McClellan instead shifted the entire campaign all the way to the Virginia peninsula, allowing Johnston time to bring every man of his army down to the peninsula. Lincoln telegraphed McClellan on April 6 suggesting, "I think you better break the enemies' line from York-town to Warwick River, at once." Lincoln tried and tried again to enunciate the major theme of his military strategy of how the war can only be won by fighting the enemy rather than by endless sieges and movements to occupy places. Again on April 9th, "Once more," wrote Lincoln, "let me tell you, it is indispensable to you that you strike a blow."[4] Some argue that it was because the Army of the Potomac had Washington looking over their shoulders that caused the paralyzing failure that befell most of the generals. Author James McPherson comments on the generals' behavior: "They seemed paralyzed by responsibility for the lives of their men as well as the fate of their army and nation. This intimidating responsibility made them risk-averse."[5]

His escapades of incapability had left him with the nickname "Tardy George." This refers to when a copy of Lee's marching orders fell into McClellan's lap and he marched to intercept the Southern army at Sharpsburg, Maryland. Here the bloodiest day in America's history occurs on the banks of Antietam Creek, resulting in over 22,000 casualties. The Battle of Antietam, where Lee's army was moments away from being destroyed with it's back to the Potomac, ended as a crimson stalemate. This allowed the extremely weak Southern army to retreat without pursuit. Had the general committed his thousands of fresh troops to take the weakened Confederate defenders, Little Mac could have ended Lee's army there, shortening the war altogether.

General John A. McClernand

General McClernand was an enthusiastic, enterprising, courageous, brash, and undisciplined man. He was also trouble. For President Lincoln, General McClernand was both a political asset and a military problem. He asked Lincoln for more troops and armies, feuded with General Henry W. Halleck, disobeyed orders from General Ulysses S. Grant, aggravated General Sherman, and was finally dismissed by General Grant in 1863 after his actions in the siege of Vicksburg. When asked, Lincoln shared his opinion of McClernand as being "brave and capable, but to desirous

to be independent of everybody else."[6] After serving with Mr. Lincoln in the State Legislature and Congress, you could tell the two were close and probably covered each other's backs when it came to politics. After an incident where McClernand leaked materials to a newspaper claiming Grant's victory was not deserved, Grant relieved him of command. President Lincoln's friendship could not exonerate his political ally here when he agreed with Grant's decision adding, "I am constantly pressed by those who scold before they think, or without thinking at all, to give commands respectively to Fremont, McClellan, Butler, Sigel, Curtis, Hunter, Hooker, and perhaps others, when all else out of the way, I have no commands to give them. This is now your case . . ."[7] McClernand is said to be a great example of what can happen when correct procedures aren't followed.

Joseph Hooker

One of the greatest Lincoln communiques was with Joseph Hooker. After General Hooker had been appointed to command the army of the Potomac in January 1863, President Lincoln wrote him a classic letter of advice: "I have heard, in such a way as to believe it, of your recently saying that both the Army and the Government needed a Dictator. Of course it was not for this, but in spite of it, that I have given you the command. Only those generals who gain successes, can set up dictators. What I now ask of you is military success, and I will risk the dictatorship." Hooker was chagrined and chastened. Lincoln closed the letter to Hooker: "And now, beware of rashness. Beware of rashness, but with energy, and sleepless vigilance, go forward, and give us victories."[8]

When the Army of Northern Virginia started north in the campaign that led to Gettysburg, Gen. Hooker proposed to cut in behind the advancing Confederate forces and attack Richmond. Lincoln rejected the idea explaining the strategy that, for some reason, perplexed most of Lincoln's generals. "Lee's Army, and not Richmond, is your true objective point," he wired Hooker on June 10, 1863. A week later, as Lee approached Pennsylvania, Lincoln told Hooker this opportunity "gives you back the chance that I thought McClellan lost last fall"[9] to destroy Lee's army away from their base of operations. But Hooker, like McClellan, retorted that the enemy outnumbered him (which they definitely didn't) and allowed Lee's scattered army to retreat in peace.

George Gordon Meade

General Meade was said to be an unfavorable person to talk with and unpleasant in general. He was partially responsible for winning the battle at Gettysburg, which is said to have turned the tide of the war. He is most remembered however for not pursuing the Confederate Army when they were in his grasp.

On June 28, Lincoln was tired of listening to Hooker's complaints and replaced him with George Gordon Meade, the infamous general who maimed Lee instead of destroying him at Gettysburg. Through providence Lee was trapped by the Potomac river rising around his army, and Lincoln exhorted Meade to close in for the kill. Like the Houston Oilers in 1993 who lost after a 28-3 lead in the first half, Meade pursued the retreating Confederates so slowly that the forces managed to retreat safely over the Potomac. Lincoln couldn't believe the victory statement that Meade released to his army on July 4 stating, "looks to the army for greater efforts to drive from our soil every vestige of the presence of the invader." "Great God!" cried Lincoln. "This is a dreadful reminiscence of McClellan . . . Will our Generals never get that idea out of their heads? The whole country is our soil."[10][11] Lincoln worried that this point of the war was one his generals may never understand.

Lincoln wrote to Meade soon after the news of his blunder saying, "My dear general, I do not believe you appreciate the magnitude of the misfortune involved in Lee's escape . . . Your golden opportunity is gone, and I am distressed immeasurably because of it."[12]

This famed letter would never reach the hands of General George Meade, as Lincoln never send it, but filed it away, having released the angry and depressed feelings he had about the situation. Lincoln never changed his stance, however, which was echoed months later when once again the Army of the Potomac fought in the devastated land between Washington and Richmond.

William T. Sherman

Sherman and President Lincoln's relationship varied throughout the war. Though General William T. Sherman respected Mr. Lincoln, he did not consider them friends. In their first meeting, Sherman was disgusted by the President and his seemingly ignorant attitude on the succession of the South. "There is no doubt that Lincoln's earliest impressions of

Sherman were quite as unfavorable to Sherman as were Sherman's early impression of Lincoln, "wrote Pennsylvania journalist Alexander K. McClure. Moments after he leaves his first meeting with Lincoln at a party, he stated to his brother, "I was sadly disappointed, and remember that I broke out on John [brother], d-ning the politicians generally, saying, 'You have got things in a hell of a fix, and you may get them out as best you can,' adding that the country was sleeping on a volcano that might burst forth at any minute . . . "[13]

According to a letter Sherman wrote his brother in the summer of 1862, his perception of Lincoln made a drastic change. The general wrote, "I think Mr. Lincoln is a pure minded, honest and good man. I have all faith in him. In congress & the cabinet there is too much of old politics, too much of old issues, and too little realization. I think it is a great mistake to stop enlistments. There may be enough on paper, but not enough in fact."[14]

A few days before Christmas in 1864, the famous "Sherman's March to the Sea" commenced with the capture of the last Confederate stronghold in Savannah. Sherman dispatched a letter to Lincoln, offering the newly obtained city as a Christmas present to the President. "His Excellency President Lincoln: I beg to present you as a Christmas gift, the city of Savannah, with 150 heavy guns and plenty of ammunition, and also about 25,000 bales of cotton." Lincoln replied, "Many, many thanks for your Christmas gift - the capture of Savannah."[15]

General Sherman's attitude and tactics changed drastically as he adapted to the South, a trait that Lincoln highly favored. One of the most memorable quotes by Sherman that I remember from my high school days was, "I am tired and sick of war. Its glory is all moonshine. It is only those who have neither fired a shot nor heard the shrieks and groans of the wounded who cry aloud for blood, for vengeance, for desolation. War is hell."[16]

Ulysses S. Grant

Determined in battle, yet calm and collected, General Grant was one of Lincoln's most loyal leaders. Before receiving the title General-in-Chief, Grant never personally met the President before, which deepens my astonishment of Lincoln's trust in him.

The President saw Grant's potential, even during his bad days. On

the first day of the Battle of Shiloh Grant's forces had nearly been defeated. When Lincoln was confronted about relieving Grant of command he replied, "I can't spare this man; he fights."[17] On another occasion the President commented what kind of man Grant was: "Well . . . I hardly know what to think of him, altogether. He's the quietest little fellow you ever saw," said the President. "Why, he makes the least fuss of any man you ever knew. I believe two or three times he has been in this room a minute or so before I knew he was here. It's about so all around. The only evidence you have that he's in any place is that he makes things git! Where he is, things move!"[18]

Just when you thought Lincoln's respect for Grant couldn't grow any more, the general brings home another victory at Vicksburg on July 5, 1863. The President complimented him saying, "He doesn't worry and bother me. He isn't shrieking for reinforcements all the time . . . And if Grant only does one thing down there — I don't care how much how, so long as he does it right - why, Grant is my man and I am his the rest of the war!"[19]

In Summary

Each time Lincoln's generals failed him, they swiftly found themselves relieved of command. From Stonewall Jackson's offensive through the Shenandoah Valley to Lee's invasion of Pennsylvania in the Gettysburg campaign, Lincoln never could have predicted the barriers he would face in bringing the country together. Unskilled, untrained, and impromptu; Lincoln's only military experience was the inaction he experienced in the Black Hawk War, which he mocked during his only term in Congress, "I fought, bled and came away [after] charges upon the wild onions [and] a good many bloody struggles with the Musquetoes."[20] Yet Lincoln, as Commander in Chief, would cut through the weaknesses of his generals who would not fight.

Lincoln's luck finally came to fruition with Grant and Sherman. Akin to himself, these two generals were willing to make the same sacrifices and travails that they demanded of their soldiers. This type of leadership eventually led the Union forces to victory. Lincoln's insurmountable challenge of inexperience was overcome by his ability as a self-taught strategist, a wise mediator, and an objective leader.

(Endnotes)

1 D. J. Eicher, *The Civil War in books: an analytical bibliography* (Urbana: University of Illinois Press, 1997).

2 Henry Jarvis Raymond, *Lincoln, His Life and Time* (Chicago: Thompson & Thomas Publishers, 1891).

3 Alexander Gardner, "President Lincoln of Battle-field of Antietam, October 3, 1862." *Gardner's Photographic Sketchbook of the Civil War*, 1863. Albumen print. Prints and Photographs Division. "President Abraham Lincoln with General George McClellan (third from left) at his headquarters in Antietam, Maryland in 1862." (Library of Congress).

4 G. B. McClellan & S. W. Sears (1992). *The Civil War papers of George B. McClellan: selected correspondence*, 1860-1865 (New York: Da Capo Press, 1992).

5 James M. McPherson, "Lincoln as Commander in Chief," Smithsonian Magazine, January 2009.

6 T. H. Williams, *Lincoln and his generals* (New York: Knopf, 1952).

7 Don E. Fehrenbacher, editor, *Abraham Lincoln, Speeches and Writings Part 2: 1859-1865* (New York, The Library of America, 1989).

8 Roy P. Basler, editor, *Collected Works of Abraham Lincoln*, Volume VI (New Brunswick, 1953): 78.

9 Herbert Mitgang, editor, *Washington, D.C., in Lincoln's Time: A Memoir of the Civil War Era by the Newspaperman Who Knew Lincoln Best*, 63.

10 "Greatest Comebacks in NFL History," Pro Football Hall of Fame. Accessed July 12, 2016.

11 J. M. McPherson, *The war that forged a nation: why the Civil War still matters* (New York, NY: Oxford University Press, 2015).

12 Roy P. Basler, editor, *Collected Works of Abraham Lincoln*, Volume VI: 327-328.

13 A. K. McClure, A. K., *Abraham Lincoln and Men of War-times: Some Personal Recollections of War and Politics During the Lincoln Administration* (Lincoln, Neb: University of Nebraska Press): 230.

14 W.T. Sherman, *Memoirs of Gen. William T. Sherman – Complete* (Bloomington: Indiana University Press, 1875): 167-168.

15 Brooks D. Simpson and Jean V. Berlin, editors, *Sherman's Civil War: Selected Correspondence of William T. Sherman*. "Letter to John Sherman, May 12, 1862" (The University of North Carolina Press, 1999): 217.

16 Roy M. Basler, *Collected Works of Abraham Lincoln*, Volume VIII: 181-182.

17 A. K. McClure, *Abraham Lincoln and Men of War-times: Some Personal Recollections of War and Politics During the Lincoln Administration* (Lincoln, Neb: University of Nebraska Press): 193-194.

18 W.O. Stoddard & H. Holzer, *Lincoln's White House Secretary: The Adventurous Life of William O. Stoddard*. (Carbondale: Southern Illinois University Press): 197-199.

19 Brooks D. Simpson, *Ulysses S. Grant: Triumph Over Adversity, 1822-1865*: 215.
20 J. M. McPherson, *The war that forged a nation: why the Civil War still matters* (New York, NY: Oxford University Press, 2015).

Bibliography

"Abraham Lincoln." Digital Image. Presidential Biographies. Web. https://www. whitehouse.gov/1600/presidents /abrahamlincoln. Accessed 14 Mar, 2017. Photo displayed on Cover page.

Basler, Roy P., Editor. *Collected Works of Abraham Lincoln*, Volume VI. New Brunswick, 1953: 78, 327-328.

Basler, Roy M., Editor. *Collected Works of Abraham Lincoln*. Volume VIII: 181-182.

Eicher, D.J. *The Civil War in books: an analytical bibliography*. Urbana: Univer sity of Illinois Press, 1997.

Fehrenbacher, Don E, Editor. *Abraham Lincoln, Speeches and Writings Part 2: 1859-1865*. New York: The Library of America, 1989.

Gardner, Alexander. "President Lincoln of Battle-field of Antietam, October 3, 1862." *Gardner's Photographic Sketchbook of the Civil War*, 1863. Albumen print. Prints and Photographs Division, Library of Congress (146) Digital ID #ppmsca-12544.

"Greatest Comebacks in NFL History." Pro Football Hall of Fame. Accessed July 12, 2016.

McClellan, G. B. and S.W Sears. *The Civil War papers of George B. McClellan: selected correspondence, 1860-1865*. New York: Da Capo Press, 1992.

McClure, A. K. *Abraham Lincoln and Men of War-times: Some Personal Recollections of War and Politics During the Lincoln Administration*. Lincoln. Neb: University of Nebraska Press, 193-194, 230.

McPherson, James M. "Lincoln as Commander in Chief." Smithsonian Maga zine, January 2009.

Mitgang, Herbert, editor, *Washington, D.C., in Lincoln's Time: A Memoir of the Civil War Era by the Newspaperman Who Knew Lincoln Best*. Noah Brooks, p. 63

McPherson, J. M. *The war that forged a nation: why the Civil War still matters*. New York, NY: Oxford University Press, 2015.

Raymond, Henry Jarvis. *Lincoln, His Life and Time*. Chicago: Thompson & Thomas Publishers, 1891.

Sherman, W. T. *Memoirs of Gen. William T. Sherman – Complete*. Blooming ton: Indiana University Press, 1875. 167-168.

Simpson, Brooks D. and Jean V. Berlin, editors. *Sherman's Civil War: Selected Correspondence of William T. Sherman*. "Letter to John Sherman, May 12, 1862." The University of North Carolina Press, 1999: 217.

Simpson, Brooks D. *Ulysses S. Grant: Triumph Over Adversity, 1822-1865*. Boston: Houghton Mifflin Company, 2000: 215.

Stoddard, W. O. and H. Holzer. *Lincoln's White House Secretary: The Adventurous Life of William O. Stoddard*. Carbondale: Southern Illinois University Press, 2007: 197-199.

Williams, T. H. *Lincoln and his generals*. New York: Knopf, 1952.

How Mormonism Evolves:
The Evolution of Revelation

| Oakley Hill

Mormonism is one of the newest world religions, and also one of the fastest growing. Latter Day Saints (LDS/Mormons) believe in living prophets or oracles who receive divine revelation from God. These Prophets are also the central governing body of the church. Like all religions, Mormonism has undergone significant changes since its conception including: scriptural interpretations, political behavior, and changes in ritual. These historical changes can be understood as a type of evolution wherein a religion adapts in order to survive. This article will cover a few major adaptations which demonstrate that Mormonism does evolve, and that this has contributed to its own survival. The means of Mormon unification and adaptation will also be identified and explicated.

One particular Sunday while I was attending a local LDS Church service, a local religious leader, a member of the high council, came to the pulpit and gave a stirring sermon on his beliefs. Amongst those beliefs, one stood out in particular. It was the teaching among The Church of Jesus Christ of Latter Day Saints (the Mormon Church) was "the only true and living church upon the face of the whole earth."[1] The scripture was not uncommon and unfortunately neither was the next verse he shared, "Behold there are save two churches only; the one is the church of the Lamb of God, and the other is the church of the devil."[2] The speaker subsequently connected the two teachings into one by saying that "the [Mormon] church was the only true church, the church of the lamb of God.

Every other church in existence" he said, "is part of the church of the devil." Needless to say, it was a rousing sermon. The following Sunday our Bishop, another local LDS leader, corrected what was said by quoting an official church statement discrediting the teaching. The Bishop explained that while this interpretation was once taught by LDS authorities, more recent leaders have turned away from it. This was quite foreign to me, since before this experience I didn't know religious dogmas changed. I had been taught since I was a small child that my Church's teachings were unchangeable because God was the same from "everlasting to everlasting."[3]

As I searched for explanations, I discovered that many doctrines had changed and many words were reinterpreted. In the 1830s when the LDS church was organized, LDS leaders taught that the Catholic Church was "The Whore of Babylon,"[4] a scriptural figure found in the writings of both Nephi and John the Revelator. "The Whore of Babylon" was a symbol of what would fight against the saints in the last days. During the first decade of LDS history, the Catholic Church was considered the "Whore of Babylon." Over time the definition became more inclusive. As persecution from Protestants increased, all of Christianity was included, and as the Saints were forced to leave the country, so was all of American society.[5] Today, "The Whore of Babylon" is defined as no specific religion or group of people, but any socio-political movement which "fights against the saints."[6] The "whore" is now interpreted as ideas and principles, so specific people and organizations are no longer implicated. Even members of the LDS church can follow the Whore and become members of the "Church of the Devil" if their motivations are worldly.

The broadening definition of "The Whore" is an example of *Religious Evolution*. The purpose of this study is to show how the Latter Day Saint Church has adapted and evolved since its conception. The belief in central authority figures who receive constant revelation is a feature that makes Mormonism quite unique. Other religions, like Catholicism, have central authority figures; and some forms of Protestantism believe in revelation. However, a living central authority who receives revelation (a prophet) is fairly unique to Mormonism. Most religions with similar beliefs die out after the death of the leader. Mormonism is one of very few exceptions.

Religious Evolution

Ina Wunn, sociologist and initiator of the United Nations of Religion, showed invariably that religions do evolve. In the article "The Evolution of Religions," she shows that religious evolution meets the two characteristics of an evolutionary process: "variation, and independent selection,"[7] also known as variation and isolation. New religions are born when old religions undergo fundamental changes (variation). This new group identifies itself as separate from all other belief systems (isolation). Much like a variant species will isolate by limiting sexual behavior within its sub-species, religions will isolate their worship from their mother-religion. Christianity, for example, was first seen as a reformation of Judaism, but over time became its own distinct religion; "Christianity originated in Judaism, integrated Greek philosophy and religious thought, and developed… into a… successful religion."[8] First Christianity varied, and then became isolated. Today within Christianity there are countless denominations, or variations that exist. Not all of Christianity's denominations still exist; many have died out in ways that can be understood as a kind of natural selection. In other words, religious evolution, like biological evolution, is influenced by environment, selection, and competition.

American Sociologist Robert Bellah categorized religions into five major groups in his publication "Religious Evolution." Each group expresses a different stage of evolution, and is loosely correlated with European history. Bellah's classifications are as listed: primitive, archaic, historic, early modern, and modern. Since only the latter three apply to Mormonism, they are all that will be summarized. A historic religion can be recognized by a hierarchical structure believed to exist in both the physical and spiritual world. Historic religions also rule in a sort of dualism, being simultaneously religious and political. Some examples include Judaism's "Prophet and King;" Islam's "Ulama and Sultan;" Catholicism's "Pope and Emperor;" and Confucianism's "Scholar-official and his Ruler."[9] In each of these cases, the leader was both religious and governmental just as the religion was simultaneously state and religion. In historic religions, salvation can only be administered through the hierarchy—usually in the form of some kind of sacrament or other religious ceremony.

Most early-modern religions are a product of the enlightenment and reformation. They are most notably characterized by "the collapse of the hierarchical structuring of both this and the other world." In other

words, the authoritarian structure within historic religions is not found in the early-modern religions. Instead of salvation being dependent on the administration of sacraments, "salvation [is] potentially available to any man."[10] Salvation, in the early modern sense, is between individuals and God; there is no middle-man.

Modern religion is a progression of early-modern. In modern religions, there is no hierarchy but a high emphasis on personal interpretation. There is also a light attitude towards doctrinal orthodoxy amongst some groups and complete abandonment of orthodoxy in others. Among most modern religions, "the idea that all creedal statements must receive a personal reinterpretation is widely accepted."[11] Morality is also subjective. Bellah sum's up modern religion by quoting Thomas Paine[12], "My mind is my church."[13] Some, Like authors Dolgen and Leone, categorize Mormonism as a modern religion. Historians Kendal and Daryl White disagree with them. However, because it is unnecessary to place any religion in a rigid category, it is unnecessary to take sides in this debate. Mormonism expresses characteristics of historic, early modern, and modern.

Mormon Variation and Isolation

Mormonism began in the fertile soil of the second great awakening; a time period when people long since asleep to organized religion were awakened to activity in faith communities. Historians Kendall White, Jr. and Daryl White explained, "Mormonism emerged in America in the 1830's during a period of profound social change."[14] While the changes in the 1830's were not exclusively religious, the exciting times proved to be fertile ground wherein Mormonism could be planted and take root. This can be understood by Wunn's analysis, which tells us that new religions are born during times of change.

In the beginning Mormonism wasn't too different from other religious movements of the time. Mormonism's unique qualities included the emergence of new scripture—The Book of Mormon—and a belief in modern revelation. However, even the latter wasn't extremely unique. At the time, religious leaders outside of Mormonism were also claiming divine revelation. The text of the Book of Mormon, while unique in its existence, fit very well with popular Christian creeds. Passages like "and the only and true doctrine of the Father, and of the Son, and of the Holy Ghost, which is one God, without end;"[15] and "because they . . . choose works of

darkness rather than light, therefore they must go down to hell"[16] fit very well with Christian creeds and the popular religious language of the time.

During Joseph Smith's lifetime, Mormonism became something separate and distinct from Protestant Christianity. This can be demonstrated by comparing the verses cited above to the following quotes from Joseph Smith: "God himself was once as we are now, and is an exalted man, and sits enthroned in yonder heavens," and "God had materials to organize the world out of chaos—chaotic matter."[17] Comparing this to Nicene Creed dogmas, or the Christian doctrine of creation ex-nihilo, creation from nothing, it is easy to see why Mormon's were pushed to the outskirts of Christianity. While Mormonism began as a slight variation from Protestant Christianity, it has adapted greatly through the revelations of Joseph Smith, and became its own distinct religion.

The Means of Mormon Evolution

Wunn demonstrates that religious evolution is a valid theory by answering these three questions: "1) Do religions change during history? 2) Are there any related religions? . . . [And] 3) What are the means of religious evolution?"[18] So far this article has demonstrated that Mormonism does change during history, and it is related to Protestant Christianity. What is now left to discover is the means of Mormonism's adaptation; in other words, how has Mormonism evolved over time?

The evolution of Mormonism seems to be driven from the top-down, or rather from church authorities down to the lay member through the means of revelatory claims. Polygamy serves as a great example of this. In 1843 Joseph Smith published a revelation commanding the saints to practice polygamy. The revelation stated that "no one can reject this covenant, and be permitted to enter into [God's] glory."[19] In a society infinitely more sexually conservative than contemporary American society, polygamy was seen as a sacrifice of Abrahamic[20] proportions. There was no steady progression, or rather, no cultural evolution towards polygamy. Mormons adopted the practice despite its foreign nature and their disdain of it.[21] Polygamy came straight from the prophet-leader Joseph Smith to the rest of the church. Apparently, Smith had been secretly practicing polygamy since 1835, almost eight years before the official revelation.

While some members had left the faith over the institution of polygamy, Mormonism's top-down means of evolution was successful. This can

be demonstrated by the polygamy ban in 1890. This practice was abandoned due to legal issues, "not because it had been deemed immoral or ungodly, but rather because the US government would not tolerate its continued practice."[22] The ban proved to be somewhat difficult, as polygamy had become "not simply a practice; [but] a doctrinal position that was central to Mormon theology."[23] The evolution of Mormonism from monogamy to polygamy seems to have been very successful as demonstrated by the difficulty of later Mormons to abandon it.

Both the establishment and abandonment of polygamy shows that Mormon evolution comes from the top-down, even if the membership seems unready for the change. After prohibiting polygamy, President Wilford Woodruff interpreted why God stopped the practice. According to Woodruff, "the cost of the confiscation and loss of all the Temples . . . imprisonment of the First Presidency and twelve and the heads of the families of the church"[24] would have resulted had polygamy not been abandoned. In other words, Woodruff claimed that God ended polygamy to keep temples in the hands of the church, and to save them from suffering. White adds, "the Manifesto was a desperate act to placate politicians and the public."[25] During this fundamental change, prophet-leaders gave both a revelation ending polygamy, and an explanation of why they received the revelation.

The Polygamy ban was interpreted by Mormons in numerous ways. Some saw it as a temporary maneuver while others thought it was only applicable to marriages performed within the United States. The latter performed marriage ceremonies at sea and in foreign countries. Others continued the practice in secret while others simply believed that polygamy was no longer permitted.[26] These differentiating interpretations were not well received by church leadership. After the release of the second manifesto, all who continued to solemnize polygamous marriages in or out of the U.S. were threatened with Excommunication. This resulted in Apostles resigning their positions and members leaving the church and creating new organizations like the Fundamentalist Latter Day Saints. These groups still practice polygamy today. Just as Wunn suggests, new religions are created when an old religion experiences fundamental changes.

Modern Adaptations

Later in history, Mormonism seems to have evolved in the way it dis-

tributed revelation. Kendall White Jr. And Daryl White wrote an article titled "A critique of Leone's and Dolgin's application of Bellah's Evolutionary Model to Mormonism." Here they agreed, "Mormonism is in a state of perpetual innovation having institutionalized devices for continual absorption of change." According to White, Leone believes Mormonism institutionalized means of change by allowing members to interpret modern revelation for themselves. This is a change in itself, since in the nineteenth century we saw that both revelation and interpretation were dictated from church leadership. Now, according to Leone, "The President is still Prophet, Seer, and Revelator. Interpretation, however, is now in the hands of all."[27] Specifically, the change is *who* can interpret revelation. Leone concludes that interpretation is now in the hands of all members, where before it was limited to General Authorities (Prophets and Apostles).

This change seems to be an evolution that contributes to Mormonism's survival. Instead of revealing and interpreting, church authorities simply reveal. The members themselves are left to interpret what a given revelation means. This means fewer excommunications, and very few break-off denominations. Because each member is allowed to have their own interpretation, variation can and will occur within the church, but those variations won't necessarily isolate themselves from the church. This focus on personal interpretation is Leone and Dolgin's main evidence for categorizing Mormonism as a modern religion. While this shift to individual interpretation gives the church one foot into the 'modern' category, it doesn't revoke its Hierarchical 'historic' and Doctrinal 'early-modern' aspects. This change of systems is better understood through Bellah, who described such evolutions this way: "Evolution at any system level I define as a process of increasing differentiation and complexity . . . which endows the [religion] with greater capacity to adapt to its environment."[28] When a religion changes its system, it changes to allow the religion to adapt. What remains to be seen is if this change will allow Mormonism to better adapt in a constantly changing ethnosphere.

In 1978, LDS leaders revoked the ban that excluded black members from the priesthood, which is both the authority to administer in the church, as well as the doorway to receiving sacraments required for salvation. Church leaders announced that the ban had been lifted due to a revelation from God, but never publicized the revelation itself, and never

explained why the ban existed in the first place. The only hint of explanation was found in the official declaration, "revelation has confirmed that the long-promised day has come when every faithful, worthy man in the Church may receive the holy priesthood."[29] There was no explanation of why the ban existed, only that it was revoked and had been long awaited. There was no renouncing of past racist teachings, but no affirming them either. This left the membership of the church to interpret the doctrinal implications of this revelation individually, which is exactly what they did.

In an article titled "Integrating Religious and Racial Identities: An Analysis of LDS African American Explanations of the Priesthood Ban," Kendall White Jr. interviewed a sample group of two hundred and five black Mormons. As part of the interview, White asked what they believed concerning the ban and its revocation. White observed, "the majority of African American Mormons assign some divine role to the priesthood taboo, [though] many conceive it as human error."[30] White also categorized the different interpretations into five groups. The first group accepted the traditional ideology that blacks were cursed due to a lack of pre-mortal valiance, or devotion to Christ during a pre-mortal life. The ban's lift is looked at as a revocation of their punishment. The second group believed that the ban and its lift was of God but had no explanation for it. The third believed the reason didn't matter; what mattered was the future. The fourth group's interpretation was that the prohibition was due to racial prejudice and discrimination, and God had finally corrected it. The fifth group believed early American culture wasn't ready for black social roles to be changed, and God waited until the world could handle the idea of equality before the ban was lifted.[31]

It is important to note that no new church was created out of individuals who believed in one explanation of another. Each interpretation came from members who saw themselves as part of the same religion despite the diversity of interpretations. Comparing this to the ban on polygamy in 1890, this adaptation was much more successful. This affirms Kendal and Daryl White's thesis that Mormonism has institutionalized devices for continual absorption of change.

Means of Unity

Wunn identifies differentiating interpretations as common amongst

other religions. "The religious ideas of the believers often differ in detail;" even though "personal religious conviction [is] of little importance . . . the doctrine is more or less fixed."[32] So, while individual interpretations vary inside of every religious tradition, the doctrines generally remain. The question that arises from diversity then is how these individual believers remain unified. Dolgin and White point out two ways that Mormonism stays unified. First, "Mormons conceive of themselves as . . . siblings who address each other as [brother and sister]."[33] Second, the Mormon code of conduct, which includes strict sexual and dietary habits. Both Dolgin and White agree that familial behavior and codes of conduct contribute to Mormon solidarity. In the words of White, "behavior has become sufficiently significant to the process of defining a Mormon."[34] In other words, behavior is the key indicator that one is a Mormon. It may be helpful to imagine foregrounding and backgrounding—behavior has been foregrounded in Mormonism while beliefs and interpretations have been backgrounded.

A good example of this is the recent excommunication of Kate Kelly, co-founder of the Ordain Women organization. Kate Kelly had long believed that women should be allowed to hold the priesthood—currently only men are ordained. In accordance with her beliefs, Kelly created an organization, and began publicly pressuring the Church to ordain women. When Kelly was excommunicated, it was not for her feminist beliefs, which she had held for a long time. Instead, she was excommunicated for her "conduct," which was described as "contrary to the laws and order of the Church."[35] This is one example affirms Dolgin's claim that church unity is based more on behavior than uniform belief.

Along with Dolgin and White's discoveries, Mormon belief in prophetic authority also contributes to unity. Culturally, Latter Day Saints view any break off group as rebellious and lacking in divine authority. In the LDS conception, if you aren't following the Prophet, you aren't following God. This fundamental teaching keeps break-off groups to a minimum, as any deviation from church leadership would result in something fundamentally not Mormon. This is demonstrated by a statement made by the recent church President Gordon B. Hinckley, "there is no such thing as a 'Mormon fundamentalist.' It is a contradiction to use the two words together."[36] President Hinckley affirms that you are either following the Prophet or you aren't Mormon.

Kate Kelly's reaction to her excommunication demonstrates the belief in prophetic authority minimizes break-off groups. Kelly's organization has gained a significant following, as well as extensive media coverage; but once Kelly was excommunicated, her reaction was not to start a new church. Instead, she encouraged her followers to stay, "I love the gospel and the courage of its people. Don't leave. Stay, and make things better."[37] This demonstrates that the belief in a central authority figure chosen by God fosters a sense of loyalty in Mormonism that minimizes break-off groups. In some cases, this is true even when those break-off groups vehemently disagree with Church practice.

Conclusion

Mormonism has a form of adaptation that comes from the top down, or from the leader to the lay members. It seems that Mormonism's evolution has been directed from their prophet-leaders through the means of revelation. It can be expected that further evolution will be guided from the top. While church leadership once revealed and interpreted, it now only reveals. Shifting to a 'reveal and let them interpret' behavior fosters spiritual individualism that results in various interpretations and beliefs within Mormonism. This type of evolution has rarely resulted in break-off groups, or isolations. Put more concisely, the Latter Day Saint Church will likely retain varying interpretations and beliefs. The unifying variables of Mormonism include a belief in central leadership who has exclusive divine authority, familial behavior within the organization, some universally accepted creeds, and a large focus on individual behavior. These attributes are unique in their own right and may contribute to Mormonism's ability to adapt to its environment in ways other churches or religions cannot. However, religious adaptations should not be considered intrinsically valuable. Just like biological adaptations, religious adaptations only have value in specific environments. In the same way a polar bear's thick coat would not benefit it in the Mojave Desert, a religious adaptation may not contribute to survival in new environments. This is especially true if environments are volatile.

Possible follow up research might include the effects of doctrinal laxity within the LDS church. Could the tolerance of individual interpretation water down LDS doctrines and dissolve its identity as a separate and distinct religion? Or could doctrinal laxity contribute to a dangerous degree

of disunity resulting in disillusionment between differing camps or generations within Mormonism? The latter is not a farfetched question since in recent years the LDS church has seen the occurrence of mass migrations of people leaving Mormonism. Tens of thousands have protested various moral or political issues by resigning their church membership. Such demonstrations have become quite common. These groups leave Mormonism not for other religions, or because of any fundamental changes within the LDS Church. Most leave because of moral or political disillusionment; or in other words, masses are leaving Mormonism because they feel disillusioned from the LDS Church in one way or another. There are several possible interpretations for this phenomena: It may be that the Mormonism's new individualistic orientation allows it to absorb varying religious interpretations but contributes to ideological disillusionment; it could be the result of a highly volatile social environment; and it could be the result of a lack of evolution from the top, or rather, a conservative leadership leading a progressive constituency. It may also be any combination of these explanations.

(Endnotes)

1 *The Doctrine and Covenants*. "Section 1: Verse 30" (Salt Lake City: The Church of Jesus Christ of Latter Day Saints, 1981).

2 *The Book of Mormon*. "1 Nephi 14:10" (Salt Lake City: The Church of Jesus Christ of Latter Day Saints, 1981.)

3 D&C 20:17.

4 Mathew Grow, "The Whore of Babylon and the Abomination of Abominations: Nineteenth-

Century Catholic and Mormon Mutual Perceptions and Religious Identity." *Religion and Philosophy Collection*, 143.

5 Grow, "The Whore of Babylon," 143-147.

6 "Apostasy," *Encyclopedia of Mormonism* (New York; Macmillan, 1992): 57; Todd Compton's definition of the "Whore of Babylon" is the most complete definition; many movements or organizations that have fought the saints have been considered such. With this in mind, identifying the Catholic Church as the Whore makes sense in the light of Protestant-Catholic history. Their bloody relations would be recent History to nineteenth century Mormons. Including Protestant Christianity makes sense due to their persecution of Mormons at the time. Including all of American society makes sense for the same reasons; the Mormons suffered such vehement persecution that they left the United States in 1847 to settle in Utah (then Mexico territory).

7 Ina Wunn, "The Evolution of Religions," Numen: International Review for the History of Religions (2003): 391.

8 Ibid., 392.

9 Robert Bellah, "Religious Evolution," *American Sociological Review* (1964): 368.

10 Ibid., 368.

11 Ibid., 373.

12 I find it interesting that Bellah used this quote, especially since today we would categorize Thomas Paine as an atheist.

13 qtd. in Bellah, 374.

14 White Jr., Kendall, and Daryl White. "Polygamy and Mormon Identity." Journal of American Culture. 28.2 (2005). 40

15 *Book of Mormon.* 2 Nephi 31.

16 *Book of Mormon*. 2 Nephi 26:10.

17 Joseph Smith Jr., "The King Follett Sermon." Lds.org (The Church of Jesus Christ of Latter Day Saints, 1971).

18 Wunn, "The Evolution of Religions," 392.

19 D&C 132:4

20 "Abrahamic" refers to the sacrifice of Abraham who was commanded to sacrifice his son on an alter.

21 Many did not accept Polygamy, and subsequently left the church. However, upon leaving, these individuals were categorically not Mormons anymore.
22 Amy Hoyt and Sara Patterson. "Mormon Masculinity: Changing Gender Expectations in the Era of Transition from Polygamy to Monogamy, 1890-1920." *Gender & History* (2011): 73.
23 Kendall White Jr. and Daryl White. "Polygamy and Mormon Identity." *Journal of American Culture* (2005): 173.
24 D&C 292.
25 White and White, "Polygamy," 168.
26 Ibid., 168
27 qtd. in White, "Critique," 41.
28 Bellah, "Religious Evolution," 358.
29 D&C 294.
30 Kendall White Jr. and Daryl White, "Integrating Religious and Racial Identities: an Analysis of LDS African American Explanations of the Priesthood Ban," *Review of Religious Research* (1995): 301
31 White and White, "Integrating Religious and Racial Identities," 300-306.
32 Wunn, "The Evolution of Religions," 395.
33 qtd. in White, "Critique," 42.
34 White, "Critique," 42.
35 Kate Kelly, "Reaction to Kate Kelly's Excommunication," *Ordainwomen.org*. Ordain Women, 23 June 2014.
36 qtd. in White, "Polygamy."
37 Kelly, "Reaction to Kate Kelly's Excommunication."

Bibliography

"Apostasy." Encyclopedia of Mormonism. New York; Macmillan, 1992.
    Web.
Bellah, Robert. "Religious Evolution." *American Sociological Review.* 29.3 (1964):
    358-374. Print.
The Book of Mormon. Salt Lake City: The Church of Jesus Christ of Latter Day
    Saints, 1981. Print.
The Doctrine and Covenants. Salt Lake City: The Church of Jesus Christ of Latter
    Day Saints, 1981. Print.
"God's Love for All Mankind." First Presidency Statement, Feb. 15,
    1978.
Grow, Mathew. "The Whore of Babylon and the Abomination of Abominations:
    Nineteenth-Century Catholic and Mormon Mutual Perceptions and Religious Identity." *Religion and Philosophy Collection.* Print.
Hoyt, Amy, and Sara Patterson. "Mormon Masculinity: Changing Gender

Expectations in the Era of Transition from Polygamy to Monogamy, 1890-1920." *Gender & History.* 23.1 (2011): 77-91. Print.

Kelly, Kate. "Reaction to Kate Kelly's Excommunication." *Ordainwomen.org.* Ordain Women, 23 June, 2014. Web. 27 June, 2014.

The Pearl of Great Price. Salt Lake City: The Church of Jesus Christ of Latter Day Saints, 1981.

Smith Jr., Joseph. "The King Follett Sermon." *Lds.org.* The Church of Jesus Christ of Latter Day Saints, 1971. Web. 27 June, 2014.

White Jr., Kendall, and Daryl White. "A Critique of Leone's and Dolgin's Application of Bellah's Evolutionary Model to Mormonism." *Review of Religious Research.* 23.1 (1981): 39-53. Print.

White Jr., Kendall, and Daryl White. "Integrating Religious and Racial Identities: an Analysis of LDS

African American Explanations of the Priesthood Ban." *Review of Religious Research.* 36.3 (1995): 295-311. Print.

White Jr., Kendall, and Daryl White. "Polygamy and Mormon Identity." *Journal of American Culture.* 28.2 (2005): 165-177. Print.

Wunn, Ina. "The Evolution of Religions." *Numen: International Review for the History of Religions.* 50.1 (2003): 387-415. Print.

"By the Waters of Cologne We Wept:" The Twin Memory Strands of Religious and Historical Babylon within Marx and Engels

| Victor Barraza Jr.

In-between the Euphrates and the Tigris rivers, the city of Babylon rose from near obscurity to become a mighty multinational empire which then plunged into the dust. However, Babylon continues to live in competing strands of popular memory. For within the strands of popular memory, Hammurabi propagated his first codified law, Nebuchadnezzar grew his Hanging Gardens, the Tower of Babel fell, and its future Whore will reign anew in anticipation of the Second Coming. These twin strands of memory have endured and propagated the meaning of Babylon as a locus more than a city. The prime memory is a Judeo-Christian one where Babylon is a negative space: a place of captivity, degradation, and misery offset by a future redemption. On the second strand of memory, Babylon is a historical and impressive seat ruled by powerful and mighty kings and laws.

During the 19th century, the philosophers Karl Marx and Friedrich Engels commandeered the predominant position on the theories of socialism and communism. In doing so, they invoked the twin strands of Babylonian memory, both the scriptural and the historical, to give assistance and shape to their analysis of political economy. The purpose of this paper is to examine the collective memory of Babylon as employed by the radical and influential Karl Marx and Frederich Engels. It postulates that the memory of Babylon persisted in twin strands, one religious and one historical. All conceivable citations of the memory of Babylon will be

analyzed in the two philosopher's writings and connections will be made to them and to the wider collective memory of Babylon.

In the area of literary criticism, extemporaneous analyses have arrived on Karl Marx's writings as a product of didactic and polemic German literature.[1] Frank E. Manuel admits that it has been only relatively recently that a serious perspective has been taken on "the wealth of literary analogies that were an intrinsic part of the argument of Das Kapital."[2] Fresh attention has been given and new questions have arisen on Marx's literary mechanisms to express economic theory, such as Terrell Carver's on why Marx should've "included references to an amazing array of supernatural, paranormal, sacramental and occult phenomena to explain what he termed the 'natural laws of capitalist production'?"[3] A verdant field now stands in the application of memory studies toward a textual analysis of the works of Marx and Engels.

In 1837, the young Karl Marx was at the University of Berlin, where he wrote several essays and poems during his time as a law student. The earliest citation of Babylon by Karl Marx begins in an incomplete and absurd satire *Scorpion and Felix*. In *Scorpion and Felix*, the memory of Babylon utilized is the Judeo-Christian type settled on the female figure of Grethe who is dreaming that she is the Great Whore of Babylon. However, as the Whore of Babylon she is forced to have bearded stubble grow on her so as not to excite mankind with her beauty:

> The goddess of fantasy seemed to have dreamed of a bearded beauty and to have lost herself in the enchanted fields of her vast countenance; when she awoke, behold, it was Grethe herself who had dreamed, fearful dreams that she was the great whore of Babylon, the Revelation of St. John and the wrath of God, and that on the finely furrowed skin He had caused a prickly stubble-field to sprout, so that her beauty should not excite to sin, and that her youth should be protected, as the rose by its thorns, that the world should to knowledge aspire and not for her take fire.[4]

In quick accompaniment to this is Marx's subsequent disregard for classical Babylon taken from his own notes on Ancient Greek philosophy. In his 1839 *Notebooks on Epicurean Philosophy*, Marx esteems the engine of Greek philosophy symbolized as the sole figure of a wise man. Whereas the symbolic whore was satirically modified in *Scorpion and Felix,* Marx here builds up his own symbolic figure contrasted with the

historical fact of Babylon's temptation:

> Greek philosophy begins with seven wise men, among whom is the Ionian philosopher of nature Thales, and it ends with the attempt to portray the wise man conceptually. The beginning and the end, but no less the centre, the middle, is one σοφός, namely Socrates. It is no more an accident that philosophy gravitates round these substantial individuals, than that the political downfall of Greece takes place at the time when Alexander loses his wisdom in Babylon.[5]

After the university, Karl Marx worked for the *Rheinische Zeitung*, a liberal newspaper advocating radical ideas. It was based in Cologne, where Marx served as editor for a time until he was forced to resign due to political pressure over a severe critique on the Russian Tsar.[6] It was in 1843 that Marx published a piece in the *Rheinische Zeitung* concerning the recent election in Cologne for the Provincial Assembly. Marx maliciously attacked those election results in an imitation of Psalm 137's lament against Babylon, mocking the lament of the electoral critics:

> And now along come these fantastic materialists, for whom every steamship and even railway should have demonstrated ad *oculos* their utter lack sense, and talk hypocritically of "spiritual state" and "historical recollections", and lament by the waters of Babylon over "the great city of Cologne, the holy city of Cologne, the witty city of Cologne" — and it is to be hoped that their tears will not dry up so soon![7]

What about the other half of the infamous duo? By 1842, the Englishman Friedrich Engels was already notorious as a member of the Young Hegelians group and an ardent admirer of contemporary German philosophy. Just before meeting Karl Marx at the newspaper *Rheinische Zeitung*, the early Engels also co-wrote a satirical piece employing the Great Whore of Babylon. *The Insolently Threatened Yet Miraculously Rescued Bible* is a parody poem availing itself liberally of Christian symbolism. Its conclusion is a clarion call of secular revolution, a denouement of Christian vigilance against the Anti-Christ, and all-together confrontational and anti-establishment epitaph. "The Great Whore comes from Babylon with its pollution, And that Great Whore is Reason's Goddess, Revolution!"[8]

In the course of time, Marx serviced the Judeo-Christian conception of Babylon once more in a 1846 joint work with Engels, *The German*

Ideology. The German Ideology is a preeminent work notorious in that while providing a more defined outline of Marx's theoretical history, it also savagely attacks several German philosophers of the day. The duo particularly assaulted the ideas of Max Stirner in a joint parody of Christian concepts, extolling that the Whore of Babylon warned of in the Revelation of St. John should be revised to be a warning against "Saint Max:"

> The apocalyptic prophet did not prophesy accurately this time. Now at last, after Stirner has acclaimed man, one can state that he ought to have said: So he carried me into the wilderness of the spirit. And I saw a man sit upon a scarlet-coloured beast, full of blasphemy of names . . . and upon his forehead was a name written, Mystery, the unique . . . and I saw the man drunken with the blood of holy, etc. So we now enter the wilderness of the spirit.[9]

After witnessing the failed Revolutions of 1848 from Paris and fleeing back to Cologne, Marx contributed articles to his own newspaper, the *Neue Rheinische Zeitung*. In the June 25th issue of 1848, Marx mentions Babylon in a sarcastic example against a perceived possible intervention of Russia into Prussia: "German patriotism will march once again under Russian command against the French Babylon and also restore for good "the *prestige of Prussia.*"[10]

At this stage, a curious notion pertinent to the memory of Babylon occurs in Marx's concept of the Asiatic mode of production. One that has created much debate in this field of Marxism for an obscure theory "brief, unsupported and unexplained."[11] In 1853, Karl Marx began a general survey on the social development of human societies, particularly in India, and formulated a concept of an Asiatic mode of production. The Asiatic mode of production briefly depicts a unique stage of history in-between the eras of primitive communism and slave societies, where small independent cities become origins for despotic centers of power. Wherein "communal groups remain, but chieftains, ruling clans, or priest-kings emerge, who perform trading or military or irrigation-directing functions for the whole."[12]

In articles for the *New York Daily Tribune* and in his letters to Engels, Marx postulated that the village-based societies of independent India were products of this Asiatic mode of production which were now being overwhelmed by the British Empire. Engels also agreed with this position in private letters with Marx and in his own analysis of the Arab conquests

added that the creation of a city like Babylon was echoed with the later creation of Indian cities:

> As for the great Arab invasion, you will remember our discussion when we concluded that, like the Mongols, the Bedouins carried out periodic invasions and that the Assyrian and Babylonian Empires were founded by Bedouin tribes on the very same spot as, later, the Caliphate of Baghdad. The founders of the Babylonian Empire, the Chaldeans, still exist under the same name, Beni Chaled, and in the same locality. The rapid construction of large cities, such as Nineveh and Babylon, happened in just the same way as the creation in India only 300 years ago of similar giant cities, Agra, Delhi, Lahore, Muttan, by the Afghan and/or Tartar invasions.[13]

The implication within their analysis is that Babylon had once been a city reveling in the Asiatic mode of production.

This is not the wicked Babylon, but rather the historical Babylon. When using Babylon in actual theoretical exercise, Marx and Engels delegate the historic Babylon to the forefront. What should be expected from declared atheists that when attacking their opponents that fabled Biblical Babylon is utilized and when serious theoretical study is needed then the historic Babylon comes into prominence? This displays how the memory of Babylon persisted in the German memory and in the first half of 19th century Europe.

The final assortment of Babylon references occurs in the late 1860s while Marx and Engels were both residing in London. In a January 1866 letter written on the eve of publishing *Das Kapital,* Marx writes to his colleague Johann Philipp Becker, complaining derisively of his many publishing and committee obligations:

> Apart from having some 1,200 pages of manuscript to copy and my publisher grumbling at me for a long time now, and apart from the fearful waste of time which the Central Committee, the Standing Committee and the Committee of Directors of *The Workman's Advocate* commit me to in this Babylon, I have had the most exceptional aggravations and difficulties.[14]

Marx's last living utilization of Babylon comes in a July 1867 correspondence to Ludwig Kugelmann, a delegate to the Lausanne Congress of the International Working Men's Association. In the letter, he dissuades

Kugelmann to avoid studying in Paris for its price and population: "I do not advise you to go to Paris. It is impossible to study anything in the midst of that Babylon of things and among that throng of people, unless one stays there for at least 6 weeks, which is *very expensive.*"[15]

After the death of Marx in 1883, Engels solely remained to express one final use of Babylon. In his *Early History of Christianity* from 1894, Engels echoed his views on the prophecies of the Great Whore of Babylon in one of his last writings:

> Then comes the woman, Babylon the Great Whore, sitting arrayed in scarlet over the waters, drunk with the blood of the saints and the martyrs of Jesus, the great city of the seven hills that rules over all the kings of the earth. She is sitting on a beast with seven heads and ten horns. The seven heads represent the seven hills, and also seven "kings."

Here, Engels simply reaffirms German commentary on the Book of Revelation wherein Babylon the Great Whore with seven heads symbolizes Rome and its seven Caesars.

The overriding memory of Babylon in Marx and Engels writings appears largely to affect their personal work rather than their political economic work. There is no Marxist theoretical attribution to Babylon, besides a vague allusion to Babylon having gone through the Asiatic mode of production, a conception never really pursued by either Marx or Engels. Instead, the majority of the memory of Babylon is brought forth by Marx and employed in scathing or satirical references attacking his rivals. Engels seems to have joined Marx on the same level for his usage of Babylon. What remains to be addressed is why these avowed anti-religionists would use Babylon in a largely religious way. Most likely because the Judeo-Christian Babylon was such an ingrained part of their 19th-century culture and upbringing that Marx and Engels could not consciously depart from using it in everyday discourse despite having disavowed their spiritual backgrounds.

(Endnotes)

1 S.S Prawer, *Karl Marx and World Literature* (Oxford: Oxford University Press, 1976), 149.

2 Frank E. Manuel, *A Requiem for Karl Marx* (Cambridge: Harvard University Press, 1995), 18.

3 Terrell Carver, *The Post-Modern Marx* (University Park: The Pennsylvania State University Press, 1998), 15.

4 Karl Marx, *Collected Works: Volume 1 Karl Marx 1835-1843* (New York: International Publishers, 1975), 616-17.

5 Ibid., 432.

6 David McLellan, *Karl Marx: A Biography* (Basingstoke: Palgrave Macmillan, 2006), 50.

7 Karl Marx, *Collected Works: Volume 1 Karl Marx 1835-1843* (New York: International Publishers, 1975), 366.

8 Friedrich Engels, *Collected Works: Volume 2 Frederick Engels 1838-42* (New York: International Publishers, 1975), 341.

9 Karl Marx, *Collected Works: Volume 5 Marx and Engels 1845-47* (New York: International Publishers, 1976), 172.

10 Karl Marx, *Collected Works: Volume 7 Marx and Engels 1848* (New York: International Publishers, 1977), 116.

11 E.J. Hobsbawn, Introduction to Karl Marx, *Pre-Capitalist Economic Formations* (London, 1964), 11.

12 Stephen P. Dunn, *The Fall and Rise of the Asiatic Mode of Production* (London: Routledge & Kegan Paul, 1982), 6.

13 Karl Marx, *Collected Works: Volume 39 Marx and Engels 1852-55, Letters* (New York: International Publishers, 1983), 325.

14 Karl Marx, *Collected Works: Volume 42 Marx and Engels 1864-68, Letters* (New York: International Publishers, 1987), 214.

15 Karl Marx, *Collected Works: Volume 42 Marx and Engels 1864-68, Letters* (New York: International Publishers, 1987), 395.

Bibliography

Carver, Terrell. *The Post-Modern Marx.* University Park: The Pennsylvania University Press, 1998.

Dunn, Stephen P. *The Fall and Rise of the Asiatic Mode of Production.* London: Routledge & Kegan Paul, 1982.

Engels, Friedrich. *Collected Works: Volume 2 Engels 1838-42.* New York: International Publishers, 1975.

Engels, Friedrich. *Collected Works: Volume 27 Engels: 1890-95.* New York: International Publishers, 1990.

Hobsbawn, E.J. ed. Introduction to Karl Marx, *Pre-Capitalist Economic Formations.* London: Lawrence & Wishart, 1964.

Marx, Karl. *Collected Works: Volume 1 Karl Marx 1835-1843*. New York: International Publishers, 1975.

Marx, Karl. *Collected Works: Volume 5 Marx and Engels 1845-47*. New York: International Publishers, 1976.

Marx, Karl. *Collected Works: Volume 7 Marx and Engels 1848*. New York: International Publishers, 1977.

Marx, Karl. *Collected Works: Volume 35 Karl Marx: Capital, Vol. I.* New York: International Publishers, 1987.

Marx, Karl. *Collected Works: Volume 42 Marx and Engels 1864-68*. New York: International Publishers, 1987.

Manuel, Frank E. *A Requiem for Karl Marx*. Cambridge: Harvard University Press, 1995.

McLellan, David. *Karl Marx: A Biography*. Basingstoke: Palgrave Macmillan, 2006.

Prawer, S.S. *Karl Marx and World Literature*. Oxford: Oxford University Press, 1976.

Terrorism, CIA, and South America

| Thomas Hone

*T*errorism. This word has caused more change in the 21st century than any other thought, policy, or idea. This change can not only be seen in the political realm, but in the academic realm as well. Since the attacks on September 11, the study and research of terrorism has grown exponentially. One area of research that is gaining popularity is whether or not the United States itself has participated in acts of terrorism as defined by the CIA. The largest of these claims revolve around CIA involvement in South America. However, an examination of these operations carried out by the CIA in South America will show that this is not the case. This will be shown by examining the definition of: terrorism, covert operations, and clandestine operations; the difference between these three terms, examining the legal differences between a state and non-state actor, and then applying this examination to two case studies that will include: operations in Nicaragua and Operation Condor.

Definitions

In order to understand what constitutes a terrorist organization a definition must be determined. It has often been said that one man's terrorist is another man's freedom fighter. Such an idea complicates what constitutes a terrorist organization, as it is situational and subjective. Examples of this can be seen through history with the most notable being the Palestinian/Israeli conflict. In this situation, groups such as Hamas and

Hezbollah are viewed by Israel and much of the Western World as terrorist organizations. However, to the Palestinian people and others in the Middle East they are freedom fighters seeking to regain their homeland. The question then is; how does one distinguish what constitutes a terrorist? This question has many answers.

According to the United States State Department "terrorism" is defined as:

> Premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience. The term "international terrorism" means terrorism involving citizens or the territory of more than one country . . . the term noncombatant is interpreted to include, in addition to civilians, military personnel who at the time of the incident are unarmed and/or not on duty . . . We also consider as acts of terrorism attacks on military installations or on armed military personnel when a state of military hostilities does not exist at the site.[1]

The FBI has taken a similar approach to defining "terrorism."

> The Federal Bureau of Investigation defines terrorism as the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in the furtherance of political or social objectives.[2]

The CIA, while having a similar approach to the FBI, has a more international focus.

> The term "terrorism" means premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents. The term "international terrorism" means terrorism involving the territory or the citizens of more than one country. The term "terrorist group" means any group that practices, or has significant subgroups that practice, international terrorism.[3]

Each of these definitions focuses on the motives and methods of the specified organization. They are also useful in determining whether or not an act committed by a group was an act of terrorism or not. However, they do little to analyze a group prior to them taking action. The Department of Defense gets a bit closer in defining a group as terrorist or not. Their definition is as follows:

> The calculated use of unlawful violence or threat of un-
> lawful violence to inculcate fear, intended to coerce or to
> intimidate governments or societies in the pursuit of goals
> that are generally political, religious, or ideological.[4]

This definition examines the goals of organizations and defines them as
either terrorist or not based upon how the group is trying to achieve their
goals. While this is a better definition to determine what would or would
not constitute a terrorist organization, it too is imperfect. What is meant
by "unlawful violence"? Would such "unlawful violence" include strikes
or riots? If so, would this not lead to a definition that was too broad?

The United States government is not the only organization that has
attempted to define what terrorism is and what constitutes as a terror-
ist organization. Since the 1980's almost one hundred definitions have
been published by various governments and scholars. However, just as
with the United States government, they too have had issues formulating a
definition that was not too broad or to narrow. An example of one such
definition was given by Simonsen and Spindlove in their book *Terrorism
Today: The Past, the Players, and the Future*. In it they use this definition
of "terrorism:"

> Terrorism is an anxiety-inspiring method of repeated violent
> action, employed by the (semi-)clandestine individual, group,
> or state actors, for the idiosyncratic, criminal, or political rea-
> sons, whereby-in contrast to assassination-the direct targets
> of violence are not the main targets. The immediate human
> victims of violence are generally randomly chosen (targets
> of opportunity) or selectively (reprehensive symbolic targets)
> from a target population, and serve as message generators.
> Threat-and violence-based communication processes be-
> tween terrorist (organization), (imperiled) victims, and main
> target (audience(s)), turning it into a target of terror, a target
> of demands, or a target of attention, depending on whether
> intimidation, coercion, or propaganda is primarily sought.[5]

This definition, was attempting to be all inclusive, the length of it and the
choice by the authors to try to include everything have caused this defi-
nition to be too complex and difficult to work with. The key to defining
terrorism is to have a definition that is straightforward and inclusive, but
not to the point that it is unworkable. As such, for the purpose of this pa-
per the definition of "terrorism," provided by Guiora in his book *Global*

Perspectives on Counter Terrorism, will be used. It defines "terrorism" as:

> Acts of violence intended to advance a cause-political, so-cial, religious, or economic-aimed at innocent civilians defined as legitimate targets with the intent to cause physical harm, including death, and/or conducting psychological warfare against a population aimed at intimidating it from conducting its daily life in a normal fashion.[6]

This definition combines the motive, method, and goals of an organization while not being too broad or too narrow. This allows for a complete analysis in order to determine whether or not an organization or their actions may be categorized as terrorism.

In addition to the definition of terrorism, it will be important to define what constitutes as covert and clandestine operations. To begin, it is important to understand that covert and clandestine operations are two distinct types of operations. According to the Department of Defense, a covert operation is defined as: "An operation that is so planned and executed as to conceal the identity of or permit plausible denial by the sponsor."[7] These types of operations may include: sabotage, assassinations, conducting or supporting coups, or other types of subversion tactics. Some of these tactics may include both violent and nonviolent means in order to carry out the operation. These operations are usually targeted against state actors. However, as non-state actors have begun to play a more substantial role in international affairs, they are more and more becoming targets of convert operations.

Clandestine operations are defined by the same manual as: "An operation sponsored or conducted by governmental departments or agencies in such a way to assure secrecy or concealment."[8] On the surface, it would appear that these definitions are quite similar. However, one noticeable and important difference found in these definitions is that covert operations place a greater emphasis on the concealment of the operation. This means that under covert operations, it is more important that the operation being carried out remains unknown. This also includes those who carried out the operation both during and after the operation is complete. Clandestine focuses on the secrecy of the operation during it, but not necessarily after the operation is complete. In addition, clandestine operations may be carried out by various governmental agencies and covert operations under US law. However, they can only be carried out by the CIA, as the CIA is the only sanctioned US governmental agency legally

able to carry out covert operations. Since the focus of this discussion is centered on the CIA, only the definition of covert operations will be used going forward.

It has now been noted the differences between covert and clandestine, but what still needs to be explored is the comparison of these defined terms to "terrorism"[9]. On the surface it may appear that both covert and clandestine operations could potentially fall under this definition of terrorism, but the goals of covert and clandestine operations vary. In relation to the CIA some operations may pertain to creating political or social change in a state. The methods of which these operations are carried out could include acts of violence, such as sabotage, or psychological warfare, such misinformation campaigns, all of which could fall under the definition of terrorism. However, the main difference between the CIA and a terrorist organization is the CIA does not want to be connected to the operation, whereas a terrorist organization must be connected to the operation in order to accomplish their goals. This then raises the question; can an organization be considered a terrorist organization if their primary goal is to ensure the secrecy of the operation that is carried out? In order to answer this question, and the larger question of whether or not the CIA could be considered a terrorist organization under the definition given, a deeper analysis needs to be given.

Lastly, in order to understand whether or not the CIA's actions could constitute as terrorism, it must be understood that there is a difference between state and non-state actors. While there can be multiple legal definitions of both, for the purpose of this paper state actors will be defined as those acting on behalf the state. This means that there is a clear chain of command that one is accountable to, organized, and is recognized by international law as having the right to participate in domestic and international affairs. With a non-state actor there may or may not be a clear chain of command, as entities could report to multiple leaders or act on their own. As a result, there may be little to no organization and in some cases, they are not recognized by any domestic or international entity.

With each of these definitions now defined it will be easier to give a deeper analysis of a number of case studies. Exploring the case studies of CIA covert operations in Nicaragua and Operation Condor will aid in the determination of whether or not the CIA has met the definition of ter-

rorism. In order to properly analyze each of these case studies, the history of events, the CIA involvement, and outcomes of the operations will be examined. The first two case studies will examine CIA covert operations in both Nicaragua (Contras), while the latter case study will focus specifically on Operation Condor. Both of these case studies were chosen for their historical significance in which each case the CIA played a major role and for the abundance of factual, declassified information that can be found in regards to each of these cases.

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CASE STUDIES
Nicaragua

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In order to fully understand the United States involvement with the Contras, it needs to be understood how and why the United States was involved in Nicaragua. US foreign policy towards Nicaragua was one built upon the idea that the United States came first. This policy has a long history in South America, especially in Nicaragua. In the early 1900's the US engaged in a number of small military activities in order to protect the United States interest and business. These military interventions lead to US occupation in 1909, 1912, and 1927. In each of these cases the United States sought to uphold or aid more conservative movements of the Nicaraguan government to ensure favorable business relations with the state. Some of which included occupying Nicaragua with a small military force. As long Nicaraguans policies' remained beneficial to the United States, the US stayed out of Nicaraguan affairs and cared little about the type of government or how that said government acted[10]. It was during this time that the Somoza family was able to rise to power and create a dictatorship.

The Somoza was the longest hereditary dictatorship in Nicaragua. They ruled for 43 years with the aid and support of the United States. During these 43 years this regime consolidated power through a series of assassinations and arrests. Its regime was also marked by inequality, corruption, and a decline in the overall quality of life in Nicaragua as the Somozas sought to consolidate power within the elite population and ignored those in rural areas. Due to this, infrastructure, education, and healthcare in these areas saw a decline. In addition, after a major earthquake hit the area in 1972, instead of using foreign aid to help rebuild areas that were hit by the earthquake, the Somoza family pocketed most of the money.[11] As a result, a number of organizations began to form in an effort

to create change.

In 1961 Carlos Fonseca and a few others formed the Sandinista National Liberation Front (FSLN). They took their name from Augusto Cesar Sandino, a revolutionist that fought against the United States occupation in the 1920s. The beginnings of the organization were rough. The control and support that the Somoza family had made it difficult to organize and garner more support. However, after the earthquake, it became quite apparent just how deep the corruption of the Somoza family went. With the rise of unemployment and lack of economic opportunity, their number of supporters grew. This new support allowed the leaders of the FLSN to mobilize both politically and militarily. This resulted in the assassination of key figures in the Somoza family and government, eventually leading to an all-out conflict. After a series of these conflicts FSLN was able to take control of the capitol, forcing the Somoza family to flee. In late 1978, FLSN accepted the surrender of the Somoza forces and established their government.[12]

After they took control the United States first sought to work with the new government, but this would be short lived. Due to political conditions and the FSLN being supported by various communist governments, including the USSR and Cuba, the United States began to look at other means of controlling the situation. It was during this time that the United States began to once more play an active role in the affairs of Nicaragua. During the rebellion, the United States had ceased its support of the Somoza government, however, they did not like the idea of a leftist government coming to power. As the Sandinistas began to strengthen ties with Cuba, and other communist states, the United States and other noncommunist neighbor states began to worry. It was during this time that a counter revolutionary force would begin to form, becoming known as the Contras.

The Contras were a mixture of former Somoza supporters, Miskito, and other groups who now found themselves on the wrong side of the Sandinistas. Needing support to conduct military operations against the Sandinista government, they reached out to the United States, who was more than willing to offer aid in order to regain their influence in Nicaragua. The support from the United States came in various forms of which included funding, training, and arms.[13]

To begin with, the US or CIA was faced with the challenge of unifying the resistance. While a number of prominent groups existed and were

carrying out operations against the Sandinista government in the early 1980s, they were each acting mostly independently of each other. Beginning in 1981 the CIA began efforts to unify all resistance groups. To accomplish this, they set up a base of operations in neighboring Honduras. It is here they aided in the creation of leadership, provided training, money, and supplies. By 1985 they had succeeded in the unification of all resistance groups. This unification allowed the Contras to carry out more sophisticated forms of resistance. However, due to a lack of military size and force, the Contras were forced to fight a more guerrilla type war, in which the goal was to undermine and destabilize the Sandinista government.[14]

To accomplish this type of warfare the CIA provided manuals on how to carry out guerrilla warfare. These manuals, known as the *Freedom Fighter Manual* and *Psychological Operations in Guerilla Warfare*, were written in order to give ideas and tactics that may be employed by the Contras to carry out a successful campaign against the Sandinista government.

The first of these manuals is a very basic resistance manual. Within its few pages one could learn about various ways they could resist which contains both violent and nonviolent methods. Examples of these methods would include: calling in sick to work, stealing of tools, sabotaging of equipment, and Molotov cocktails to be used on empty buildings, work sites, or other types of infrastructure. It was also written in such a way that all, regardless of literacy, would be able to understand it. Most of the book contained images that could be easily deciphered. For example, on page 8 of the manual it depicts how one may go about destroying a battery or blocking a roadway by going through a step by step process using images. This was beneficial to the populace who were unable to read. Thus allowing the CIA and the Contras to reach a larger population.[15]

The second of the manuals focused on how to conduct guerilla warfare, more specifically psychological operations, like propaganda. It focused on the need for everyone in the organization to be educated about the movement and how to combat other competing political factions. In addition, it also lists various types of propaganda that may be carried out, how to carry them out, and the potential effectiveness of each. However, unlike the first, this manual would have been meant for the leadership of the Contras. The style of this manual was written at a higher literacy level that was meant to be learned and taught to others by those in leadership.[16]

Each of these types of aid, along with weapons, allowed the Contras a chance to hinder the Sandistan government from ruling over a united Nicaragua. However, it did not provide the means to garner enough support to completely overthrow the Sandistan's. This led to years of internal conflict and bloodshed that would claim thousands of lives on both sides until the early 1990s.

Operation Condor

Nicaragua was not the only state in South America that experienced United States invention. During the height of the Cold War it became known to the US that a number of South American states were working together to end the spread of communist movements. Once this was known, the United States, more specifically the CIA, began coordinating with the leaders of the states to see where they may be able to offer support. This would become known as Operation Condor.

Operation Condor was responsible for a number of coups, kidnappings, and assassinations within South America from 1968 to 1989. The most notable event of this operation took place in Argentina and would become known as the Dirty War. After a number of failed coups by the military in 1951, and two in 1955, the military was able to find some success in late 1955 when they seized control of the government and ousted the socialist regime. After they took control it became a worry, due to the political nature of some surrounding states, that they would find themselves in the midst of civil conflict. Various socialist groups in and outside of Argentina had already begun to organize and were seeking to regain control of Argentina. With this in mind, the military junta sought to ensure their power through any means necessary. This would include imprisonment of suspected socialist sympathizers, kidnapping leaders, and assassinations. They were aided by other states, as part of Operation Condor, as there was a fear that if Argentina fell to communism it would spread to neighboring South American states. As such, Chile and Brazil were known to have offered support. Such actions were met with resistance and soon leftist guerrilla factions were formed, leading to a long drawn out conflict that saw atrocities committed on both sides. In the end it is believed, during this time, over 20,000 people either disappeared or were killed on both sides. Although, due to a lack of hard data, this number could easily be higher.[17]

Argentina was not the only state that saw such actions. As noted, a number of South American states feared the spread of communism and sought means to prevent its spread. This was genius of Operation Condor. It allowed the members of it; Argentina, Bolivia, Brazil, Chile, Paraguay, and Uruguay, to get support and allowed them to work together towards a common goal. The United Sates also played a role in Operation Condor, however the extent of the United States involvement is not fully known. Some claim the operation began at the behest and the aid of the CIA, but there is no clear evidence to back up such a claim. Most of what is known today is that the US was looking for ways to combat communism in South America. When the US came upon Operation Condor and found favor in it, they offered what support they could. The support offered to the operation primarily focused on technical support and propaganda.

The technical support provided by the CIA to Operation Condor focused on creating a way for the intelligence communities of each state to speak and share information with each other. This would allow each state to know how best they could help each other and plan operations in other states that would prevent the spread of communism. To accomplish this a number of meetings would be planned in which members of the state, along with the United States, would be able to meet, determine where the greatest threat currently was, the needs to combat it, and how to proceed.[18]

In addition to providing technical support, the CIA, with the aid of the State Department, began releasing reports downplaying the extent of violence taking place in states where missions of Operation Condor were being conducted. This would be done by either denying such actions took place or that the actions were actually committed by violent leftist organizations. The purpose of this was to allow members of Operation Condor to act with little to no repercussion from the rest of the world.[19]

Findings

Each of these case studies show CIA involvement and denote violent actions that were taken. As the conflict continued in both Nicaragua and other South American states, the violence began to spill over into civilian populations.

This violence began to be seen in the Contra leadership who believed

that if it could be shown that the Sandinista government could not protect noncombatants, it would greatly undermine their ability to govern. With these other more controversial methods, they began to be employed. Humans Right Watch, a nonprofit organization whose mission it is to watch for and report human rights violations, noted that as the conflict escalated the Contras methods became more and more questionable. In their 1986 report they noted human rights violations that included the targeting of civilian health care clinics, kidnapping and torturing of civilians, rape, and the destruction of property.

In each of these cases there is a high level of violence. However, one of the questions at hand is whether or not the actions taken in both would be considered terrorism. In the case of Nicaragua and the Contras, as the conflict began to escalate and the methods employed by the Contras began to become more questionable, it became increasing difficult for the US to continue their support. They began to turn more and more to civilian targets. These would include purposely targeting schools and medical facilitates. The purpose of these attacks was to intimidate the populace into believing that continued support of the Sandistan government would not be in their best interest. They also aimed to disrupt daily life as much as possible to show the populace that the Sandistan government had no control. If we return to our agreed upon definition of terrorism,[20] it can easily be seen that the Contras could be considered a terrorist organization.

The case of Operation Condor is not as black and white. Operation Condor was not limited to just one state and the actions in each of the states varied. In addition, the actions of Operation Condor were carried out by organized state actors. This is important to note. In the case of the Contras it could be argued that they were acting as non-state actors, making their actions and the group itself to be classified as terrorism. However, under international law the waters become murkier when dealing with state actors. While the operations carried out were carried with the purpose of affecting political or economic change, they were also carried out in the name of national security for those states. In their minds communism was a threat to their sovereignty and as such actions needed to be taken to protect their state. In addition, their actions were primarily focused on individuals in military or government roles. In the case of Argentina, and a few other states, this violence did seem to spread to the

populace as a whole, but the civilian populace was never fully the intended target, merely collateral damage. In the case of Operation Condor, the actions taken by its member fit more in line with the actions of states at war rather than terrorism. Under international law the violation or militaristic actions taken in another sovereign country are not acts of terrorism, but acts of war.

The question at hand, however, is not the Contra's methods or members of Operation Condor's methods, but if the CIA's actions rose to the level of terrorism. In understanding whether the Contras or the member states of Operation Condor's actions meet the definition, this will help to then understand the motives and actions of the CIA. As shown, the Contra's and members of Operation Condor's actions, in some cases, did meet this level. As such an argument could be made then that the CIA, who aided these organizations, also meets the definition of terrorism. This argument, however, is lacking further understanding and clarification. To fully see if the CIA did meet the definition of terrorism their own actions, motives, and influences must be explored separate of the others. In order to do so each case will need to be broken down further for a United States' perspective.

With Operation Condor there is not enough existing evidence to show how the United States' involvement reached the level of terrorism. This can be further seen as the violence began to spread to neighboring states and it became increasingly difficult for the United States to downplay what was taking place. In addition, as Operation Condor grew a few of its operations began to take place in the United States and target US citizens. In a number of now declassified documents they show that the United States was aware of the operation and, as noted, aided in technical support. However, these documents also show just how little control the United States had over the operation as a whole. In a released document it notes Secretary of State Henry Kissinger asking ambassadors to relay a message to members of the operation. He states:

> You are aware of a series of reports on "Operation Condor"
> The Coordination of security and intelligence information
> is probably understandable. However, government planned
> and directed assassinations within and outside the territory
> of Condor members has most serious implications which
> we must squarely face and rapidly.[21]

Kissinger goes on to state that he recognizes the problems and complexities

of the situation that the members of Operation Condor are facing, but that the United States cannot participate or direct governmental assassination. In addition, he gives specific advice to a number of members for the need to be careful with their actions. This and other documents show the lack of control the United States had in this operation, and none of the released documents show any direct connection to the United States in any of the actions carried out. At worst the United States is guilty of standing idly by while these events unfolded, but do not denote terrorism.

Just like Operation Condor, the Contras also present a difficult case to deconstruct. As noted in *Legacy of Ashes,* the CIA played various roles in supporting the Contras. Tim Weiner, author of *Legacy of Ashes,* notes the support given to the Contras began as clandestine and open support with the giving of money and arms. In addition, he notes, the CIA began covert operations within the region to supplement other operations. These included instigating in propaganda, distribution of manuals depicting how to resist, and training.[22] Even after Congress attempted to prevent further aid to the Contras, other means were devised to ensure a steady stream of money and supplies to them. However, as the conflict began to escalate and the methods employed by the Contras began to become more questionable it became increasing difficult for the US continued their support. As such, Tim Weiner notes the CIA began to run propaganda campaigns with the goal of hiding or downplaying human rights violations committed by the Contras and increasing their positive local and global perception.[23] In the end, with the fall of the USSR and the collapse of communism, the United States would find itself taking a lesser role in the affairs of Nicaragua. In 1987 both sides (FLSN and the Contras) would sign a ceasefire and in the 1990s the FLSN would lose a number of elections, diminishing their power and control.

In the end the conflict would see thousands killed or missing and the United States would be tried in an international court and found guilty for the aid they gave the Contras.[24] However, the question remains if whether or not the actions of the United States, and more specifically the CIA, met the definition of terrorism. It is noted that the Contra's did, but did the CIA? As noted, the CIA did provide money, training, and technical support, but it cannot be seen that they helped plan or even suggested targeting nongovernmental or nonmilitary targets. So while it can be argued and even agreed upon that the United States actions were

in violation of international law, as they did interfere with the affairs of a sovereign state, the question still remains: does the CIA meet the definition of terrorism?

Both of these cases have a counter argument that needs to be considered. In each of them it can be argued that the United States and the CIA were guilty of providing some of the means and weaponry that led to the death of civilians. This would be akin to handing over a loaded gun to an individual who you know was going to use it for illegal purposes. In US law, any illegal action taken by that individual is also on the individual who gave them the weapon. The actions of the Contras did reach the level of terrorism. The CIA provided them the means to be able to carry those actions out. By providing weapons and support, it could be argued that the CIA was an accessory to acts of terrorism and thus meeting its own definition of terrorism.

The counter to this argument is that the CIA did not know what their support would lead to. The CIA's reasons for participating in Nicaragua, or with Operation Condor, was not to carry out attacks against a civilian populace or hamper the daily life of a civilian populace, but was, as they'd argue, to protect the United States. National security, as shown with Operation Condor, muddies the water of what may or may not be terrorism. National Security may seem as a cop out, but if fully understood it shows how states interact with one another. The CIA is not an unorganized group seeking a goal with a specific end date. Unlike the Contras or members of Operation Condor, the CIA's mission did not end with the fall of communism or an election. Their mission is to protect the United States from those seeking to do it harm or may do it harm. They are organized, have a chain of command, and rules or laws they must follow. And while it must be noted that the actions of the CIA did lead to undesirable consequences, it must also be noted that this was not their intention. As noted, terrorists seek to be known. It is how they progress their message and are able to recruit and fund their operations. This is not in line with the CIA's mission. Their world is one of "cloak and daggers." They operate in the shadows and if their operations become known, their mission usually fails. As such, they must operate in ways that do not draw attention to themselves, something terrorist activities tend to avoid.

Every day, around us, whether we know it or not covert actions are taking place. Some by the CIA, some by foreign entities. These actions

have both intended and unintended consequences. Some actions do lead to other organizations using terrorism as their method of choice. However, in order to understand whether or not organizations like the CIA met the definition of terrorism, the intended and not the unintended consequences must be looked at. Terrorism is intent and it does not happen by accident. While it may not be agreed with by many how the CIA acts, it takes care to ensure that, while illegal at times, its actions do not constitute terrorism as that would endanger its mission and the United States.

(Endnotes)

1 Foreign Relations and Intercourse. 22 U.S.C. § 38-2651-2734a (2004).

2 Terrorism. 18 U.S.C. § 113B-2331 (2001).

3 Foreign Relations and Intercourse. 22 U.S.C. § 38-2656f (2004).

4 Department of Defense Dictionary of Military and Associated Terms, JP 1-02 247 (Department of Defense 2010).

5 C.E Simonsen & J.R Spindlove, *Terrorism today: The past, the players, the future* (Upper Saddle River, NJ: Prentice Hall, 2000).

6 A.N. Guiora, *Global perspectives on counterterrorism* (New York: Aspen, 2011).

7 Department of Defense Dictionary of Military and Associated Terms (Joint Publication JP1-02) "Covert Operations."

8 Department of Defense Dictionary of Military and Associated Terms (Joint Publication JP1-02) "Clandestine Operations."

9 Acts of violence intended to advance a cause-political, social, religious, or economic-aimed at innocent civilians defined as legitimate targets with the intent to cause physical harm, including death, and/or conducting psychological warfare against a population aimed at intimidating it from conducting its daily life in a normal fashion.

10 Max Boot, "The Savage Wars of Peace: Small Wars and the Rise of American Power" (New York City: Basic Books, 2003), 129-155.

11 B. Nietschmann, R. Arguello, T. Walker, F. Parker, & O. Manuel, *Encyclopedia Britannica*, "Nicaragua" (accessed December 20, 2017).

12 Ibid.

13 Lee H. Hamilton, "Report of the Congressional Committees Investigating the Iran/Contra Affair," Congressional Report (1987).

14 Ibid.

15 CIA, "The Freedom Fighters Manual" (1984).

16 CIA, "Psychological Operations in Guerrilla Warfare" (1984).

17 Paul H. Lewis, *Guerrillas and Generals: The Dirty War in Argentina* (2001).

18 J. Patrice McSherry, "Tracking the Origins of a State Terror Network Operation Condor" (Latin American Perspectives, 2002), 36-60.

19 Ibid.

20 Acts of violence intended to advance a cause-political, social, religious, or economic-aimed at innocent civilians defined as legitimate targets with the intent to cause physical harm, including death, and/or conducting psychological warfare against a population aimed at intimidating it from conducting its daily life in a normal fashion (2011).

21 Henry Kissinger, "Operation Condor," National Security Archive (August 23, 1976).

22 As noted previously this training included logistical, leadership, and military. Military included arms and explosives training along with various guerrilla tac-

tics. Leadership included how to organize and establishing a chain of command. Logistical was constituted as organizing all renitent groups into one single force. Refer to the *Freedom Fighters Manual* and the *Psychological Operations in Guerrilla Warfare*, for additional information on the training they received.

23 Tim Weiner, "Legacy of Ashes: The History of the CIA," (New York: Anchor Books, 2008), 440-441, 461-463, 467-471.

24 The United States refused to participate in the court proceedings and block a UN resolution that would have bound them to the ruling.

Bibliography

Boot, Max. *The Savage Wars of Peace: Small Wars and the Rise of American Power.* New York City: Basic Books, 2003.

CIA, *Psychological Operations in Guerrilla Warfare.* 1984.

CIA. *The Freedom Fighters Manual.* 1984.

Department of Defense. Dictionary of Military and Associated Terms. 2016

Foreign Relations and Intercourse. 22 U.S.C. § 38 (2004).

Guiora, Amos N. *Global Perspectives on Counterterrorism*. New York: Aspen, 2011.

Kissinger, Henry. "Operation Condor." *National Security Archive*. August 23, 1976.

Lewis, Paul H. *Guerrillas and Generals: The Dirty War in Argentina*. Praeger, 2001.

McSherry, J. Patrice. "Tracking the Origins of a State Terror Network Operation Condor." *Latin American Perspectives* 29 (2002): 36-60.

Nietschmann, Bernard, and Arguello, Rosendo, and Walker, Thomas, and Park-er, Franklin and Orozco, Manuel. "Nicaragua." In *The Encyclopedia Britan-nica*. Accessed December 20, 2016, https://www.britannica.com/place/Nicaragua 2016.

Simonsen, Clifford E and Spindlove, Jeremy R. *Terrorism today: The past, the players, the future.* Upper Saddle River, NJ: Prentice Hall, 2000.

Terrorism. 18 U.S.C. § 113B (2001).

U.S. Congress. Report of the Congressional Committees Investigating the Iran-Contra Affair. By Lee H. Hamilton. Cong. Bill. Washington: U.S. House of Representatives Select Committee to Investigate Covert Arms Transactions with Iran, 1987.

Weiner, Tim. *Legacy of Ashes: The History of the CIA*. New York: Anchor Books, 2008.

How Terrorism Ends:
The Case of the Irish Republican Army

| Colten Sponseller

The Irish Republican Army (IRA) has existed as an organization for nearly 100 years. Particularly as terrorist groups go, that is impressive; in fact, "long-standing terrorism expert David Rapoport argues that 90 percent [of terrorist groups] last less than a year."[1] The case of the IRA, therefore, is significant to the discussion of how terrorism ends, providing an essential context for a variety of reasons. This paper will specifically treat two of those reasons: 1) its centenary duration and multi-generational appeal; and 2) its participation in the peace process.

In order to better understand the relevance of the Irish Republican Army to the discussion of how terrorism ends, some historical context is undoubtedly warranted. The IRA was founded in 1922; it came to be as a reaction to what was seen by many as an illegal and illegitimate occupation of Ireland by Britain, both civilly and militarily. In 1916, the Irish people were, for the most part, united against the continued British rule of Ireland. Until 1921, semi-legitimate Irish militia carried out aggressive guerrilla warfare against British military and government targets, with the goal of forcing Great Britain to concede to Ireland the status of an independent state. In this, they were ultimately successful, although not to the complete satisfaction of a significant minority: in 1921, the Anglo-Irish Treaty was proposed, which established the Irish Free State, comprised of the lower 28 counties of Ireland.[2] The dissatisfaction of the anti-treaty faction issued from two primary grievances: 1) the treaty stip-

ulated that the new Irish state, although free, would still be considered a dominion of Great Britain; and 2) that the northern six counties (a geographic area now known as Northern Ireland or Ulster) would remain under direct British control.[3] These two aspects of the the treaty rendered the whole distasteful to many of the Irish people.

The break between pro-treaty and anti-treaty factions led to a civil war that dominated the first years of the new Irish Free State. At this point, "the IRA became the stronghold of intransigent opposition to Ireland's dominion status and the separation of Northern Ireland."[4] In 1969, the IRA underwent the first of several splits. As violence between factions increased in Northern Ireland, Britain was obligated to employ the use of military regulars in an attempt to keep the peace. Though the troops were ostensibly deployed to prevent violence in general, including the protection of the Catholic minority, many in the now-weak IRA saw this as a renewal of British occupation that merited violent reprisal.[5] As a result, the IRA split into two groups, the official IRA and the Provisional IRA. The official IRA was opposed to violent tactics and ultimately declared a ceasefire. The Provisional IRA, made up of more traditional Irish republicans, was determined to use the tactics of "armed struggle." Ultimately, this resonated more with the Irish people, and the Provisional IRA became the de facto IRA.[6] The Provisional IRA was primarily responsible for the "terrorist" appellation that has attached itself to the Irish Republican Army.

The IRA, as indicated before, has existed for a long time. It has successfully passed on its ideals and its fight for dozens of generations. Although there have been many groups over the last century who have taken up the banner of resistance to British rule, the Irish Republican Army has emerged as the embodiment of that movement for generations. A major part of the IRA's success in this is its emphasis on—and claim to—legitimacy.[7] Before the Anglo-Irish Treaty in 1921, Irish republicans had declared Ireland to be a free republic and had established a resistance government,[8] which included the election of an Irish parliament called the Second Dail. The IRA was organized as a response to the treaty, and reaffirmed its allegiance to the Second Dail when they were defeated in the civil war. In response, the remaining members of the scattered and broken Second Dail transferred authority—and therefore legitimacy—to the IRA itself.[9] As the group splintered over the years, and portions

of it sought to use legitimate means other than violence—an important occurrence that will be treated later—the remaining members of the Second Dail clarified the inheritance of that authority: "first to the provisional IRA and later to the Continuity IRA,"[10] or those portions that were initially committed to the continued use of violence.

In spite of its scrupulously maintained legitimacy, the IRA, like all terrorist groups, has never enjoyed popular support simply by default. Indeed, in an article entitled, "Like a Phoenix from the Ashes: The IRA as a Multi-Generational Movement and Its Relevance for the War on Terror," Timothy Hoyt indicates that "terror campaigns tend to fail because their actions are viewed as criminal and abhorrent and the population will tend over time to support efforts to stop terrorist campaigns."[11] The IRA does appear to have been more successful than many terrorist groups at maintaining, or at least regaining, popular support over the century it has been operating. For this reason, in the discussion of how terrorism ends, the IRA's ability to continually get and maintain popular support is significant. One of the most significant factors that explains this group's ability to rally popular support is the widespread Irish republican ideal that the IRA espouses and claims to represent. Speaking to the case of the IRA specifically, Hoyt says:

> The republican myth is romantic—often futile but always determined resistance by each generation. It is rooted in the long history of Irish rebellion against British rule and legitimized by the passing of the sword from generation to generation. Ireland is a land of long memories and deep hatreds and many who serve in the IRA see it as unfinished business left to them by their ancestors. Republicanism appeals to those who root for the underdog.[12]

The myth of republicanism, although intangible, is easily identifiable as a source and a foundation for the century-long duration and multi-generational appeal of the Irish Republican Army. In the discussion of how terrorism ends, however, the primary benefit of this duration is the multitude of opportunities that the group had to moderate and eventually engage in the peace process.

With Sinn Fein as a political front, the Provisional IRA began participating in an official peace process in the mid-1990s. By 2005, it had officially decommissioned. At that point, Sinn Fein had already entered government, and in fact, today "the IRA and their Sinn Fein cohorts . . .

are now the largest political party representing the interests of the Catholic population in Northern Ireland. They are also the only party that participates in both Irish and UK politics."[13] A landmark part of the peace process occurred in 1998, when the provisional IRA and the Sinn Fein political party agreed to what is known as the Good Friday Agreement. Those involved in the negotiation process referred to this agreement as "a triumph for moderation over extremism."[14] This event appears to support the idea that not only can a terrorist group moderate, but also—as in the case of the IRA—that such moderation essentially constitutes an abandonment of at least some of the group's original goals and leads to the end of a terrorist group. This is not to suggest that the IRA and Sinn Fein have given up on their long-time goals of a united Ireland or expunging British presence from Irish government; rather, it is the jettisoning of the "tactical use of the armed struggle,"[15] which has dominated and characterized the dissident republican movement for nearly a century. It is the acceptance of legitimate, peaceful means for accomplishing the goals associated with Irish republicanism that constitutes a moderation—and, therefore, abandonment—of goals and the end of a terrorist group.

It is interesting to note, however, that the IRA's participation in a legitimate peace process is seen by many as a major concession made by the British government as a result of terrorist activity:

> A new series of bombings in England created unheard of economic effects . . . This may have spurred existing indirect contacts between the British government and the IRA. The IRA and Sinn Fein were also working with the Irish government . . . to try to find common diplomatic ground, even if it meant giving up the armed struggle.[16]

With this in mind, it is possible to perceive the IRA's participation in the peace process as something of a victory in itself for the terrorists and a product of terrorist tactics. For some, that possibility presents an unconscionable irony and reinvigorates the idea that "it is almost never right to 'talk to terrorists' or 'negotiate with evil' except when they are defeated."[17] On the other hand, regardless of its origins, "a peace process can provide a peaceful path to accommodation and once the paramilitaries become involved in talks and negotiations it is more difficult for them to extricate themselves from the democratic process and return to violence."[18] It may be worth considering whether or not the IRA would have consented to participate in a peace process if the British government had

offered the option as an act of goodwill and not as a reaction to terrorist activity, if in fact that was the case.

Regardless, the issue that arises from the termination of the provisional IRA as a terrorist group is the resulting void, which is inevitably filled by those who are still determined to use violent tactics. Regardless of its successful foray into legitimacy, there were many Irish republicans for whom the peace process was less than satisfactory. For them, "the crucial element of the republican tradition is that success requires violence. A secondary motif is the irrelevance, inadequacy and betrayal associated with legitimate political movements."[19] In fact, the IRA endured a small but significant split in 1996, during the infancy of the peace process, out of which emerged the "ineffectual but still dangerous and ideologically pure 'Real IRA.'"[20] This group, along with the Continuity IRA and other dissatisfied dissident republicans, has continued to perpetrate many and varied terrorist acts, even within the last four years.[21] However, these groups and the violent republican movement in general cannot in reality be compared with the IRA before the mid-1990's. The popular support is simply not there; a particularly poignant example of this was the public outcry against the Real IRA after the 1998 bombing in Omagh.[22]

Interestingly, those who have traded violence for legitimate political channels have secured a major victory as a result: "the British government has committed itself to accepting the decision of the Northern Irish population regarding its continued attachment to the United Kingdom."[23] This essentially means that if the IRA and Sinn Fein can mobilize a large enough Northern Irish voter pool with republican leanings, they may very well achieve their original goal of a united Ireland through entirely legitimate and democratic methods. It is the opinion of the author that Irish republicans might have already succeeded in their goals of achieving a united Ireland years ago if the violence that the IRA popularized had been avoided altogether. The British government has made many significant concessions over the years, but the terrorism that unsettled Northern Ireland for almost a century ultimately alienated that population from the IRA and even largely from the republican cause. If not for the IRA's insistence on so-called "armed struggle," it is entirely conceivable that a united Ireland could have been achieved through legitimate, democratic means from ballot boxes within Northern Ireland during the twentieth century.

In the case of the IRA, the vast majority of terrorist activity ended as the group engaged in a peace process through legitimate means. Although this has resulted in several splinter groups that maintain a commitment to use violence, those splinter groups experienced a sharp decrease in the level of popular support when compared to previous iterations. The IRA of old, with its significant popular base of support and its commitment to violence, is finished—and this is primarily because of its participation in the peace process. The myth of republicanism remains alive and well in the hearts of many Irishmen, but the fight has moderated to the point of being accessible through legitimate means. More importantly, the achievement of the IRA's original goal of a united Ireland is more realistic than ever through the skillful manipulation of the ballot box—more likely than it ever was through the manipulation of the gun or the bomb, no matter how skillful.

(Endnotes)

1 Benjamin H. Friedman, Jim Harper, and Christopher A. Preble. *Terrorizing Ourselves: Why U.S. Counterterrorism Policy Is Failing and How to Fix It* (Washington, DC: Cato Institute, 2010), 16.

2 Kathryn Gregory, "Provisional Irish Republican Army (IRA) (aka, PIRA, "the Provos," Óglaigh Na HÉireann) (UK Separatists)." Council on Foreign Relations. 2010.

3 "Irish Republican Army," International Encyclopedia of the Social Sciences, 2008.

4 Ibid.

5 Gregory, "Provisional Irish Republican Army."

6 "Terrorist Organization Profile: Irish Republican Army (IRA)." Terrorist Organization Profile - START- National Consortium for the Study of Terrorism and Responses to Terrorism. University of Maryland, 2010.

7 Timothy D. Hoyt, "'Like a Phoenix from the Ashes': The IRA as a Multi-Generational Movement and Its Relevance for the War on Terror" (2012), 197.

8 Ibid., 203.

9 Ibid., 198.

10 Ibid.

11 Ibid., 196.

12 Ibid., 198.

13 Ibid., 208.

14 Paul Dixon, "Guns First, Talks Later: Neoconservatives and the Northern Ireland Peace Process." *The Journal of Imperial and Commonwealth History* 39, no. 4 (2011), 658.

15 Ibid., 657.

16 Hoyt, "Like a Phoenix," 207.

17 Dixon, "Guns First, Talks Later," 650.

18 Ibid., 651.

19 Hoyt, "Like a Phoenix," 198.

20 Ibid., 207.

21 Martyn Frampton, "Dissident Irish Republican Violence: A Resurgent Threat?" *The Political Quarterly* 83, no. 2 (2012), 227-228.

22 Jonathan Tonge, "'No-one Likes Us; We Don't Care': 'Dissident' Irish Republicans and Mandates." *The Political Quarterly* 83, no. 2 (2012), 219-26.

23 Hoyt, "Like a Phoenix," 207.

Bibliography

Dixon, Paul. "Guns First, Talks Later: Neoconservatives and the Northern Ire
-land Peace Process." *The Journal of Imperial and Commonwealth History*
39, no. 4 (2011), 657-58.

Frampton, Martyn. "Dissident Irish Republican Violence: A Resurgent Threat?"
The Political Quarterly 83, no. 2 (2012), 227-228.

Friedman, Benjamin H., Jim Harper, and Christopher A. Preble. *Terrorizing
Ourselves: Why U.S. Counterterrorism Policy Is Failing and How to Fix It.*
Washington, DC: Cato Institute, 2010. 16.

Gregory, Kathryn. "Provisional Irish Republican Army (IRA) (aka, PIRA, "the
Provos," Óglaigh Na HÉireann) (UK Separatists)." Council on Foreign
Relations. 2010. <http://www.cfr.org /separatist-terrorism/provision
-al-irish-republican-army-ira-aka-pira-provos-oglaigh-na-heireann-uk-
-separatists/p9240>.

Hoyt, Timothy D. "'Like a Phoenix from the Ashes': The IRA as a Multi-Gen
-erational Movement and Its Relevance for the War on Terror." (2012),
196-208.

"Irish Republican Army." International Encyclopedia of the Social Sciences.
2008. Encyclopedia.com. http://www.encyclopedia.com/
doc/1G2-3045301190.html.

Gregory, "Provisional Irish Republican Army."

"Terrorist Organization Profile: Irish Republican Army (IRA)." Terrorist Orga
-nization Profile - START - National Consortium for the Study of Terror
-ism and Responses to Terrorism. University of Maryland. 2010. <http://
www.start.umd.edu/tops/terrorist_organization_ profile.as
-p?id=55>.

Tonge, Jonathan. "'No-one Likes Us; We Don't Care': 'Dissident' Irish Republi
-cans and Mandates." *The Political Quarterly* 83, no. 2 (2012), 219
-226.

The Effectiveness of Nonviolent Action

| Brendan Lee

History can often be broken up into a series of conflicts that have changed the world. We can learn much about the societies of the past by the way that they respond to conflicting situations. Their actions can either make positive or negative impacts upon future generations. Through the years, historians continue to argue about whether the use of violence has been more effective than the use of nonviolence in resolving these issues throughout history. One event that has helped to support the latter is the nonviolent movement that was introduced in the fight for Indian Independence under the Hindu Leader, Mohandas Gandhi. Those who participated in this fight are often referred to as the pioneers of nonviolence because their actions would eventually be passed on to generations of oppressed people around the world. Although many historians will argue that violence is a necessary tactic, this paper will study three major events in the Indian Independence Movement to prove that nonviolence is a far more superior way to create change in the history of the world.

The first significant event of nonviolent protest in India has become known as the Non-Cooperation Movement. Historian Stanley Wolpert, in his book "Gandhi's Passion: The Life and Legacy of Mohandas Gandhi," argues that the non-cooperation movement was vital to the independence of India, because it is what inspired so many people to think that it could be a possibility for change. In his examination of the writings of the Indian National Congress, it is clear that these acts finally gave

Indians a voice, and allowed them to start thinking of themselves as a nation.[1]

Great Britain had just finished its conflict in World War I—a war in which over 1.3 million Indians volunteered to serve under the Crown. By the end of the war, India had sacrificed a drastic amount of lives and resources and felt they had earned the right to govern themselves. However, the British response to peaceful protests in India resulted in the institution of Martial Law directly after the war. One such protest that occurred in the Indian city Jallianwala Bagh turned into a massacre as over 90 British soldiers, under the command of Brigadier-General Reginald Dyer, fired into a group of over 1,500 protesters. This massacre claimed the lives of 370 in addition to injuring over 1,000 citizens.[2] Shortly after, Mahatma Gandhi published an article in the newspaper entitled: "Satyagrahi,"[3] which urged Indian citizens to respond to arrest and persecution in a nonviolent way. He called upon all Indians to boycott foreign goods, including those from England, until British leaders would put an end to martial law, and stop the killing of innocent protesters. The non-cooperation movement swelled as thousands of Indians began to boycott British goods, schools and courthouses. Historian Stanley Wolpert, writing about the significance of this movement, states that it was one of the turning points for Indian Nationalism. He writes:

> Gandhi had awakened the slumbering tiger of India's long-neglected, abandoned, ignored millions by daring to jump upon its sleeping form . . . as the movement gathered momentum, the masses joined with passionate enthusiasm, rallying behind their Mahatma-General, filling every cell in every prison of every province in the crown jewel of the world's mightiest Empire, on which the sun of British rule almost seemed in 1922 about to set forever.[4]

Wolpert notes that while the British Empire seemed too powerful to defy, the noncooperation movement showed that when the people stand together it caused the British government great distress and weakness. Although Gandhi would spend six years in prison for leading the events of non-cooperation, the seeds of hope had been planted and were ready to take root.

The next event that led India further down the path of independence would take place 10 years later. What transpired would eventually become known as The Salt March. Calvin Kytle, author and non-violent activist,

suggests that the Salt March played a key role in creating international attention for the Indian cause.[5] Kytle would agree with Wolpert on the importance of the Noncooperation Movement, but would build on Wolpert's argument by writing that the Salt March was the next necessary step in achieving Indian Independence. The Salt March brought international attention to the Indian cause, and exposed the weakness in Britain's ability to suppress the people.

In the year 1930, Britain began to increase its tax on one of India's most valuable minerals, salt. Salt is essentially "one of the only things a poor man uses more than a rich man."[6] For the poor, to purchase salt with the British tax increase meant they had to give up three days of wages for a relatively small amount of product. In addition, Indians were banned from making their own salt, producing it, or even selling it to other Indians. All salt production had to go through the British Government. For Gandhi, who had just been released from prison and re-elected as President of Congress, resolving this issue became one of his highest priorities. With millions of eager Indian citizens ready to once again follow their leader, one of the greatest acts of civil disobedience in world history was about to begin. On March 12, 1930, Gandhi and his followers set off on their 240-mile Salt March to the sea in protest of the unfair tax imposed by the British Government. Imagine this powerful image as thousands of people from every city, town, and village followed the small 61-year-old man as he passed through on his way to the Indian Ocean. At one point the gathering of people that followed Gandhi stretched over two miles long.[7] When finally reaching the sea and in violation of the law, Indians began creating their own salt. Gandhi then took a handful of salt, raised it in the air, and said to the people: "With this [salt] we will shake the foundations of the British Empire."[8] Calvin Kytle remarks on how influential the Salt March was for Indian Independence in his book, "Gandhi, Soldier of Nonviolence." He writes:

> It was apparent that if the British were not violent they would lose, and if they were violent they would lose anyway. Though it was to be seventeen years before India became formally independent, freedom for India was inevitable from the moment Gandhi stepped on the beach Dandi for a handful of salt.[9]

Gandhi's support of the Indian people continued to swell in defiance of the British government. Kytle writes that the Salt March was so import-

ant to the movement because it was the first time that India had gained international attention from countries all over the world. Gandhi's march filled newspapers and inspired journalists to travel to India in search of more stories regarding this movement. Kytle provides many primary sources of first had encounters of international reporters witnessing the violence that was enacted by the British. They in turn saw the power of civil disobedience as Indians submitted in nonviolent defiance. But while the cameras were focused on India for the very first time, something else was about to divert their attention to Europe—the rise of Hitler and the start of World War II.

The final event that helped to shape the Indian Nation began shortly after the start of World War II, and became known as the Quit India Movement. Historian Francis G. Hutchins, in his book "Gandhi and the Quit India Movement," explains that the people's desire to work together finally convinced the British to allow India to govern themselves independently. The people were no longer divided and seeing themselves as either Hindu or Muslim. Instead, the Quit India Movement allowed the people to see themselves as citizens of an Indian Nation. These events were crucial in helping the people make such a bold stand in securing their independence.

Winston Churchill, the Prime Minister of England, was in the middle of a high stakes war to protect Europe from the ever-advancing army of Nazi Germany. In 1942, Churchill sent Sir Stafford Cripps to India to negotiate a deal that would bring more Indians under the service of the crown in exchange for independence after the war. While Cripps plan held the results that the Indians had wanted, many things did not satisfy Gandhi and the Indian National Congress. When the plan failed, Gandhi spoke to the people about beginning the Quit India Movement by giving his famous "Do or Die" speech calling for India's freedom from England immediately.[10] The Indian people delivered their terms back to the British Government stating that if they were not immediately free to govern themselves, there would be more protests of civil disobedience. The British responded by imprisoning all the major leaders of the National Congress without trial until the end of the War. With their leaders in prison, thousands of Indian citizens accepted the call to protest and voice their opinion. Many demonstrations of civil disobedience took place as part of the Quit India Movement. Hutchins states that while the British were already deep in a full-scale war with Germany, they began to see that India could no

longer be ruled under such chaos. While their efforts to bring India back into control were failing, it was clear that there must be a path to Independence for their nation. He explains that:

> In the Quit India Movement, the Indian Revolution reached its climax. The revolution, conceived as an open rebellion against an apparently invincible regime, had presumed that success would be measured, not by the content of British offers, but by the strength and clarity of Indian will. Indians would be free when they acted as free men, without reference to British desires, when the appeals for generosity of the moderators and oppositions-defined defiance of the reactionaries were replaced by a confident indifference to the continuing British presence. India declared herself to be already independent, and in India's will to act independently the revolution had triumphed.[11]

India's independence was won without violent means. It was won by large groups of people standing together in peaceful demonstrations through civil disobedience. Their actions created an idea that united people and motivated them to fight for one another. It no longer mattered whether you were Hindu, Muslim, rich, poor, old, or young. All that mattered was their desire to be free and stand up for themselves. Independence was not gained easily, nor was it fought with massive amounts of weapons, but with vast amounts of motivated individuals willing to sacrifice themselves until their voice was heard. India's voice was heard and their actions eventually passed to future generations of oppressed people. From the United States, to South Africa, and even Tiananmen Square in China, India's nonviolent movement was seen as an example of how change can happen when people stand together in peaceful, nonviolent demonstration.

The Indian Independence Movement's success can be seen in the peaceful demonstrations that were enacted because of India's example. Gandhi's leadership and the courage of the Indian people brought about great change through acts of nonviolence. Although many historians will continue to argue that military force is a necessary tactic, this paper successfully proved that the three major events of Non-violence enacted in the Indian Independence Movement changed history in a far greater way. Non-Cooperation brought unity, the Salt March brought attention, and the Quit India Movement brought freedom.

(Endnotes)

1 Stanley Wolpert, *Gandhi's Passion: The Life and Legacy of Mahatma Gandhi* (New York: Oxford University Press, 2001).

2 Wolpert, *Gandhi's Passion*, 2001.

3 Satyagrahi loosely translated as "Holding on to Truth"— used as a movement of passive political resistance.

4 Wolpert, *Gandhi's Passion*, 2001.

5 Calvin Kytle, *Gandhi, Soldier of Nonviolence*, Second Edition (New York: Seven Locks Press, 1982).

6 Kytle, *Soldier of Nonviolence*, 1982. Kytle explains that the poor of India needed salt as an essential part of their diet because of the long and hard labor they were forced to perform in the hot sun.

7 Kytle, *Soldier of Nonviolence*, 1982.

8 Evan Andrews, "Remembering Gandhi's Salt March," 2015.

9 Kytle, *Soldier of Nonviolence*, 1982.

10 Francis Hutchins, *Gandhi and the Quit India Movement* (Cambridge: Harvard University Press, 1973).

11 Hutchins, *Gandhi and the Quit India Movement*, 1973.

Bibliography

Andrews, Evan. "Remembering Gandhi's Salt March." History.com. March 12, 2015. http://www. history.com/news/gandhis-salt-march-85-years-ago.

Hutchins, Francis. *Gandhi and the Quit India Movement*. Cambridge: Harvard University Press, 1973.

Kytle, Calvin. *Gandhi, Soldier of Nonviolence*. Second Edition. New York: Seven Locks Press, 1982.

Wolpert, Stanley. *Gandhi's Passion: The Life and Legacy of Mahatma Gandhi*. New York: Oxford University Press, 2001.

Ancient Greek Medicine, Magical or Divine: How Attic Greek Culture influenced Classical Greek Physicians such as Galen

| Bractn Williams

Anciently, disease was often attributed to angry gods, heroes, and demons.[1] Sources of healing were traced to sympathetic gods such as Asclepius, the Greek hero and god of healing.[2] Pre-Socratic philosophers and Hippocratic physicians questioned magico-religious healers to find logical reasons responsible for the causes of sickness. Historically, Galen is viewed as a pioneer for early medical practices and the rhetoric of healing. Galen was born in the Roman city of Pergamum, which was influential in Hellenistic culture, and in his training as a philosopher-physician.[3] Philosophers like Plato, Aristotle, other pre-Socratic philosophers, and Hippocratic physicians influenced Galen in his work, studies, and ideas for curing ancient diseases. Philosophy influenced medical science in how logic was used to diagnose diseases, the rejection that only gods can cure disease, understanding of the tripartite soul, the balance between the body and the soul, and the four humors. Attic Greek culture influenced medical philosopher-physicians like Galen in their quest to understand the soul, body, medical anatomy, and the rhetoric of healing.

Attic Greek culture influenced Galen in his pursuit of philosophical and anatomical understanding. His motive was "to make clear what [was] unclear."[4] By using a medical-philosophical system that relied heavily upon his predecessors, Galen was able to solve the riddles that they could not solve.[5] Galen relied heavily upon the "pre-Socratic theories of Heraclitus, Diogenes of Apollonia . . . Sicilian physicians and Empedocles

and his doctrine of the four elements."[6] By criticizing his fellow physicians, Galen claims that logic is the most important form of philosophy that a physician must master. The development of Greek science relied upon the experiences of both Galen, his predecessors, and their impact on science.

Classical Greek physicians were educated in philosophy, which was considered essential to the training of a physician.[7] In his treatise, *The Best Doctor is also a Philosopher*, Galen provides three main reasons to show how philosophy impacted science. The three main branches of philosophy according to Galen were, logic, physics, and ethics. Galen used all three branches in his career as a philosopher-physician and used them to criticize those that don't agree with him. First a doctor "must be trained in scientific method."[8] The knowledge of logic is important to a physician-philosopher because it teaches them how to establish proof, and find a valid argument. Second, "it is the task of philosophy to study nature, and the whole of theoretical side of biology-the investigation of the constituent elements of the body and the functions of organs, for example, comes under this healing."[9] Thirdly, Galen raises an ethical reason for physicians to study philosophy: "the doctor must learn to despise money"[10] and to provide this service for the betterment of the community.

Galen recognized that there were gaps in Hippocrates' work, writings, and understanding of the symptoms and healing of the body. To further his own work, Galen learned from his predecessors for whom he had great respect. G.E.R. Lloyd points out that one of the early philosophies that Galen drew from was Plato's idea of the tripartite soul. Plato suggests that the soul is divided into three parts; rational, spirited, and appetitive. Galen uses this idea for his formulation of the three most important organs in the body; the brain, the heart, and the liver.[11] By using Aristotelian deductive science, Galen demonstrates the relationship between medicine and philosophy.[12]

Philosophy clearly provided the theoretical framework that was needed for classical physicians. Ludwig Edelstein argues, "whether one peruses early or late medical authors concerned with these subjects [Biology and physiology], he immediately becomes aware of the fact that they were inspired by philosophy."[13] Edelstein argues, "Stoic natural philosophy became predominant in medical theory."[14] Philosophy provided medical doctors like Galen with the logical understanding that would lay the

foundation for medical theory.

Logical reasoning was taught in philosophical schools that allowed the philosopher-physician to learn the art of becoming a doctor. Plato and Aristotle both founded schools for philosophical learning. "The Academy and the Lyceum . . . attracted philosophers and scientists from all over Greece."[15] Greek scientists sought out schools of philosophy to become indoctrinated in the theoretical understanding to heal the human problem of sickness and health. Edelstein expresses the relationship between philosophy and medicine by stating, "Galen holds that all philosophers and all physicians are unanimous in assuming that the faculties of the soul depend upon the mixture of the elements of the body."[16] Lloyd makes the same argument that "the contributions that the doctors made to natural science may be said to parallel the work of the pre-Socratic cosmologists."[17]

Philosophy is the doctor to the soul just as medicine is the healer of sickness. One of the branches of philosophy is logic, the science of how to think. Galen argues that this is especially important for a physician when attempting to classify diseases.[18] Galen used logical thinking to diagnose a problem in an attempt to heal it. Menander, a Greek dramatist, wrote a play expressing similar opinions about the relationship between philosophy and science. "The word is doctor of bad things to men. For this alone holds relief for the soul."[19] Word in this context is philosophy. Philosophy is the doctor of bad thoughts, feelings and actions that men have. A doctor heals the body just as philosophy heals the soul. Historians view philosophy as an important influence on classical Greek science and its motive to understand what was not currently or fully understood.

The Homeric view was that man must call down the powers of gods to receive healing. In the Iliad, Agamemnon calls down the powers of Asclepius, the Greek hero-god of healing, to heal his brother Menelaus. "Son of Asclepius, Lord Agamemnon calls you to see Menelaus. Someone has shot him, someone really good with a bow, a Trojan or Lycian, to his glory and to our grief."[20] Grief besought Agamemnon, Menelaus and their soldiers. Whether it is sickness or a life threatening wound like that of Menelaus, grief resulted in a body and soul that was not happy or healthy. Classical Greek philosophers and physicians discredited the idea that the gods brought pain and suffering to mankind and that it was only through the gods that man could be healed.

Plato's rejection of the poets influenced Galen to reject the accepted idea that only Gods could heal man. "Plato rejected the popular view, fostered by Homer, Hesiod and the tragedians that the gods bring about misfortune."[21] Plato rejects the poets, their writing and ideas and won't allow them into the ideal city unless they renounce what they have written. "We won't allow poets to say that the punished are made wretched and that it was a god who made them so."[22] Galen accepted Plato's position refuting the ideas of the poets and discredited their claim that the gods were responsible for man's health and wellbeing.

Criticism of the idea that healing came from the gods was initiated because philosopher-physicians sought logical reasons for healing.[23] "Hellenistic physicians were in no way unified on their outlook on medicine . . . Greek Medicine freed itself from divine causality to describe bodies and diseases in natural terms."[24] Asclepius' persona is often seen as a brilliant personal physician.[25] Galen used "his relationship with Asclepius, whom he sometimes credits for prognoses or insights transmitted through dreams."[26] Greek science moved away from the "magic" side of healing, but still looked to the god of healing for guidance.

Pergamum enjoyed a time of renewal before and during Galen's lifetime, during which many temples were built. The Temple of Asclepius in particular attracted many pilgrims seeking to be healed. "Partly for this reason, Pergamum was a center for medical education, and Galen studied medicine there in his youth."[27] Galen often used religion for his benefit to avoid being placed at the front lines while serving as a physician for the army.[28] Aristotle suggests that the Milesians began the transformation of Greek medicine as it moved away from magic and more towards logic. Notwithstanding this transformation the Milesians still stayed true to religion.[29]

The Hippocratic oath was more or less a religious oath that positioned the physician within a community founded on shared values.[30] Hippocratic physicians were attempting to understand the causation of disease. Classical Greece thought that there was a "sacred disease" caused by the gods. Magicians were called upon to heal the individual. "If treatment such as charms, certain types of food, and clothing did not provide treatment, then the gods were to blame."[31] Hippocratic physicians questioned and disproved of this illogical reasoning. Galen questioned Hippocrates at times stating that even his knowledge does have limits at times.

Galen criticized the Hippocratic view of the body, ideas for cures, as well as their methods of healing.[32] Hippocratic physicians learned what was needed to become a doctor, but lacked the philosophical education to be a "true doctor." "It would be easy, for example, to learn thoroughly in a very few years what Hippocrates discovered over a very long period of time, and then to devote the rest of one's life to the discovery of what remains."[33] Galen believes that Hippocrates did not know everything and what he did know could be easily learned in a short period of time. He denounces the Hippocratic tradition stating, "the true doctor will be found to be a friend of temperance and a companion of truth."[34] "Doctors will pay lip-service to Hippocrates, to be sure, and look up to him as a man without peer; but when it comes to taking the necessary steps to reach the same rank themselves - well, they do quite the opposite".[35] Galen argues that followers of Hippocrates learned the "lip-service," but did abide by the principles of what was taught.

Classical doctors were expected to be kind, compassionate individuals that were well rounded in the principles of philosophy and ethics. "But it is impossible for someone who puts wealth before virtue, and studies the art for the sake of personal gain rather than public benefit, to have the art itself as his goal."[36] Galen criticizes those of the Hippocratic tradition for not being true philosopher-physicians. He claims that they are in it for money, pride, and the sake of building up their name. Ludwig Edelstein argues that, "no greater tribute could be paid to any doctor than the tribute paid to him in the first century, that he is a friend of the patient, sympathizing with him and loved in return as a friend, for one owes to him more than money could pay for."[37] Galen also thought that Hippocrates' followers lacked logical understanding of the ethics behind philosophy and medicine.

Doctors during Galen's time criticized those that sought training in logical theory claiming that it was a waste of their time and energy.[38] Galen claimed that logical reasoning came from a deep study of philosophy. According to Galen, there are three types of philosophy that a physician must be well rounded in. They must know the logical, physical, and ethical parts of philosophy and how they play a role in their work. "Furthermore, he (a physician) must study logical method to know how many diseases there are, by the species and by the genus, and how, in each case, one is to find out what kind of treatment is indicated."[39] Logical understanding

was critical to Galen's work and his followers. Galen's theory of logic laid the foundation for his research and future case studies on diagnosing diseases.

Physicians must be disciplined in logical theory in order to understand the nature of the body and to discover the differences between diseases and the treatment required to cure the diseases.[40] Logic "provides the foundations for knowledge of the body's very nature, which is to be understood on three levels. First the level of the primary elements . . . secondly, the level of the perceptible, which is also called the 'homogeneous;' thirdly that which derives from the organic parts."[41] Logic outside of these areas of philosophy was not the only forms of influence on classical Greek physicians.

Sickness, disease, cures, and medicine were not topics that all Greco-Romans agreed upon. The classical world at the time of Galen did not share the same view; many believed that "disease is unnecessary; it can be prevented if one lives the right way."[42] Philosopher-physicians believed that being healthy was balancing the four humors. Apriphron wrote a hymn during the fourth century B.C.E which illustrated that the "Greeks saw health as the most valuable of goods-without it, no one is happy."[43] The Four humors, blood, phlegm, black bile and yellow bile, when balanced produced the Greek understanding of health and being happy and healthy.[44]

Emperor Tiberius argued that a man who is over the age of thirty and still needs a doctor is foolish.[45] Tiberius and others rejected the idea of the hand of friendship that a physician offers to their patients. Diogenes the Cynic and Aristotle both had the idea that "old age is a natural disease, while disease is an acquired old age."[46] Aristotle is making the claim that disease is a natural process of life and of old age. "If disease is an individual phenomenon due to an error of judgment, to wrong living, then it follows naturally that a truly educated man does not need a doctor."[47] Edelstein is making the claim that according to the logic of the time, if you were and educated man, you did not need a physician to take care of you.

Based off of the writings of later Christian authors (Tertullian along with Isidorus), Ludwig Edelstein makes the case that "both philosophy and medicine, if studied by man, will enable him to do the same things, to lead the right kind of life. They show him the narrow path that leads

to happiness."[48] Even during the time of Galen, the Greco-Roman world agreed that happiness is achieved through a healthy life, but they did not happen agree on the manner. Some thought that a doctor was needed, some thought that philosophical knowledge would suffice, and others did not think that always attempting to be healthy was worth the stress.

Plutarch believes that scholars and politicians were not likely to worry about their health, but that misfortune had befallen them. Plutarch expressed his conviction on this matter in a vivid and dramatic way in the story of the camel and the ox.

> When the ox begged the camel to lighten his burden, the camel did not listen; and so the ox dropped dead. Or to express the moral of the parable in less homely language, man forces his mortal part, the body, to be partner to his immortal part, his soul; he tries to join the earthborn and the celestial element. This cannot be done. He who attempts it must in the end renounce everything he likes, reading and discussion and study. The aim should be the even balance of a well matched team.[49]

Edelstein uses this story to explain the balance that Plutarch is attempting to convey. "Philosophy and medicine, medicine and philosophy, that is the answer to the human problem in sickness and health . . . it is the most distinctly Hellenic characteristic of the ancients' attitude toward medicine."[50]

Anciently, disease was often attributed to angry gods, heroes and demons. Sources of healing were traced to sympathetic gods, such as Asclepius, the Greek hero-god of healing. Pre-Socratic philosophers and Hippocratic physicians questioned magico-religious healers to find logical reasons responsible for the symptoms. Philosophers like Plato, Aristotle, and other pre-Socratic philosophers, in addition to Hippocratic physicians, influenced Galen in his work, studies, and ideas for curing ancient diseases.

Philosophy impacted medical science in how logic was used to view the anatomical world and how to diagnose and treat diseases. Philosopher-physicians rejected the claim that only gods could heal man. The tripartite soul and the balance between the body and the soul as well as the four humors are examples of how philosophy influenced Greek science. Attic Greek culture influenced medical philosopher-physicians like Galen in their quest to understand the soul, body, and medical anatomy.

"If then, philosophy is necessary to doctors with regard both to preliminary learning and to subsequent training, clearly all true doctors must also be philosophers."[51]

(Endnotes)

1 Brooke Holmes, "Medicine," *In The Oxford Handbook of Hellenic Studies*, ed. George Boys-Stone, Barbara Graziosi, and Phiroze Vasunia (New York: Oxford University Press, 2009), 557.

2 Ibid., 555.

3 Susan Mattern, *Galen and the Rhetoric of Healing* (Baltimore: John Hopkins University, 2008), 2-3.

4 Brooke Holmes, Sympathy between Hippocrates and Galen: The case of Galen's Commentary on Hippocrates' 'Epidemics', Book Two, in Epidemics in Context: Greek Commentaries on Hippocrates in the Arabic tradition, edited by Peter Pormann (Boston: De Guyer, 2012), 49.

5 Holmes, "Sympathy between Hippocrates and Galen," 49.

6 Ludwig Edelstein, *Ancient Medicine* (Baltimore: John Hopkins University, 1994), 352.

7 G.E.R. Lloyd, *Greek Science after Aristotle* (New York: Norton, 1973), 137.

8 Ibid., 137.

9 Ibid., 137.

10 Ibid., 137.

11 Ibid.,140.

12 P.N. Singer, "Levels of Explanation in Galen", *The Classical Quarterly*, 2 (1997), 525.

13 Edelstein, *Ancient Medicine*, 351.

14 Ibid., 352.

15 G.E.R. Lloyd, *Early Greek Science: Thales to Aristotle* (New York: Norton, 1970), 66.

16 Edelstein, *Ancient Medicine*, 355.

17 Lloyd, *Early Greek Science*, 54.

18 Singer, "Levels of Explanation in Galen," 541

19 My translation of Menander, Fragment 782, Hardy Hansen and Gerald M. Quin, in *Greek: An Intensive Course* (New York: Fordham University Press, 1978), 188.

20 Stanley Lombardo trans., *Iliad* (Indianapolis: Hackett, 1997) Book Four, lines 219-222.

21 Brooke Holmes, "Body, Soul and Medical Analogy in Plato," in When Worlds Elide: Classics, Politics and Culture, ed. Karen Bassi and J.Peter Euben (New York: Lexington, 2010), 346.

22 Plato's rejection of the poets, G.M.A. Grube, trans., *Republic* (Indiana: Hackett, 1992), 379c9-380c9.

23 G.E.R. Lloyd, *Magic, Reason and Experience: Studies in the Origins and Development of Greek Science* (Indiana: Hackett, 1999), 10.

24 Holmes, "Medicine," 553.

25 Ibid., 556.

26 Ibid., 556.

27 Mattern, *Galen and the Rhetoric of Healing*, 3.

28 Ibid., 3.

29 G.E.R. Lloyd, *Magic, Reason and Experience*, 11, footnote 9.

30 Holmes, "Medicine," 556.

31 Lloyd, *Early Greek Science*, 54-5.

32 Brooke Holmes, "Sympathy between Hippocrates and Galen: The Case of Galen's Commentary on Hippocrates' Epidemics II," in *Epidemics in Context: Greek Commentaries on Hippocrates in the Arabic Tradition*, edited by Peter Pormann.

33 P.N. Singer, trans. *Galen: Selected Works* (England: Oxford University Press, 1997), 32.

34 Singer, *Galen*, 33.

35 Ibid., 30.

36 Ibid., 32.

37 Edelstein, *Ancient Medicine*, 390.

38 Singer, *Galen*, 30.

39 Ibid., 33.

40 Ibid., 33.

41 Ibid., 33.

42 Edelstein, *Ancient Medicine*, 390.

43 Holmes, "Medicine," 554.

44 Michael Boylan, "Galen: On blood, the pulse and the arteries," *Journal of the History of Biology*,   40 (2007), 212.

45 Edelstein, *Ancient Medicine*, 390.

46 Ibid., 390.

47 Ibid., 391.

48 Ibid., 391.

49 Idib., 391.

50 Ibid., 391.

51 Singer, *Galen*, 33.

Bibliography

Boylan, Michael. "Galen: On Blood, the Pulse, and the Arteries." *Journal of the History of Biology* 40, no. 2. June 1, 2007: 207-30.

Edelstein, Ludwig, Owsei Temkin, and C. Lilian Temkin. 1994. *Ancient medicine: selected papers of Ludwig Edelstein*. Baltimore: Johns Hopkins University Press, 1994.

Galen, and P. N. Singer. *Galen: Selected Works*. Oxford: Oxford University Press, 1997.

Hansen, Hardy, and Gerald M. Quinn. *Greek: An Intensive Course*. New York: Fordham University Press, 1978.

Holmes, Brooke. "Body Soul and Medical Analogy in Plato." In *When Worlds Elide: Classics, Politics, Culture*, ed. Karen Bassi, and J. Peter Euben. New York: Lexington, 2010: 345-385.

Holmes, Brooke. "Medicine," In *The Oxford Handbook of Hellenic Studies*. Edited by George Boys-Stone, Barbara Graziosi, and Phiroze Vasunia. New York: Oxford University Press, 2009: 552-568

Holmes, Brooke. "Sympathy between Hippocrates and Galen: The Case of Galen's Commentary on Hippocrates' 'Epidemics', Book Two". In *Epidem -ics in Context: Greek Commentaries on Hippocrates in the Arabic Tradi -tion*, ed. Peter E. Porman. Boston: De Guyer, 2012: 49-70.

Homer. *Iliad*. Translated by Stanley Lombardo, Indianapolis: Hackett, 1997.

Lloyd, G. E. R., *Early Greek science: Thales to Aristotle*. New York: Norton, 1970.

Lloyd, G. E. R. *Greek science after Aristotle*. New York: Norton, 1973.

Lloyd, G. E. R. *Magic, reason, and experience: studies in the origins and develop -ment of Greek science*. Indianapolis: Hackett Pub. Company, 1999.

Mattern, Susan P. *Galen and the rhetoric of healing*. Baltimore: Johns Hopkins University Press, 2008.

Plato. *Republic*. Trans. by G.M.A Grube. Indianapolis: Hackett, 1992.

Singer, P.N. "Levels of explanation in Galen." *The Classical Quarterly* no. 2, 1997: 525.

Essay Contest Winners

Polygamy, Pacifism, and Peyote: The Unlikely Trio

| Samuel Corry

Religious Liberty Established Through Property Tax Exemptions

| Danielle K Maddox

Polygamy, Pacifism, and Peyote: The Unlikely Trio

| Samuel Corry

The Founders of the Constitution of the United States strove to stand apart from the contemporary nation-states that comprised Europe in respect to religious liberty and secularism. They knew a careful balance must be created between the right to religious practice/exercise, and the prerogatives and needs of the Federal and State governments. On 30 July 1788 during the North Carolina Constitutional Ratifying Convention James Iredell (a Founder and one of the Supreme Court's first Judges) said:

> America has set an example to mankind to think more modestly and reasonably—that a man may be of different religious sentiments from our own, without being a bad member of society. The principles of toleration, to the honor of this age, are doing away those errors and prejudices which have so long prevailed, even in the most intolerant countries.[1]

James Iredell was just one of many Founders who viewed the balance of church and state in this way. The Founders saw that the follies of the past should be avoided and that a balance needed to be struck. In the modern age, far after the founding, the balance has been changed. This has mostly been the work of the Federal Government and, per the subject of this paper, especially the Supreme Court. In a more recent case called *Employment Division, Department of Human Resources of Oregon v. Smith* the balance was severely moved. Decided in 1990, *Oregon v. Smith* addressed the sacramental use of a controlled substance, in this instance peyote. The

Supreme Court Majority opinion (authored by the late Justice Antonin Scalia) ruled in favor of the Oregon statute upholding the ban on peyote (even if used in religious settings). The precedent established in *Oregon v. Smith* in effect forces an individual to choose between governmental aid (in this case government unemployment benefits) and no criminal prosecution or following their personal religious convictions and possible criminal prosecution. It also brings up issues of sweeping legislation and how those sweeping laws affect individual beliefs and religious practices. *Oregon v. Smith* allows the passing of legislation that harms religious practice without consequence so long as those laws are seen as generally applicable as a whole. This is a dangerous and slippery slope. Under that precedent laws can be passed that hinder religious practice so long as it is a general law not meant to (on it's face) curb religious practice. The problems caused by *Oregon v. Smith* can be overcome if the Supreme Court returns to precedence established in other cases dealing with religious liberty. These cases have mostly to deal with three religious subjects and their accompanying Supreme Court cases: Polygamy (*Reynolds v. United States)*, Pacifism (the *Girouard* and *Schwimmer* cases), and Peyote (the *Oregon v. Smith* case).

Reynold v. United States was a landmark case that established a precedence that if followed correctly could help fix the problems. In the 1860's Congress passed an anti polygamy/bigamy law targeted at the Mormon communities in the then Utah territory. Immediately these anti-bigamy laws, known as the Morrill Anti-Bigamy Act, caused trouble in Utah. Many within the Mormon population at the time practiced polygamy and those that did were subject to criminal prosecution for their religious practice of plural marriage. The specifics of the background of this case are not particularly important as per the subject of this article. What is important is what the conflict in the case really boils down to. It was an early attempt at balancing the interests of both the State as well as Federal governments (this being to ensure the safety, security, morals, and health of society) and that of religious groups and their rights to free exercise of religion under the First Amendment's Free Exercise Clause. In *Reynolds v. United States,* Mr. Reynolds argued that a core tenet of his religion was being restricted and prohibited due to the Morrill Anti-Bigamy Act. This act, Mr. Reynolds contended, flew in the face of the Free Exercise clause which expressly states Congress cannot pass a law directly prohibiting religious exercise. Mr. Reynolds was stated as saying:

"That it was the duty of male members of said (LDS) Church, . . . to practice polygamy; . . . that the practice of polygamy was directly enjoined upon the male members thereof by the Almighty God,"[2] It would seem, by the testimony of Mr. Reynolds, that the practice of polygamy was an extremely important tenet of the LDS faith at the time. This led to an important question found in the Supreme Court's decision: "The question is raised whether religious belief can be accepted as a justification of an overt act made criminal by the law of the land."[3] Mr. Reynolds seemed, to the Court, to have a sincere belief in his religion, so much so that he was willing to knowingly break Federal statute to observe that belief and act on it. The Supreme Court points out: "The word 'religion' is not defined in the Constitution. We must go elsewhere, therefore, to ascertain its meaning . . . "[4] This is one of the most difficult parts about interpreting what religious exercises may or may not be restricted. What is religion? Does it require a liturgical structure or form of worship? Or is it widened to include any conscience view of deity or the lack thereof? The Court makes no attempt to answer the question completely. They reference the history and tradition of the American people. They reference past laws and how they dealt with bigamy. Importantly they do attempt to show the scope of Legislative power in limiting exercise of religion. The Majority opinion of the Court in *Reynolds v. United States* quotes Thomas Jefferson from his famous letter to the Danbury Baptist Church:

> Believing with you that religion is a matter which lies solely between man and his God; that he owes account to none other for his faith or his worship; that the legislative powers of the government reach actions only, and not opinions—I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion or prohibiting the free exercise thereof,' thus building a wall of separation between church and State. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore man to all his natural rights, convinced he has no natural right in opposition to his social duties.[5]

Seemingly this quote puts at odds the Free Exercise Clause of the First Amendment and the words of one of the most important figures in Amer-

ican politics, in that Thomas Jefferson points out that specifically "the legislative powers of the government reach actions only, and not opinions . . . "[6] A person may believe what they want to believe, they may with deep conviction hold dear any belief they desire. However, religious exercise, Mr. Jefferson contended, may indeed be restricted by the federal government. It falls within the purview of the legislative branch to responsibly maintain the balance between religious liberty and restricting potentially dangerous religious exercises. The Supreme Court in the *Reynolds* case said that harm was being done to innocent women and children. One would have to really know if consent and belief accompanied polygamy or if it was forced. The Supreme Court concluded the latter. To say if that conclusion, that polygamy was inherently dangerous, is correct is the job of Mormon and non-Mormon scholars who study the subject.

When a decision was reached by the Supreme Court the Morrill Anti-Bigamy Law was upheld. Polygamy was still going to be prohibited under federal statute. Shortly thereafter the LDS Church would end the practice of polygamy and to this day they do not advocate for or practice polygamy. What is more important than if the case was right or wrong morally, however, is that the precedent of a legislative right to restrict religious exercise established by *Reynolds v. United States* would remain. As stated by the Supreme Court: "To permit this [the laws not pertaining to any religious action whatsoever] would be to make the professed doctrines of religious belief superior to the law of the land, and, in effect, to permit every citizen to become a law unto himself. Government could exist only in name under such circumstances."[7] What can be gleaned then from *Reynolds v. United States*? First: the state (in this instance the Federal Government) must show a compelling reason to restrict a certain religious practice. In *Reynolds* the Morrill Anti-Bigamy Act was seen as restricting a particularly dangerous, to society as a whole whether physically or morally, religious practice. The Supreme Court saw it as compelling enough to justify upholding the law. Secondly, that there is a distinct danger in allowing blanket exemption for all religious exercise. To allow such would, as the Supreme Court points out, cause every citizen to become law unto themselves. The *Reynolds* case shows a measured judicial choice in balancing government action and potentially dangerous religious practices.

Pacifism is a particularly interesting religious practice as it pertains

to legislative prohibition on religious exercise. Pacifism as an issue discussed in American politics has been around since the beginning of the United States and even earlier during the Seven Years War and the early colonial period of the country. Quakers during that period of American history were religiously opposed to war. Many other denominations in the modern era have religious aversion to war. Such a belief in religious pacifism (not always religious based) was not generally under legal scrutiny, until the draft was instituted. Many saw it as a civic duty to sign up for what was then known as "The Draft" or as it is now known as Selective Service. However, those that are consciously and religiously opposed to war at first were not exempt from the draft. In *Reynold v. United States* precedent was established that would be followed when issues concerning pacifism arose. As previously stated that precedent was balancing government interests to protect the country, citizen's safety and health, and the morals of society and the right to free exercise of religious belief. In a landmark case, *United States v. Schwimmer,* the law at contention pertained to the naturalization of new citizens. The Supreme Court cited the law as stating that an applicant must declare an oath saying: "that he will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same."[8] The respondent, Rosika Schwimmer, professed to fully believe in the principles in the Constitution. She, however as a pacifist, would not, if asked or obliged to do so, take up arms. She stated: "My cosmic consciousness of belonging to the human family is shared by all those who believe that all human beings are the children of God."[9] Her personal religious and conscience belief could not allow her to take up arms. The Supreme Court said that trying to balance the needs of government and protection of religious exercise would in this case tend towards the needs of the government. They stated: "the duty of citizens by force of arms to defend our government against all enemies whenever necessity arises is a fundamental principle of the Constitution."[10] The Supreme Court asserted that the government had a vested interest in assuring that all citizens could defend the nation if needed. Pacifism they said in this case posed a threat to this idea, religious or not. However, a case in 1946 would overturn *Schwimmer.* This case, *Girouard v. United States,* shows a more correct and measured approach to balancing government interest and First Amendment freedoms than *Schwimmer*. Mr. James Girouard was in

much the same boat as Ms. Rosika Schwimmer. He too expressed complete and utter fidelity to the Constitution of the United States. However, his religious belief forbade him from taking up arms against his fellow man. The Supreme Court points out that Mr. Girouard "did not claim before his Selective Service board exemption from all military service, but only from combatant military duty."[11] The Supreme Court recognizes in this case that military duty doesn't always have to imply bearing arms and fighting the enemy directly. They rejected the *Schwimmer* argument that asserted that bearing arms had a greater interest over religious pacifism. The Supreme Court almost 10 years after *Schwimmer* said the opposite:

> Refusal to bear arms is not necessarily a sign of disloyalty or a lack of attachment to our institutions. One may serve his country faithfully and devotedly though his religious scruples make it impossible for him to shoulder a rifle. Devotion to one's country can be as real and as enduring among combatants. One may adhere to what he deems to be his obligation to God and yet assume all military risks to secure victory. The effort of war is indivisible, and those whose religious scruples prevent them from killing are no less patriots than those whose special traits handicaps result in their assignment to duties far behind the fighting front.[12]

Girouard shows and demonstrates a precedent that could show the way forward when balancing government interests and religious rights to freedom of exercise. The Court in *Girouard* puts forth solid evidence supporting their claim. They weigh carefully the needs of the government and the religious and conscientious objection to war. The weight of evidence should rest upon the government to show real vested interest (as they are the ones creating statute and enforcing it) in restricting religious exercise. Justice Holmes is quoted by the Supreme Court as saying:

> If there is any principle of the constitution that more imperatively calls for attachment than any other, it is the principle of free thought — not free thought for those who agree with us, but freedom for the thought that we hate. I think that we should adhere to that principle with regard to admission in, as well as to life within, this country.[13]

That should be the crux of the matter and the precedent to build upon. Courts when balancing and ascertaining government and religious interest

should look to *Girouard.* The reason being that The Court carefully errs on the side of religious exercise and asks the government to provide compelling evidence for the restriction. In *Girouard* the government gave no real compelling reason why the balance should be shifted toward them.

Oregon v. Smith is the case at true contention here. The Supreme Court Brief, written by the late Justice Antonin Scalia, recognizes and mentions these previous cases. However, completely disregards them. This case deals with the religious use of a controlled substance, specifically peyote. There was a criminal statute in Oregon banning the use of controlled substances. The respondents, Alfred Smith and Galen Black, were fired from their jobs for the use of a controlled substance under Oregon law (Peyote) and were denied unemployment benefits because of the cause of firing. The respondents had used Peyote as part of their religious rituals and stated that such a barring from benefits, because of their religious practice, was a clear violation of their First Amendment Right to Free Exercise of their religion. How can the other cases address the issue here though? Surely looking at *Reynolds* one could see support for the court to uphold the Oregon statute. *Reynolds* upheld a law that specifically restricted a religious practice, not just a side effect of a law that just happened to impact a religion. However, the key difference in *Reynolds* is the potential effect on others. The Supreme Court in that case had come to the conclusion that polygamy was a distinct danger. Not just to society but to individuals they saw as being forced into a bigamous marriage. Under *Oregon v. Smith* the use of peyote was not linked to anything particularly dangerous to the public. If the state of Oregon gave clear evidence that danger had been imminent or actuated the story would be different. The state of Oregon claimed that they had instituted this law to "Preserve the financial integrity of the compensation fund," however, the Court deemed that reason "inadequate to justify the burden that disqualification imposed on respondents' religious practice."[14] Under such claims the law cannot stand. The Court also cites an important case known as the *Sherbert* case. In this case similar issues were being addressed. However, in *Sherbert* the statute had to do with unemployment benefits being given to someone that refused to work on Saturdays instead of Sundays. The law at issue there had stated that unemployment benefits would not be given to someone that could work on Saturdays. The Court invalidated said law because in essence it required an individual to choose between government benefit

and the action of violating their religious belief, or no government benefits and following their belief. The Court then stated that to do so "effectively penalizes the free exercise of her constitutional liberties."[15] *Sherbert* should have been followed in *Oregon v. Smith*. Effectively the same thing is happening but almost to a more extreme level. In *Oregon v. Smith* not only are the respondents being forced to choose between unemployment benefits or deeply held beliefs. They are also in danger of criminal prosecution with no real evidence given that what they did caused actual harm to anyone except maybe the state unemployment fund. Even if the state of Oregon could show some danger being imminent surely it could not be more than what was said in the *Schwimmer* and the *Girouard* cases. In both those cases they worried about the overall safety of the nation if too many people were pacifists. However, the Court was willing to provide exemption for those who were religiously opposed to front line duty and bearing arms. They did this by showing that the nation wasn't in severe danger and that many other roles in the Armed Forces by these individuals. Again, the burden of evidence should be on the state that created the statute. In *Oregon v. Smith* Oregon gives no credible evidence that danger is imminent when peyote was used for religious purposes.

Perhaps the most egregious part of the *Oregon v. Smith* decision is the assertion that "the right of free exercise does not relieve an individual of the obligation to comply with a 'valid and neutral law of general applicability on the ground that the law proscribes (or prescribes) conduct that his religion prescribes (or proscribes).'"[16] While this assertion might seem like good judicial reasoning it was struck down as being invalid in the *Sherbert* case before *Oregon v. Smith* as bad law. In *Sherbert* the Supreme Court had said "if the purpose or *effect* of a law is to impede the observance of one or all religions or is to discriminate invidiously between religions, *that law is constitutionally invalid even though the burden may be characterized as being only indirect* [emphasis added]."[17] The Supreme Court in *Oregon v. Smith* does try to overcome *Sherbert* by quoting from *Reynolds*:

> Conscientious scruples have not, in the course of the long struggle for religious toleration, relieved the individual from obedience to a general law not aimed at the promotion or restriction of religious beliefs. The mere possession of religious convictions which contradict the relevant concerns of a political society does not relieve the citizen from the

discharge of political responsibilities.[18]

The Court is correct in this assumption. Conscientious scruples cannot always allow the individual to "become a law unto themselves."[19] The important section of this quote is when the Court asserts that convictions cannot contradict the "relevant concerns of a political society." In *Reynolds* such a case was made about polygamy. However, *Reynolds* established a precedence of balancing danger to political society and the Free Exercise clause. In *Schwimmer* such a case was made about pacifism. However, *Girouard* struck down any thought that pacifism was a real danger to the concerns of political society. The same should have been done in *Oregon v. Smith* as was done in *Girouard* and *Sherbert*. The religious use of peyote posed no real concern to political society. H. Douglas Laycock, a Professor of Law and Religious studies and a leading expert in the field of Religious law, in his book *Religious Liberty Volume Two: The Free Exercise Clause* states: "the mere statement of the Court's holding should cause second thoughts. This case holds that criminal punishment of the central religious ritual of an ancient faith raises no issue under the Free Exercise Clause and requires no justification." Professor Laycock carries on: "This Court has said to Americans of all faiths that they have a constitutional right to believe their religion but no constitutional right to practice it."[20] Professor Laycock is exactly right. The Court seems to disregard all precedent and contorts the findings in *Reynolds, Schwimmer, Girouard, Sherbert,* as well as many others that are not included in this writing.

The decision made in *Oregon v. Smith* is a bad one. It curbs a sacred and important right in the Bill of Rights. In effect the Court has stripped all meaning the Free Exercise Clause has had and left an empty shell in its place. The Court has done so seeking neutrality towards religious organizations. In doing so they've placed a heavy burden on those religious organizations and personal belief. Professor Laycock sums it up best by saying:

> Much religious practice is self-restraining, personally burdensome, or meaningless to non-believers. Unlike criminal prosecutions, exemptions neither encourage nor discourage religion. The simple truth is that people with a deeply held conscientious objection to a law are not similarly situated to people without such an objection. In a wide range of cases exemption for conscientious objectors is the most neutral course available.[21]

This neutrality, this balance of church, and all religious belief or conscientious belief, and government interest was severely harmed by *Oregon v. Smith*. The public conception of the decisions the Court has made should change to reflect the actual precedence that were set by the Court before *Oregon v. Smith*. To remedy the strife and controversy that has come after the decision of the Court in *Oregon v. Smith* the country should then look to the precedence set earlier in the Court's history and not the future when securing the rights of every American to worship (or not) according to their conscience.

(Endnotes)
1 James Iredell, "Debate in North Carolina Ratifying Convention."
2 Reynolds v. United States, 98 U.S. 145 (1878).
3 Ibid.
4Ibid.
5Thomas Jefferson, "Letter to the Danbury Baptists," Library of Congress. As cit-
ed in Court decision.
6 Reynolds v. United States, 98 U.S. 145 (1878).
7 Ibid.
8 United States v. Schwimmer, 276 U.S. 644 (1929).
9 Ibid.
10 Ibid.
11 Girouard v. United States 328 U.S. 61 (1946).
12 Ibid.
13 Girouard v. United States 328 U.S. 61 (1946).
14 Oregon v. Smith, 494 U.S. 872 (1990).
15 Sherbert v. Verner, 374 U.S. 398 (1963).
16 Oregon v. Smith, 494 U.S. 872 (1990).
17 Sherbert v. Verner, 374 U.S. 398 (1963).
18 Oregon v. Smith, 494 U.S. 872 (1990).
19 Reynolds v. United States, 98 U.S. 145 (1878).
20 H. Douglas Laycock, *Religious Liberty Volume Two: The Free Exercise Clause*
(Grand Rapids, Michigan: Wm. B. Eerdmans Publishing Co., 2011), 57.
21 Ibid., 61.

Bibliography

Girouard v. United States 328 U.S. 61 (1946).

Iredell, James, "Debate in North Carolina Ratifying Convention." *The Founders'
    Constitution,* Accessed March 7, 2017. http://press-pubs.uchicago.edu/
    founders/print_documents/amendI_religions52.html.

Jefferson, Thomas, "Letter to Danbury Baptists." Library of Congress, Accessed
    March 7, 2017. https://www.loc.gov/loc/lcib/9806/danpre.html.

Laycock, H. Douglas, *Religious Liberty Volume Two: The Free Exercise Clause*
    (Grand Rapids, Michigan: Wm. B. Eerdmans Publishing Co., 2011), 57, 61.

Oregon v. Smith, 494 U.S. 872 (1990).

Reynolds v. United States, 98 U.S. 145 (1878).

Sherbert v. Verner, 374 U.S. 398 (1963).

United States v. Schwimmer, 276 U.S. 644 (1929).

Religious Liberty Established Through Property Tax Exemptions

| Danielle K Maddox

Introduction

Life, Liberty, Property!" a popular declaration during the American revolution and became an assertion of pursuits in the Declaration of Independence. Thomas Jefferson expressed it more eloquently, "that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness (U.S. 1776)." The pursuit of property (taken from John Locke) was rephrased by Thomas Jefferson to encompass a larger vision of freedom. Paul Rahe, Professor of Western Heritage at Hillsdale College, explains "seeking property is one of the means by which we pursue happiness."[1] Rahe asserts that the Bill of Rights "were all designed to protect the right of individuals to life, liberty, the acquisition and possession of property, and the pursuit of happiness as these individuals understood happiness. Put simply, liberty of conscience was part of a larger package."[2] Jefferson expressed our truest inner right to choose the best way to serve our God. One of the protections of Property and Religious Liberty is maintained through property tax exemptions of religious entities and institutions. Private and real property secures the individual's right to benefit from the products of such labor.

Nature of Religious Property

William Blackstone, the eighteenth-century English jurist, describes

the instinctive gravitational pull towards property rights in his essay on property: "There is nothing which so generally strikes the imagination, and engages the affections of mankind, as the right of property; or that sole and despotic dominion which one man claims and exercises over the external things of the world, in total exclusion of the right of any other individual in the universe." Blackstone further explained that the right to property stems from the nature of man. Property is man's own thoughts and the product of personal labor. Blackstone writes that property is a "natural not a civil right."[3] Every man is born with innate ownership to his thoughts and James Madison claims that, "conscience is the most sacred of all property."[4] Under the laws of our country, individuals and groups are provided the same protections of their rights. The legal history of religious tax exemptions shows a constant struggle over religion and individuals' rights of property and freedom of conscience. Property rights are an external way of securing the ownership of product of labor and the liberty of conscience therefore religion must retain its tax exemption status or be subject to interference of its rights by the State.

The *Walz v. Tax Commission* supreme court case on religious property tax exemptions and the two main cases which set the legal precedent to its decision—*Everson v. Board of Education* and *Zorach v. Clauson*—support this claim. These three cases later referenced in the *Lemon v. Kurtzman* (1971) case set up a three prong requirement, commonly referred to as the lemon test, which establishes the involvement boundaries between Church and State.[5]

The Establishment Clause-Original Intent

The Establishment Clause in the U.S. Constitution, "congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof (Amend 1)," expresses the establishment relationship of religious liberty between Church and State. There is a caveat in its interpretation. The Supreme Court is in a constant state of disagreement in applying the Establishment Clause. The Establishment Clauses as defined by Everson v. Board of Education articulates congress cannot "pass laws which aid one religion, aid all religions, or prefer one religion over another [and] no tax in any amount large or small can be levied to support any religious activities or institutions."[6] This definition is set in the framework for *Walz v. Tax of Commission.* The historical words of

Thomas Jefferson and James Madison in regards to establishing religion are used in both *Everson v. Board of Education* and *Walz v. Board of Education.* Jefferson wrote the original "Virginia Bill for Religious Liberty" and Madison wrote the "Memorial and Remonstrance against the law," both of which drove the fight against the Virginia State Church. Their involvement and writings encouraged States to stop the common practice of levying taxes to support the established Church. The statute adopted by Virginia in 1786 declares "no man shall be compelled to . . . support any religious worship place, or ministry whatsoever"[7] effectively banning taxation to support religions.

Property taxes exacted on a Church or religious institution inversely places the Church in a position to support the State. Justice Douglas supports the idea of exacting religious property taxes. He wrote in *Zorach v. Clauson* "there shall be no concert or union or dependency one on the other . . . otherwise, the State and religion would be . . . hostile . . . [and] . . . Churches could not be required to pay even property taxes."[8] Again, in his dissent of *Walz v. Tax Commission*, Justice Douglas suggests property tax exemptions are a financial promotion of religion. Property taxes, however, create the prohibited union between Church and State. If there were property taxes on religious entities, the donations would be forced to support the State.

Legal Framework & Challenge

Separation between Church and State is maintained through a constant state of balancing. The Supreme Court, through two cases—*Everson v. Board of Education of the Township of Ewing, et al* and *Zorach v. Clauson*—set the legal framework for *Walz v. Tax Commission of the City of New York* which legal cases arranged the current three-tiered standard to determine the government establishment and prohibition of religious limitations.

Everson v. Board of Education (1947) creates the first boundary between Church and State's financial involvement when there is "secular religious purpose." *Everson v. Board of Education* upheld that it was within the interests of the government to supply public transportation to children attending religious and non-religious schools. Justice Rutledge gave a dissent against the application of financial aid to religious education in any form because "the prohibition [against establishment] broadly forbids

State support, financial or other . . . " but did not disagree with the definition of the Establishment clause. [9]

The second case, *Zorach v. Clauson* (1952), applied a standard to legislation declaring the "principal effect can't advance nor inhibit religion." This decision was applied in upholding released-time programs in public schools to accommodate the Establishment Clause because suspending such activity would inhibit religion. Justice Douglas wrote the opinion of the court stating "when the State encourages religious instruction it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public to service their spiritual needs." Though this issue is not economical like *Everson v. Board of Education* or *Walz v. Tax Commission*, public schools are funded by the State and must abide by the same rules of establishment.[10]

Walz v. Tax Commission (1970) provides a more complex definition of government funding through tax exemptions in a 7-1 decision upholding property tax exemptions for religious institutions classified under non-profit organizations. In the Court Opinion, Chief Justice Burger, referenced both *Everson v. Board of Education* and *Zorach v. Clauson* determining *Walz v. Tax Commission* upheld the two preceding standards regarding establishment of religion and created the final defining element determined as "excessive government entanglement." The dissent, however, given by Justice Douglas, frames the argument against tax exemptions classifying them as indirect government funding by way of subsidizing. Justice Harlan gives a concurring opinion which agrees with Justice Douglas in the subsidy, but does not agree on the amount of government involvement it entails and acknowledges it as unknown. [11]

Symbiotic Relationship Between Government and Religion

The very existence of organized religion is dependent on the property allowance of the State; it is within the secular interest of the State to allow religious property rights without interference from the State. The secular fruits of religion (including any nonprofit religious organizations) include, but are not limited to: charity work-providing for the physical needs of society, civic fraternity, encouragement of citizens to follow laws, established moral guides, support given to the perpetuation of society through families, and education. The State is benefited by this organization. These direct benefits of organized religion to the State classify

religion with other tax exempt non-profit organizations. New York, the state in which *Walz v. Tax Commission* was originally tried, "determined that certain entities that exist in harmonious relationship to the community at large, and that foster its 'moral or mental improvement' should not be inhibited in their activities by property taxation or the hazard of loss of those properties for nonpayment of taxes."[12]

Because of the Establishment Clause, congress may not interfere with the existence of organized religion. Government has a high secular interest in religion, as religion is mutually beneficial for each entity. Therefore, the State must encourage the existence of religious liberty. If the State must make preference to allow for the existence of religion, there can be no neutrality and a way to prevent "excessive entanglement" between Church and State must be created.

Justice Brennan in *Walz v. Tax Commission*, warns that eliminating tax exemption "would tend to expand the involvement of government by giving rise to tax valuation of Church property, tax liens, tax foreclosures, and the direct confrontations and conflicts that follow in the train of those legal processes."[13] Because of the symbiotic nature of the relationship between Church and State, each one fosters the success of the other. Churches encourage their members to keep the law. The law allows citizens not only religious freedom, but also free religious exercise. Neither can remain indifferent or neutral towards the other. Although the court has agreed the State should not create laws financially aiding one religion over another nor establishing a religion, Justice Brennan warns "the establishment clause may not be used as a sword to justify repression of religion or its adherents from any aspect of public life."[14]

Tax Exemptions Both Encourage and Restrict Religion, and Its Support of the Government

Taxation of religious entities inhibits religion and places government within profitable rights of the property which includes: control over conscience and its external product. A study and summary of the dissent in *Walz v. Tax Commission* explains that although funding would be "a direct money subsidy [to a religious group] which would be pregnant with involvement . . . The grant of a tax exemption is not sponsorship since the government does not transfer part of its revenue to Churches but simply abstains from demanding that the Church support the State."[15]

This explanation agrees with the Court Opinion in *Walz v. Tax Commission* and not the dissent.

Tax exemptions provide for the existence of religion; religion must be given freedom to survive. Tax exemptions provide religions economic autonomy from the State, but they also require the State to sacrifice land and subsequent return on investment in order to support the independence of religion. Chief Justice Burger explains in *Walz v. Tax Commission*, "The exemption creates only a minimal and remote involvement between Church and State and far less than taxation of Churches." [16]

As such, tax exemption status places consequences and limitations on the involvement of religion in politics. This is written in the IRS tax code under "exemption from tax on corporations, certain trusts, etc." In the tax code section 501(c)(3) specifies that any such organization:

> Provides for the exemption from federal income tax of organizations organized and operated exclusively for ch aritable or educational purposes, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation . . . and which does not participate in, or intervene in . . . any political campaign on behalf of (or in opposition to) any candidate for public office.[17]

Government cannot be established by religion, nor can government establish religion, but that does not prevent legislative involvement from religions persons. This stems from the fundamental understanding that the nation was founded on a belief in a Supreme Being. The belief in God which worked itself into the establishment of this country was done so through religious people and is mutually beneficial to State and individual.

Municipal Benefits

Payment of taxes does more than allow the government to interfere. In essence, it gives the State claim to own the fruits of the labor and belief. Taxes are a duty to country to provide for the municipal benefits and structure of the governmental system. Municipal benefits which religious institutions receive (and do not pay for) are a natural duty from the State to ensure, as stated in the Declaration of Independence, "Life, Liberty, and the Pursuit of Happiness (U.S. 1776)."

In *Everson v. Board of Education*, Justice Jackson rejected the idea that

Church property is protected by the State simply because it is Church property. Instead he claimed it to be in the interest of the State: "The fireman protects the Church school-not because it is a Church school; it is because it is property, part of the assets of our society."[18] Though this statement applies to the secular purpose of the State, it does not include the idea that any decision not to protect such property would damage and prohibit the exercise of religion in connection to property.

In *Walz v. Tax Commission,* Justice Burger states that religions perform a public service equivalent to other services, including education and police protection: "But if as in Everson buses can be provided to carry and policemen to protect Church school pupils, we fail to see how Churches, along with nonprofit hospitals, art galleries, and libraries receiving the same tax exemption, is different for purposes of the Religion Clauses."[19]

The Constitution Protects Freedom of Conscience

In addition to providing religious freedom rights under the first amendment, the Constitution also provides protection to all in the "Equal Protection" clause in the Fourteenth Amendment. The religious and nonreligious both have protection of their freedom to conscience. Justice Harlan in *Walz v. Tax Commission* declares the requirements sought to achieve minimal government involvement are "neutrality" and "voluntarism." This ambition seeks to control legislation "to accord benefits that [do not] favor religion over nonreligion, nor sponsor a particular sect, nor try to encourage participation in or abnegation of religion." [20] The rights of the unbelievers are not specifically legislated. If religious schools receive government funding, as established in *Everson v. Board of Education*, religion is given preference over non-religious as well as the religious to be taxed in order to provide for a religious institution and activity. Though this practice compels all persons to provide for the education of the religious, the Supreme Court in a (5-4) vote in *Everson v. Board of Education* found it within the interest of the State and therefore overrode the objection of the critics. Any taxes levied to support a religious institution directly contradicts the statement within the Establishment Clause "Congress shall make no law respecting an establishment of religion (Amend 1)."

Likewise, in *Zorach v. Clauson*, instead of permitting both the religious

and nonreligious to leave the school premises, the non-believers are not exempt from their regular class schedule like the religious. The decision, once again, placed the religious in a place of preference, yet in order to protect a right, preference is necessitated.

Justice Douglas argued for the equal rights of all under the fourteenth amendment in his dissent of *Walz v. Tax Commission*, "If believers are entitled to public financial support, so are nonbelievers."[21] His argument stems from the idea tax exemptions are an indirect subsidy. However, if religions paid property taxes, they would be subject to the restrictions of the government on their beliefs and the free exercise thereof. Maintaining their tax exemption status allows the religious to be on a more planar level with the unbelievers in regards to freedom of conscience.

Challenges to Current Laws

The balance of religious liberty is constantly turbulent as new laws and legislation continually threatens to interfere with the freedom of religion and the exercise thereof. Currently, in a preemptive movement to preserve religious autonomy, a new bill, the First Amendment Defense Act, has been submitted before legislature and among its various purposes includes tax exemption protection for nonprofit and religious entities. Exercising religion is a form of labor therefore the religious must be allowed to choose their own actions according to their conscience within the natural limits. In order to preserve the natural property rights of freedom of religion and noninterference by the government, the First Amendment Defense Act has been submitted to protect religious freedoms including the tax exemptions status.[22]

Conclusion

Pursuit of Happiness is man's greatest right and encompasses real and intellectual property or liberty of conscience. The scope of this right is argued and defined through three landmark cases. Because religious benefits the State and may not be subject to interference by the State, it is allowed tax exemptions. While property rights are a necessity, it is important to recognize the need of regulation. Because of the definition of the Establishment Clause in *Everson v. Board of Education*, when religion manifests itself in property, the State must be absent and vice versa. Religious commercial property is taxable. Commercial property

can be valued as the property is no longer attached solely to the property of conscience. Organized religion is supported by donations, but when commercial enterprise is employed, it is no longer protected by tax exemption.

The history of the American Colonies is infused with establishment of religion by the State. In the "Virginia Bill for Religious Liberty", Thomas Jefferson fought against the levying of taxes to support religion. He writes in the preamble, "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor, whose morals he would make his pattern."[23] When it comes to liberty of conscience manifested through religion, taxes are a capitalization on property ownership. Property tax exemptions to religious entities are the most efficient way to prevent interference of ownership of rights by the State.

(Endnotes)

1 Paul Rahe, "Western Heritage: From Elizabeth I to the Glorious Revolution," Western Heritage-Hillsdale College Online courses.

2 Paul Rahe, "Catholics Deal with the Devil."

3 Sir William Blackstone, "Blackstone on Property (1753)," Online Library of Liberty.

4 James Madison, edited by Jack N. Rakove, *Writings* (New York, NY:Library of America, 1999): 516.

5 Terry Eastland, *Religious Liberty in the Supreme Court: The Cases that Define the Debate Over Church and State* (Washington, DC: Ethics and Public Policy Center, 1993).

6 Ibid.

7 Ibid.

8 Ibid.

9 Ibid.

10 Ibid.

11 Ibid.

12 Ibid.

13 Ibid.

14 Michael W. McConnell, "Justice Brennan's Accommodating Approach toward Religion." (California Law Review 95, no. 6 (December 2007): 186-192.

15 Maureen Harrison and Steve Gilbert, *Freedom of Religion Decisions of the United States Supreme Court* (San Diego, CA: Excellent Books, 1996).

16 Terry Eastland. *Religious Liberty in the Supreme Court: The Cases that Define the Debate Over Church and State.* (Washington, DC: Ethics and Public Policy Center, 1993).

17 IRS Code, "Tax Information for Churches and Religious Organizations," Tax Information for Churches and Religious Organizations.

18 Terry Eastland, *Religious Liberty in the Supreme Court.*

19 Ibid.

20 Ibid.

21 Ibid.

22 First Amendment Defense Act, "H.R.2802-124th Congress (2015-2016): First Amendment Defense Act," (H.R.2802-114th Congress (2015-2016): First Amendment Defense Act. Congress.gov. Library of Congress.

23 Terry Eastland. *Religious Liberty in the Supreme Court.*

Bibliography

Blackstone, William, Sir. "Blackstone on Property (1753)." Online Library of Liberty. Accessed February 6, 2017. http://oll.libertyfund.org/pages/black-

stone-on-property-1753.

Carter, Lief H. *An introduction to constitutional interpretation: cases in law and religion*. New York: Longman, 1991.

Cord, Robert L. *Separation of church and state: historical fact and current fiction*. New York: Lambeth Press, 1982.

Eastland, Terry. *Religious liberty in the Supreme Court: the cases that define the debate over church and state*. Washington, DC: Ethics and Public Policy Center, 1993.

First Amendment Defense Act. "H.R.2802 - 114th Congress (2015-2016): First Amendment Defense Act." | Congress.gov | Library of Congress. Accessed February 10, 2017. https://www.congress.gov/bill/114th-congress/house-bill/2802.

Harrison, Maureen, and Steve Gilbert. *Freedom of religion decisions of the United States Supreme Court*. San Diego, CA: Excellent Books, 1996.

IRS Code "Tax Information for Churches and Religious Organizations." Tax Information for Churches and Religious Organizations. Accessed February 6, 2017. https://www.irs.gov/charities-non-profits/churches-religious-organizations.

Madison, James, and Jack N. Rakove. *Writings*. New York, NY: Library of America, 1999.

McConnell, Michael W. "Justice Brennan's Accommodating Approach toward Religion." *California Law Review* 95, no. 6 (December 2007): 186-192. Accessed January 2017. http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1192&context=californialawreview.

Rahe, Paul. "The Common Constitutionalist Let The Truth Be Known: Catholics Deal with the Devil." Accessed February 10, 2017. http://commonconstitutionalist.com/tag/paul-rahe/.

Rahe, Paul. "Western Heritage: From Elizabeth I to the Glorious Revolution." Western Heritage - Hillsdale College Online Courses. Accessed February 7, 2017. https://online.hillsdale.edu/ courses/western-heritage/lecture-10.

Contributors

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Andre was born in California and returned 20 years later as a missionary for the LDS Church. He is passionate about UVU and its captivating culture and diversity. He enjoys dance, politics, listening to epic music, catching Pokemon, and watching Netflix with his wife. During his first year of college he worked as a butter salesman managing a team of employees in 9 different Costco's in Utah. In spring 2015 he lived in St. Petersburg, Russia teaching English and studying the language there. He has also been involved with Student Government for 2 years and is currently the Chief Justice. Andre is a Junior at UVU working on a Bachelor of Arts in Political Science with a minor in Russian. After receiving his baccalaureate degree he intends to study international relations on the east coast with the hope of working for the State Department as a Foreign Service Officer and serving the people of Russia.

Oakley Hill is a senior at Utah Valley University, and will soon graduate with a degree in the Integrated Studies of Ethics and Peace & Justice Studies. After obtaining a bachelors degree, he plans on entering a graduate program in Peace Studies where he will continue his research on civil resistance strategy and theory. In his free time, Oakley travels the United States with various musical groups, works as a studio musician, and writes. Oakley is currently living in Highland, Utah. Oakley can be reached at oakleythill@gmail.com

Victor Barraza Jr is a graduate from BYU's History undergraduate program. He is currently enrolled in UVU's Pre-Engineering program and hopes to enter a graduate program for petroleum engineering. His interests include the history of world communism, Cold War America, and the ancient Near East. He could be reached at 10646292@my.uvu.edu.

Thomas Hone graduated from Utah Valley University with a degree in Political Science and minors in History and Native American Studies. During his time at UVU, he served as Vice President of Phi Alpha Theta and focused on issues surrounding Native Americans and Terrorism studies. Thomas continued his studies at the University of Utah, where he obtained an MS in International Affairs and Global Enterprise. During his final year of graduate school, Thomas served as President of the Student Advisory Committee for the MIAGE program. After graduating, he returned to UVU to work at the Center for Constitutional Studies as the Assistant Program Coordinator; he also returned to UVU as a student, seeking to further his education by taking courses in international affairs, nonprofit management, and terrorism studies, which he plans to use in his future endeavors. When he is not working or studying, he enjoys spending time with his wife Molly, camping and hiking, searching for lost mines or Native American ruins, and attending sporting events. Thomas can be contacted at thomas.g.hone@gmail.com.

Colten Sponseller graduated Utah Valley University in the Fall of 2016 with a degree in English and an emphasis in rhetoric and composition. Originally from Midland, Michigan, Colten has lived in Utah since 2011 after returning from a two-year service mission for the LDS Church in Italy and Malta. Colten intends to attend law school. He has served in the United States Marine Corps Reserves, and currently serves in the United States Navy Reserves. He plans to continue his service with the Navy reserves, perhaps even seeking a commission after completing his coursework at law school. He lives in Provo with his wife and twin sons. Colten can be contacted at colten.sponseller@gmail.com.

Brendan Lee is a junior at Utah Valley University with a declared major in History and a minor in Political Science. His emphasis of study is on

European Intellectual History, which he plans to continue to pursue by attending graduate school to become a university professor. Brendan grew up in the small town of Panguitch, Utah and now lives in Orem with his beautiful wife, Lacey. He enjoys traveling, watching Netflix, and playing his guitar. Brendan hopes that through his research he can inspire others to be more tolerant and understanding of other ways of life. He hopes that through the lens of history we can begin to focus more on the values that connect all of us as human beings and members of the same family. Brendan may be contacted through email at Brendan.lee34@gmail.com.

Bractn Williams is currently pursuing a major in History and a minor in Classical Studies. He was born and raised in Provo, Utah and is a first generation college student. He quickly fell in love with History when he was in the 5th grade learning about the mysteries of Ancient Egypt. From there his passion for history only grew. He is specializing in the History of Ancient Greece and Rome, specifically looking at how politics, economics and military campaigns influenced their societies. Bractn can be contact via email at bractnwilliams@yahoo.com.

Samuel Corry is a Junior at Utah Valley University, majoring in History -with an emphasis on Ancient Greek and Roman Studies- and minoring in Constitutional Studies. His interests in life are studying history, following politics (particularly Second Amendment issues), and learning and reading as much as he can. From 2013-15, Samuel served a mission for The Church of Jesus Christ of Latter-Day Saints in Northern California. His hobbies include hiking, competition shooting, writing, Krav-Maga, and spending time with family. Samuel is studying the Russian Language, Civil Rights, American Constitutionalism, and Historical Analysis. He is currently preparing himself for the LSAT with the goal of attending Law School. Samuel can be contacted at corrysamuel@gmail.com.

Danielle K Maddox is a sophomore at UVU, studying English with a minor in Chemistry. Before attending UVU, she trained, licensed, and worked as a cosmetologist. Returning to academic education has fulfilled her constant need to be challenged. Her favorite challenge up to date was when she designed a wedding dress and apprenticed in its fabrication. She also

makes a constant effort to involve herself in her role as a citizen and understanding the laws that govern the country. Studying law is her greatest academic ambition and intended future plan. Danielle's education at UVU and subsequent involvement with the Center for Constitutional Studies has given her the opportunity to feel a part of something far greater than herself and accomplish her goals. Danielle can be contacted at dannikmadds@gmail.com.