

Repenting: Public laws and public actions

From the Editors in the [July 26, 2005](#) issue

The Supreme Court pleased no one entirely with its mixed decisions in the Ten Commandments cases. That's generally a sign that the court is doing its job and trying to decide each case on its merits—in this case, ordering that a display of the Ten Commandments be removed from two county courthouses in Kentucky, but allowing a display on the grounds of the state capitol in Texas.

Meanwhile, a much more interesting and significant case involving the place of moral law in public life was playing out in the U.S. Senate. The Senate in June issued a formal apology for failing to pass antilynching legislation at any time in its history. Thousands of black men were lynched between the late 19th century and the late 1960s, and millions more were intimidated by the threat of mob murder. In that time, the Senate did nothing to end the practice. The House of Representatives passed several pieces of legislation making lynching a federal crime, but the bills were defeated by filibusters from southern senators. Segregationist James Heflin of Alabama said from the floor of the Senate in 1930, "Whenever a negro crosses this dead line between the white and the Negro races and lays his black hand on a white woman, he deserves to die."

When proponents of religious expression in government invoke the Judeo-Christian heritage of this nation, they rarely consider the inconvenient question of precisely how the U.S. has acted or is acting on that heritage. Our history includes the brutalities of lynching. These mob murders were not even a source of shame for those who participated. The hanged men were often photographed with smiling white men and women looking on, as though attending a fair or sporting event. These photographs were often turned into postcards to send to friends—and, of course, to intimidate African Americans.

In this case of public morality, the Senate admitted a past wrong. In the language of the church, it repented.

Religious politics often leads to the proclaiming of one's own righteousness, the vilification of one's enemies, and the attempt to enforce one's views by any means. In that respect, its rhetoric bears an eerie resemblance to that of those who either defended lynching or did nothing to stop it. In contrast, the politics of forgiveness involves a circumspection about claiming one's own righteousness; it involves a love of enemies and a desire for reconciliation in the face of past and present wrongs. While the cameras were focused on monuments displaying the Judeo-Christian moral law, the Senate was acting on it.