

# American Decency Association

PO Box 202, Fremont, MI 49412 231-924-4050 [www.americandecency.org](http://www.americandecency.org)

Encouraging Christians to guard their hearts

May 2017

## The Revolution Demands Unconditional Surrender

By: Albert Mohler



Now that the moral revolutionaries are solidly in control, what is to be demanded of Christians who, on the basis of Christian conviction, cannot join the revolution? The demands have now been presented, and they represent unconditional surrender.

In a stunningly candid essay from May 2016, Harvard Law School professor Mark Tushnet declared a total liberal victory and chastised his fellow liberals for what he called a “defensive crouch liberal constitutionalism” that is now outdated. With liberals firmly in control of almost every power base in the culture—most importantly, the federal courts—there is no reason for liberals to play defense, he asserts.

Tushnet argued that liberal judges are now in the majority, and he expected that the Supreme Court, given the death of Justice Antonin Scalia, would be unlikely to reverse any liberal decisions handed down by lower courts. Federal judges, Tushnet argued, “no longer have to be worried about reversal by the Supreme Court if they take aggressively liberal positions.”

Tushnet called for liberal constitutionalists at every level to compile “lists of cases to be overruled at the first opportunity on the ground that they were wrong the day they were decided.” He also calls for liberal judges to “exploit the ambiguities and loopholes in unfavorable precedents that aren’t worth overruling.” He lists some of the decisions he targets and then goes on to criticize even some of the most liberal judges and justices, including Justice Ruth Bader Ginsburg, for being too defensive and looking over their backs at conservative critics.

But in the most crucial

section of his essay, Tushnet delivers the ultimatum to the losing side in the culture conflict, including evangelical Christians: “You lost, deal with it.” To his fellow revolutionaries Tushnet announces, “The culture wars are over; they lost, we won.” Then he goes for the kill:

*For liberals, the question now is how to deal with the losers in the culture wars. That’s mostly a question of tactics. My own judgment is that taking a hard line (“You lost, live with it”) is better than trying to accommodate the losers, who—remember—defended, and are defending, positions that liberals regard as having no normative pull at all. Trying to be nice to the losers didn’t work well after the Civil War, nor after Brown [v. Board of Education]. (And taking a hard line seemed to work reasonably well in Germany and Japan after 1945.)*

How to deal with the losers? Here we meet the reality of liberal judgment in a day of liberal ascendancy. Tushnet argues that

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How to deal with the losers? Here we meet the reality of liberal judgment in a day of liberal ascendancy. Tushnet argues that

conservatives should now be met with a hard line and a demand for total surrender—no accommodation whatsoever. Don’t even try to be nice to moral enemies, Tushnet commands, since their arguments have no normative authority of any kind.

With absolute candor, Tushnet calls for moral conservatives of all stripes to be treated like Germany and Japan at the conclusion of World War II. Both nations, having declared war on the United States and its allies, were required to submit to unconditional surrender and were subjected to occupation by the victors. We are to be treated like defeated Nazis and the Japanese high command.

Take a hard line, Tushnet openly advises, and take no prisoners. He concludes his point with these words:

*I should note that LGBT activists in particular seem to have settled on the hard-line approach, while some liberal academics defend more accommodating approaches. When specific battles in the culture wars were being fought, it might have made sense to try to*

*be accommodating after a local victory, because other related fights were going on, and a hard line might have stiffened the opposition in those fights. But the war’s over, and we won.*

More than a year before the Supreme Court legalized same-sex marriage nationwide, New York Times columnist Ross Douthat had written that once the decision was handed down, the winning liberal side would “recognize its power.” There would be no negotiation then. “Instead, all that’s left is the timing of the final victory—and for the defeated to find out what settlement the victors will impose.”

Well, now we know. We really knew before the Tushnet essay appeared. Just ask the florists, photographers, and bakers who have been dragged before tribunals. Ask the former fire chief of Atlanta. Ask a Christian student at your local college or university.

Writing in anticipation of the Supreme Court’s decision on *Obergefell v. Hodges*, Jonathan Rauch, a proponent of same-sex

marriage, wrote to his colleagues on what he was confident was the winning side. Some “on my side of the gay-equality question,” he wrote, “want to expunge discriminatory views.” This, he chided, was deeply wrong. “Now our duty is to protect others’ freedom to be wrong, the better to ensure society’s odds of being right.”

We now see that this was the road not taken. Instead, opponents of the moral revolution are to be treated with scorn, contempt, and worse. The terms of moral surrender have been delivered to us, and they are absolute and unconditional. Just ask Japan and Germany what that means.

[Used with permission: Table-talk Magazine, April, 2017]

Remembering that this world is not our home and that the risen Christ has already won our ultimate victory, let us respond to this hostile culture in love, by living out 1 Corinthians 15:58. **“Therefore, my beloved brothers, be steadfast, immovable, always abounding in the work of the Lord, knowing that in the Lord your labor is not in vain.”**

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