Fundamentalist Rights

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For brief but thoughtful comment on current issues in religion and society in the United States—and sometimes further afield—it's hard to beat Sightings, reflections sent out by email twice weekly by the Martin Marty Center at the University of Chicago. Each week, Marty writes one piece and someone else the other. Recent issues have considered the gap between the actual and supposed influence of religion in American life, the challenges posed by transgendered people, the extent of American evangelical idolatry toward their country, and the "growing field of religion and animals."[1] Appreciative as I am of these consistently thought-provoking email missives, a recent one, Seth Perry's "Look at this Tangle of Thorns,"[2] lingers in my mind as disturbing, even dangerous.

The tangle of thorns under consideration in Perry's piece came into public view after a complaint of abuse by a sixteen-year-old "woman" against her fifty-year-old husband. They were residents of a west Texas compound run by the Fundamentalist Church of Jesus Christ of Latter-Day Saints, and in early April 2008, state authorities, fearing rampant sexual abuse, invaded the compound and took more than four hundred children into custody.

Perry, a Ph.D. student at the University of Chicago Divinity School, was particularly interested in the "outsiders' guilt" that members of mainstream society can feel when judging even apparently deviant practices of minority cultures. The American tendency, he said, is to be reluctant and slow, in principle and practice, to intervene in the lives of such groups. He hoped that a "worthwhile and lasting" outcome of this apparently stark case of child sexual abuse might be "a public discourse that overcomes outsiders' guilt," to be replaced, it seems, with the will to make faster, more far-reaching, and guilt-free interventions.

Perry and I agree that there are instances in which the public, typically in the form of the state, has the right and responsibility to intervene in the lives of individuals, families, and communities. We also agree that in a situation like this one, the specter of child sexual abuse provides strong prima facie evidence for intervention, whether or not further

examination supports the initial evidence or the intervention was carried out appropriately. Perry approvingly quotes an authority on such matters, Sarah Barringer Gordon, to the effect that child abuse "is the end of religious liberty every time." I, too, am glad that it should be so.

My concern about Perry's stance arises from his undefined but enthusiastic advocacy of state intervention in the lives of minorities, from the blithe majoritarian confidence that seems to inform his perspective, and from the rhetorical strategy he uses to make his case. While I'm sure he believes that there are necessary limits to such intervention, he gives no indication of what they might be, which gives his piece an undertone of threat for anyone sensitive to the rights of those who choose to live outside the mainstream. He is clear, on the other hand, that the potent conjunction in the recent FLDS case of "systematic social isolation, plural marriage, and a group of men apparently open to marrying girls at menarche … offers a rare tangible object for the scorn of those who," like him, "believe that children should be raised with hopes and options." Making this intimate connection between child sexual abuse ("marrying girls at menarche") and raising children without "hopes and options" is irresponsible and unfair. The question that will leap to the mind of anyone who has even the slightest complication in her relationship to mainstream society is, whose hopes and options? Who gets to decide? Perry makes a similarly dangerous connection elsewhere, again moving straight from child sexual abuse to minority values. "Raising a girl to believe that the greatest potential for her life lies under the bulk of a man three or four times her age is something beyond a mere crime," he says, following immediately with "legal categories of abuse aren't deep enough to capture what has been done to a child who refers to the entire planet beyond the fences of a 1,700-acre plot in Texas as the 'outsiders' world.'" Minorities seeking to carve out space for survival in a powerful majority culture will always need to establish some sense of us-and-them. But no one gets raised, or lives, without some sense of us-and-them, even if it's unwitting because rarely exposed and even more rarely challenged, and that sense of us-and-them is not inherently problematic, although it certainly can be. There is no necessary connection between sex abuse and cultivating a minority way of life and sensibility, so closely linking sex abuse ("beyond a mere crime") and an us-and-them mentality ("legal categories of abuse aren't deep enough") is a reprehensible rhetorical device.

Considering the implications of Perry's ill-defined desire to push back the constraints

imposed by outsider guilt, I start with my own life and situation. As a Mennonite, I'm a member of a religious minority, but I'm also part of the mainstream. I move easily in both of these intersecting worlds, and while the mainstream may pose regular challenges to faithful living—as is probably true for adherents of many, even most, religious traditions—I rarely sense any tension that could reasonably be called constraint. But I ponder this matter of children and their hopes and options. The business of being a parent involves creating an environment that will do much to shape the hopes and options of our children, and that shaping inevitably has an element of limiting. One defining and limiting step my wife and I took was to raise our children with no television in our home. And whether we said so or not, the values we taught and tried to model indicated that some life choices are more honorable than others, and some are simply outside the pale. We shaped and therefore limited. But I cannot imagine a way of raising children that does not both shape and limit, and I do imagine that the limits themselves make possible hopes and options otherwise unavailable.

My situation is a little abstract, however, since Perry's hopes for intervention are unlikely to demand a television in every home or to deny us the right to teach the values we taught, even when they weren't mainstream. Close to home, and more to the point, is the case of the Amish. Up to ten thousand Amish live in the area around my hometown of Goshen, Indiana, and their highly visible way of life has some significant structural similarities with the FLDS Church. The Amish are visibly distinct from the mainstream, nurture a strong sense of us-and-them, live in a way very different from the mainstream, and make a number of decisions that limit the hopes and options of their children, including ending their formal education at the eighth grade. Do these limits on hopes and options constitute abuse?

My Saturday morning bike ride takes me through forty miles of countryside, where many farms are Amish, and I usually encounter more horse-drawn buggies than motor vehicles. One thing I regularly see is children working with adults: a girl who can't be older than three pushing a little wheelbarrow to help her mother in the garden; a father walking toward the barn, a child in his arms; parents and children hitching up horses; what looks like three generations of men and women, girls and boys, raking debris after a storm; and, often, a father holding a child while steering a team of horses pulling a farm implement. Especially since reading Perry's article, I ask myself, where's the abuse? I'm sure a childhood in which meaningful work, vital to the family and community economy, is a significant part of

growing up limits some hopes and options, but I'm inclined to think that it probably generates other possibilities less available to many children raised with mainstream hopes and options. My majority values could be offended if this work was to the exclusion of play, but Amish farms are dotted with basketball hoops, trampolines, and jungle gyms, Amish children and teenagers play softball from April through October, and while the many ponies and tiny carts are undoubtedly about teaching children to be comfortable with the horses that will be such an important part of their lives, they seem to be as much about delight.

Halfway through my bike ride, I have breakfast at the Blue Gate restaurant in Shipshewana, where a significant minority of the clientele is Amish. I indulge in general people-watching, but Amish-watching in particular. There are families, from toddlers through grandparents; groups of single people, more women than men, it seems; and married couples and groups of couples. What I am able to see looks relaxed and healthy. Here my abuse-searching antennae might be less attuned to children than to women, who are subordinate in the Amish family and community structure and have no formal leadership roles in the church. I have been struck, then, by the easy flow of conversation between men and women and above all by the lively, animated expressions on women's faces.

I have no need to idealize the Amish, and I know enough to keep from doing so. They are subject to the full array of human failures, and in particular, in no way exempt from domestic abuse of various types. Tragically, sometimes the shadow side of their greatest strengths can be their undoing. Their emphasis on radical forgiveness, for example, which shone forth so brightly and redemptively in the fall of 2006 at Nickel Mines, Pennsylvania, when a gunman murdered five Amish schoolgirls, can nurture abuse when it becomes merely the unredemptive serial forgiveness of serial offenders. And the close community life that some experience as warm and secure can be stifling for others, truly the enemy of hopes and options.

So I see in the Amish some things I disagree with and occasionally something I would condemn. And yet, when I consider the failings of mainstream society and the difficulty of resisting the lure of that society, I cannot but admire both the way of life as a whole and the strength, persistence, and skill that it takes to live life in a radically alternative way, sometimes separate from society, sometimes a subset of it. While I can readily see the limits such a life puts on the hopes and options of children, I see hopes and options that it makes possible. I know that abuse is possible and sometimes present, and yet I see so much more.

From those, like Perry, who are looking for greater intervention in the lives of minority communities, I need to know what principles and practices will protect the right of the Amish to be different, even to have different hopes and options.

And then I turn from the Amish to our modern world, in which the migration of booming populations sets up endless encounters of minority communities with majority communities and all the clashes of values and practices that can ensue. In that world, I will be pleased when protection of children trumps religious liberty. But making the judgment that it is time to intervene is an awesome responsibility, one in which even just ends can be pursued unjustly. I will mourn when the mainstream abuses its power. Outsider guilt, therefore, is the appropriate response to outsider domination, outsider caution is an honorable reflex, and structures that give formal expression to that caution are necessary to prevent majorities from running roughshod over minorities.

1. 1. Paul Waldau, "Religion and Other Animals," *Sightings*, May 29, 2008, http://marty-center.uchicago.edu/sightings/archive_2008/0529.shtml.
2. 2. Seth Perry, "Look at this Tangle of Thorns," *Sightings*, April 17, 2008, http://marty-center.uchicago.edu/sightings/archive_2008/0417.shtml