

# Boy Scouts and the ACLU: A War of Worldviews

*Byron Barlowe, an Eagle Scout and Assistant Scoutmaster, assesses the battle with the values of the ACLU from an insider's perspective.*

## Traditional Mainstay As Good Cultural Influence vs. Liberal Legal Activists with Social Engineering Agenda

In a gang-ridden section of Dallas, 13-year-old Jose saw a Boy Scouts recruiting poster. That started Jose's improbable climb to Scouting's highest rank of Eagle and a life of beating the odds. He said this about Scoutmaster Mike Ross: "He was a father figure watching over me, the first time I felt it from someone other than my [single] mom."[\[1\]](#)

In February 2010, the Boy Scouts of America, or BSA, celebrated a century of building traditional values into nearly 100 million youths like Jose through adults like Mr. Ross. The original Boy Scouts began in England in 1907. The Prime Minister said the new movement was "potentially 'the greatest moral force the world has ever known'." Yet surprisingly, there are those who would gut the movement of its culture-shaping distinctives.

In this article we take a look at the warring worldviews of The BSA and its arch-enemy, The American Civil Liberties Union (ACLU). In his book *On My Honor: Why the American Values of the Boy Scouts Are Worth Fighting For*, Texas governor and Eagle Scout Rick Perry writes, "The institutions we saw as bulwarks of stability—such as the Scouts—are under steady attack by groups that seem intent upon remaking (if not replacing) them in pursuit of a very different

[worldview].”{2} In a crusade to elevate the minority viewpoints of girls who want entry, as well as atheists and gay activists, the ACLU’s unending efforts to ensure inclusiveness undermine the very Scout laws and oath that make it strong—commitment to virtues like kindness, helpfulness and trustworthiness. This is no less than a war of worldviews.

I ran through all the ranks from Cub Scouts to Eagle Scout, worked professionally with the BSA, and now serve as Asst. Scoutmaster. I have first-hand, lifelong knowledge of Scouting’s benefits to boys, their families, and society. Nowhere else can young men-in-the-making be exposed to dozens of new interests (which often inspire lasting careers) and gain confidence in everything from leadership to lifesaving to family life. Scouting is good life skills insurance!

The pitched battle between the BSA and the ACLU embodies what many call the Culture Wars—battles that in this case reveal contrasting values like humanism vs. religious faith, politically correct “tolerance” vs. more traditional, absolutist views and radical individual rights vs. group-centered freedoms of speech and association. The contrast is stark.

Conservatives relate most to Scouting. “Of course, the *Boy Scout Handbook* is rarely regarded as being a conservative book. That probably accounts for why the *Handbook* has managed to continuously stay in print since 1910. If it were widely known how masterly the book inculcates conservative values, it would, like Socrates, be charged with corrupting the nation’s youth.”{3}

Scouting is also good for culture. Harris pollsters found that former Scouts agreed in larger numbers than non-Scouts that the following behaviors are “wrong under all circumstances”: to exaggerate one’s education on a resume, lie to the IRS, and steal office supplies for home use. Scouts pull well ahead of non-Scouts on college graduation rates. The “stick-to-it”

mentality that Scouting demands comes into play here and in other findings. Scouting positively affects things like treating co-workers with respect, showing understanding to those less fortunate than you and being successful in a career. "This conclusion is hard to escape: Scouting engenders respect for others, honesty, cooperation, self-confidence and other desirable traits."[\[4\]](#) It also promotes the freedom to exercise a Christian worldview within its program, which provides a venue for transmitting a Christian worldview within the context of the outdoors and community service.

The absolutist morality of Scouting stands in stark relief to the moral relativism of our day and to the ACLU's worldview. Wouldn't you prefer to hire someone with Scouting's values of trustworthiness and honesty?

## **The Battles, Including Girls Joining the BSA**

The Boy Scouts of America celebrates its centennial this year, but its long-time nemesis the ACLU isn't celebrating. In fact, they and other litigants have maintained a siege against the BSA in court in order to transform key characteristics including Scouting's "duty to God," the exclusion of openly gay leaders, and Scouting's access to government forums like schools. "In all, the Boy Scouts have been involved in thirty lawsuits since the filing of the [original] case," many brought by the ACLU.[\[5\]](#)

The opening salvo was a string of lawsuits on behalf of girls who wanted membership, many brought by the ACLU. The primary legal issue regarding these kinds of cases is "public accommodation." The BSA's position is that refusing membership to certain individuals like girls and open gays is its right as a private organization. Freedoms of speech and association are at stake for the BSA. Indeed, the definition of freedom of association is "the right guaranteed especially by the First

Amendment . . . to join with others . . . as part of a group usually having a common viewpoint or purpose and often exercising the right to assemble and to free speech.”{6}

In the case of *Mankes vs. the BSA*, the plaintiff claimed that restricting membership to boys amounted to sex discrimination. Yet the court decided against the claim on the basis that “the Boy Scouts did not, in creating its organization to help develop the moral character of young boys, intentionally set out to discriminate against girls.”{7} Even the U.S. Congress chartered separate Scouting organizations, one for girls and one for boys, not one unisex organization.

C.S. “Lewis puts it this way in discussing the crisis of post-Christian humanist education: ‘We make men without chests and expect of them virtue and enterprise. We laugh at honor and are shocked to find traitors in our midst.’”{8} I believe that even the most committed feminist would inwardly hope for brave, virtuous men of integrity. That’s what Boy Scouts is all about: engendering young men with chests.

Underneath these battles lies an aversion to any kind of discrimination of supposed victims. The ACLU’s goals raise ethical concerns: when one individual or a minority seeks rights that are not in the best interest of the community at large, it leads to unintended consequences, like possibly shutting down good institutions like the Scouts.

It’s understandable why some girls would want to participate. However, given gender differences and the right to freedom of association, it seems best to restrict the Boys Scouts to boys.

## **The Battles over Gay Leaders (the Scouts’ Doctrine of “Morally Straight”)**

A very contentious battle between the Boy Scouts of America

and equal rights advocates revolves around disallowing openly gay leaders from joining the organization. "The BSA's position is that a homosexual who makes his sex life a public matter is not an appropriate role model of the Scout Oath and Law for adolescent boys."[{9}](#) Or as Rick Perry puts it, "Tolerance is a two-way street. The Boy Scouts is not the proper intersection for a debate over sexual preference." He continues, "A number of active homosexuals, with the assistance of the ACLU and...various gay activist organizations have challenged the BSA's long-standing policy."[{10}](#)

The landmark Dale case featured a lifelong Scouter who discovered his gay identity only then to realize the Scouts' policy against openly gay leaders. Eventually landing in the U.S. Supreme Court, BSA vs. Dale marked the end of cases in this category. The Supreme Court ruled 5-4 that state laws may not prohibit the BSA's moral point of view and the right to expressing its own internal leadership.[{11}](#)

Ultimately, gay people could launch their own organization and any good Scout would recognize the right for them to do this. Even the courts have implied this view, again and again upholding the Scout's rights to operate the way they see fit. Why would it be improper for a private organization like the BSA to restrict leadership to those who share its values?

"BSA units do not routinely ask a prospective adult leader about his (or her) sex life," writes Perry.[{12}](#) This approach falls in line with the controversial "Don't ask, don't tell" doctrine of the U.S. military that's currently being challenged in court. Where members of the military may be concerned about the affect of another squad member's sexuality on its rank-and-file members, Scout units are concerned with the even greater influence of adults on the minds and morals of the children they lead.

A biblical worldview recognizes that belief that gay rights supersede traditional moral teachings springs from the

fleshly, fallen state of man's soul. Romans 1 says humans "suppress the truth," and speaks out against unnatural acts in a clear allusion to homosexual unions. People—sometimes believers—fight morality as revealed by God through our conscience and stated moral law. The virtue ethics of the Scouts at least makes room for this morality.

Despite all the cases, "evidence of a planned, strategic legal assault on the Scouts didn't arise until the ACLU became involved, with cases that focused Scouts' 'duty to God.'" [\[13\]](#)

## The Battle over "Duty to God"

Boy Scouts and Scout leaders are really into patches for our uniforms. One of the most beautiful I've ever owned is my Duty to God patch earned at the legendary Rocky Mountain Scout adventure ranch known as Philmont. The requirements were minimal: take part in several devotions and lead blessings over the food. Nothing dictated which god to pray to, just a built-in acknowledgement of the Creator. This non-sectarian, undirected acknowledgement of God is classic Scout stuff. The program has long featured specific special awards for all major world religions, including Christianity. Scouting's Creator-consciousness can seem vague or even smack of animistic Native American religion, but troops chartered by Christian organizations like ours simply turn it into a chance to honor the God of the Bible.

This hallmark of Scouting is vilified by atheists and agnostics who would participate in Scouting only minus the nod to God. The ACLU has carried out a culture-wide campaign to cut out all mention of God from the public square, motivated by a warped value of self-determination. [\[14\]](#) Seeking protections from all things religious, the ACLU's activist lawyers have raised human autonomy up as the ultimate good. And the Boy Scouts are a tempting target to further this cause célèbre. From where do the ACLU's motivations spring?

Apparently, from the ideology known as humanism, a philosophical commitment to man as the measure of all things coupled with an atheist anti-supernatural bias. But not even Rousseau, whose political theory emphasized individual freedoms, would likely have gone so far. In his view, the individual was subordinate to the general will of the people—and most people in American society agree that the BSA's values and impact outweighs any individual right "not to hear" anything at all of religion.{15}

When the BSA lays out its broad yet very absolute requirements, the most prominent and controversial are a "duty to God"{16} and a Scout's pledge to be reverent.{17} This in no way dictates which or even what kind of deity one's faith is ascribed to, but it sharply clashes with the ACLU's ideals of secularism and humanism. In effect, the BSA directly challenges the sacred-secular split so prevalent today, where faith is to be kept totally private and godless science serves as the only source of real knowledge. As a result of this worldview mistake, religious commitments and the supernatural are relegated to the personal, subjective, and ultimately meaningless level.

One blogger opines about a duty to God passage in the original 1910 Scout handbook:

*"A Scout is reverent toward God. He is faithful in his religious duties. He respects the beliefs of others." Such an earnest and irony-free worldview is naturally antithetical to the South Park-style mock-the-world moronity that pervades the culture. In a society that combines libertarian Me-ism with a liberal nanny state that suckles "men without chests," it is not surprising that the ranks of Boy Scouts are dwindling (Scouting is down 11 percent over the last decade). But we should be cheerful that an institution where self-sacrifice and manly virtues are encouraged manages to survive at all.{18}*

The ACLU was not involved in the first “duty to God” case against the Scouts. Yet by 2007, its “involvement in fourteen cases against the Boy Scouts had covered, cumulatively, more than 100 years of litigation.”[\[19\]](#) The ACLU’s view, according to Governor Perry, “is that if one citizen believes there is no God, they must be protected from public references to or acknowledgement of an Almighty Creator. . . . When they get their way, the ACLU enforces upon us the tyranny of the minority.”[\[20\]](#)

Thank God the courts have not yet allowed this to happen.

## Pluralism Done Right

A fellow in my Sunday school sounded alarmed when I asked the class to pray for a Scouting trip: “Isn’t The Boy Scouts a Mormon outfit?” Since Mormons use Scouts as their official youth program for boys, his experience was skewed. Yet, the BSA is a non-sectarian association that simply requires chartering groups to promote belief in God and requires boys to reflect on reverence according to their family’s chosen religion. *The Boy Scout Handbook*, (11<sup>th</sup> ed.) explains a Scout’s “duty to God” like this: “Your family and religious leaders teach you about God and the ways you can serve. You do your duty to God by following the wisdom of those teachings every day and by respecting and defending the rights of others to practice their own beliefs.” Note the genuine tolerance toward other religions. Even a pack or troop member cannot be forced by that unit to engage in religious observances with which they disagree.[\[21\]](#) This policy is the best way to handle a wide-open boys’ training program in a very pluralistic culture.

Many Christians talk as if any kind of pluralism is anathema, especially the religious kind, as if we should live in a thoroughly Christianized society that, for all intents and purposes, is like church. However, this is unrealistic.

America's Founding Fathers guarded against state-sanctioned religion.

God Himself tacitly acknowledged, even in the theocracy of the Old Testament period that living around His people were those of other religions. Jehovah didn't force people to believe in Him. God was pluralistic in the sense of allowing man's free will.

The Boy Scouts reflects this larger reality and it serves the organization well. It is not seeking to be a church or synagogue or temple. The BSA's Scoutcraft skills and coaching, its citizenship and moral training, remains open to people of all religions. The BSA's vagueness regarding "duty to God" is actually a plus for Christians interested in promoting their own understanding of God and His world. Talk about a platform to pass along a biblical worldview! Think of it: Scouting's genius is that it combines outdoor exploits like regular camping trips and high-adventure activities with moral and religious instruction in the context of boy-run leadership training. Regular and intensive meetings with dedicated adults to review skills and Scouting's ideals provide ample time for what amounts to discipleship. Some of the richest ministry opportunities in my quarter-century as a full-time minister have been during Scoutmaster-to-Scout conferences in the great outdoors.

If you're committed to seeing the next generation of boys walk into adulthood not only as capable young men but with their faith intact, Scouting is one of the best venues out there. Hopefully, the ACLU won't be able to quash that.

## **Notes**

1. *Readers Digest*, May, 2010, 138.
2. Rick Perry, *On My Honor: Why the American Values of the Boy Scouts Are Worth Fighting For* (Macon, GA: Stroud & Hall Publishers, 2008).

3. Carter, Joe, "The Most Influential Conservative Book Ever Produced in America," First Thoughts (the official blog of the journal First Things), posted February 8, 2010: <http://bit.ly/fI8V9Z>.
4. Perry, *On My Honor*, 163.
5. Ibid., 57.
6. Dictionary.com. *Merriam-Webster's Dictionary of Law*. Merriam-Webster, Inc. [http://dictionary.reference.com/browse/freedom of association](http://dictionary.reference.com/browse/freedom%20of%20association) (accessed: April 21, 2010).
7. Perry, *On My Honor*, 59.
8. Lewis, C.S., *The Abolition of Man* (Macmillan Publishing: New York, NY) 1947, p. 34; as quoted by R. J. Snell, "Making Men without Chests: The Intellectual Life and Moral Imagination," First Principles: ISI Web Journal, posted Feb. 25, 2010: [www.firstprinciplesjournal.com/articles.aspx?article=1380](http://www.firstprinciplesjournal.com/articles.aspx?article=1380).
9. Ibid., 69.
10. Ibid., 71.
11. Ibid., 71-73.
12. Ibid., 69.
13. For a brief list of individual cases, some of which are being brought by the ACLU, see: [www.bsalegal.org/duty-to-god-cases-224.asp](http://www.bsalegal.org/duty-to-god-cases-224.asp).
14. Evans, C. Stephen, *Pocket Dictionary of Apologetics & Philosophy of Religion: 300 Terms & Thinkers Clearly & Concisely Defined* (Intervarsity Press: Downer's Grove, Ill.), 2002, p. 103.
15. The Scout Oath, quoted in reprint of 1910 original *Boy Scouts of America: The Official Handbook for Boys*, Seventeenth Edition p. 32, accessed 1-20-11 <http://bit.ly/gaM50M>. (Note, the table of contents links to page 22, but page 32 is the actual location in this format.)
16. The Scout Law, 33-34.
17. Carter, "The Most Influential Conservative Book Ever Produced in America."
18. Perry, *On My Honor*, 64 and 66.

19. Ibid, 87-88.

20. Bylaws of Boy Scouts of America, art. IX, § 1, cls. 2-4, as quoted on the BSA legal Web site: [www.bsalegal.org/duty-to-god-cases-224.asp](http://www.bsalegal.org/duty-to-god-cases-224.asp).

© 2011 Probe Ministries