

# Tyranny of the Mind

SELF-RULE & THE COMMON AMERICAN UPRISING

JULIE A. FRAGOULES

χάος Publishing



*Tyranny of the Mind*

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*Julie A Fragoules*

*“Liberty of conscience and of the press cannot be cancelled,”*

- James Madison, December 21, 1798 <sup>1</sup>

*Tyranny of the Mind*

Also by Julie A. Fragoules  
The Serpent Underneath

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## Foreword

Amidst rural landscapes, the hustle of turn-of-the-century cities and shaped by America's tumultuous history, my family's journey blends dreams, sacrifices, and the steadfast pursuit of opportunity and improvement. The children of immigrants on one side and migrant pickers on the other, my parents used hard work and sacrifice to achieve the American Dream of creating a better life for themselves and their children. Our family story stands beside countless others across this nation as evidence of the attainability of that dream, at least at the time. The bedrock American ideals of individual liberty and personal responsibility, however imperfectly applied, greatly improved the human condition even for most of its poorest and ill-treated residents.



*Helen and Catherine*

### **MY FATHER'S SIDE**

#### *American Immigration*

My dad's mother, Catherine, was born to Austrian immigrants. Her mother, Helen, fled rural poverty in Galicia, Austria-Hungary, arriving in the U.S. alone in 1901 when she was 16, though some records suggest a year later. It was a harrowing journey, leaving her family to travel across the Atlantic in the steerage section of a massive steam-powered, steel-hauled ocean liner. Steerage was usually a temporary passenger section partitioned off from the cargo hold; a cramped but livable space accessed by narrow

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ladders<sup>2</sup>, most often with open, dormitory style quarters. In good weather, even that made for a decent seven to twelve day trip, especially for lines crossing North Atlantic.

Unfortunately, the route was also known for vicious storms that rolled and pitched ships, tossing their passengers relentlessly. Seasickness was common, saturating the damp, musty holds with a repulsive stench that poor ventilation and inattentive crew often made unbearable.<sup>3</sup> She was just one of some 25 million Europeans to make a similar trip in the late 19<sup>th</sup> and early 20<sup>th</sup> Century. As time went on, immigration from around the world became more common and, of course, slave ships and other forms of involuntary travel occurred here beginning long before the founding of the United States.

Isolated from everyone and everything she knew, not speaking the language and alone in a foreign country, Helen settled in Chicago where she likely worked as a housekeeper. Domestic servants were the leading occupation for women in the city then and most lived with the families they served. Helen sent money back to her family until her mother and nine of her siblings were able to come over. Her mother arrived in 1910 but her father died in Austria. Two years after her arrival, Helen married Benedict, who was a few years older than her and also from Austria. Records show Benedict was a merchant in the candies industry. Tragedies quickly began to accumulate for the family.

Helen and Benedict had a son named Joseph who lived only a year and a second son that survived one day. My dad's mother, Catherine, was their first of four daughters that would come next. Helen's youngest was born in 1913, her sixth pregnancy in only seven years. Her difficult young life took a serious toll. With three other young daughters to care for, Benedict handed the newborn to others so that Helen could "rest", as they said back then. Most likely dealing with post-partum depression, Helen was placed in the Chicago State Hospital, which was used for the treatment and care of the insane. Her stay was brief and heartbreaking.

Previously known as the Dunning asylum, it was a place area parents threatened to send their children to if they did not behave. A special train car that transported some inmates to the facility was known locally as "the crazy train". The multistory, red brick structure could have been the setting of the most terrifying horror movies, with bars on the windows, little heat and crawling with vermin. Always overcrowded, it was known for neglect, corruption and infested food, along with a nauseating putrid smell.



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When the state took over the facility the year before Helen was admitted, conditions were improving, but inmates were still ragged and unclean, locked away or wandering the grounds like extras from *The Walking Dead*. There were several cemeteries, and as the facility expanded over the years, new buildings constructed on top of unmarked graves. There was an outbreak of typhoid fever that year and even though a vaccine was developed some years earlier, it likely wasn't available to Helen. A bacterial infection that today is only common in third world countries, typhoid was probably caused by contaminated water supply. Helen died at 28, just five months after giving birth to her fourth daughter. Benedict remarried a year later.



*Women inmates, Chicago State Hospital, 1910*

My dad's mother Catherine, the oldest daughter, was only five when her mother died. Catherine described unpleasant conditions as the young daughters adapted to the now favored, new family. In time, they would work at the Greek restaurant and night club owned by their step-sister's husband, located on the north side of the city, not far from Lake Michigan. This is where Catherine met my dad's father, Themistocles, who worked as a cook. Helen's daughters would all find happiness, but, like her mother, Catherine's life took a tragic turn when my dad was only ten.

### *Out of Greece:*

Sharing his name with a great Athenian general known as the father of naval warfare, my dad's father Themistocles "Tom," was born in the small village of *Ano Achaia* near Patras, Greece. His mother died when he was very young, possibly during the birth of his sister. With the family struggling and war with Turkey on the horizon, his older brother, Gust, traveled alone to America in 1907. Themistocles followed, also alone, two years later, arriving on April 19, 1909. Public records show Gust was 16 and Themistocles 15, though the brothers told us they were even younger when they came here and had to lie about their ages to do so.

Themistocles traveled aboard a six-thousand-ton ocean liner, aptly named the *S.S. Themistocles*. He was one of 1,500 third class passengers making

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the journey in the ship's steerage section. Conditions for crossings that originated in the south of Europe were worse than the northern routes and amenities even fewer. When the ship docked along the way in the Mediterranean, my grandfather told that he and other boys were tasked with knocking the rats off the anchor lines as they tried to board. Upon his arrival in New York, they met with quarantines and various inspections before release.

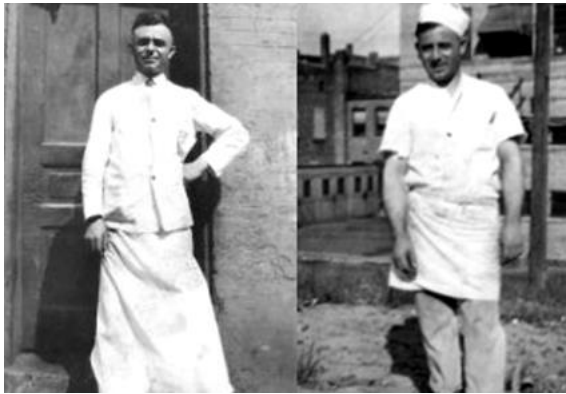
Despite the daunting experience, reaching New York was only the beginning of his story. Like his brother before him, Themistocles served as an indentured servant for one year to pay for the cost of his travel. Living in contracted servitude, Themistocles was a shoeshine boy in New York City. When he was finally set free on his own in turn of the century



*Themistocles is second from left*

America, he headed west in search of his brother. They left word for each other as they traveled, hopping trains, living in improvised encampments and finding work in railroad construction and logging camps.

Both became cooks, eventually reuniting in Chicago. I once heard a Greek immigrant who came over around the same time say he was told the streets in America were paved with gold, but when he arrived he found the streets weren't even paved, and the immigrants were expected to pave them.



*Themistocles and Gust*

My grandfather said something similar, but there was opportunity and peace, which was better than they had at home. At one point, they both worked in the restaurant of the hotel that Al Capone used as his base of operations. Themistocles recalled delivering room service to Capone and his men, their Thompson

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submachine guns, or Tommy guns, propped up against the table, smoke drifting up. The brothers were also familiar with a doctor who was slaughtered in the Saint Valentine's Day massacre along with six unarmed members of the George "Bugs" Moran gang. It was the height of Chicago's gang wars between Capone and Moran as the roaring twenties collided with the Great Depression. Restaurant work, at least, kept them employed. The brothers were never able to return to Greece or see their family again, but Gust sent money back for as long as he lived.

### *Settling in Michigan*

My dad's parents, Catherine and Themistocles, married in 1921. The couple saved money and bought a farmhouse in southwest Michigan at the end of the 1920's, but lost that property in the economic travails of the Great Depression. Starting over, Themistocles maintained multiple jobs, including work at a steel mill. They eventually bought another farmhouse on forty acres in the small Michigan town of Bangor where my dad and his brother grew up.



*Catherine and my dad. Bangor*

My dad was only 11 when his mother, Catherine, died from Aplastic Anemia, caused by exposure to materials in her job at an electronics factory, the same ailment, curiously, that caused the death of Eleanor Roosevelt and Marie Curie. Catherine was just 41. The company paid the family a stipend until my dad turned 18, which helped them barely make ends meet.



*Themistocles and son*

His brother George, older by ten years, joined the Navy during World War II for the "duration of the war", which, fortunately, ended before he left the base in Hawaii. My dad and his father worked the farm, living off what the rich Michigan soil could produce. Eventually, they bought a tractor, though my dad rode the back to make the horse-drawn implements function. Themistocles was determined to keep my dad with him.

## MY MOTHER'S SIDE

### *Rural Arkansas*

My mother's parents, Vernon and Pearl, grew up in the on the rural farmland of White County in Central Arkansas along the Little Red river. Vernon was one of eight children, five boys and three girls, born to William and Lillie May, who were married in 1906. The family relocated to the Arkansas King Ranch in the town of Providence – which memories cast as reminiscent of TV's Yellowstone, albeit on a smaller scale, and mercifully devoid of the orchestrated mayhem. William served as ranch foreman and blacksmith. He was a gruff looking man in one photo, a pipe dangling from his lips.

William's ancestry has been traced back to the War of 1812, where a father and son served, one as sergeant and the other a private. Several of the men in his family line were blacksmiths, including one that served as such in the Civil War. My mom said her grandfather William was a harsh taskmaster to his diminutive but resilient wife, Lillie May. When asked why he ordered her around, he would repeat the saying, "You don't buy a dog and do your own barking." Vernon was a teenager on the ranch when he met Pearl.

My mom's mother, Pearl, was the daughter of southern farmers, Wesley and Gladys. Wesley grew up working on his parents' farm where his father also served as blacksmith. Gladys was born in Oklahoma but relocated with her family to nearby Judsonia, Arkansas when she was a baby. Timber harvesting, cattle ranches and farms covered the flat to hilly landscape.



*Gladys, Wesley (left), Vernon, Pearl (right), Pearl's*

Wesley was 22 when he married 16-year-old Gladys in 1917. The next year, my grandmother Pearl was born, but only a couple of months later Wesley left his teenaged wife and new baby behind for World War I, where he served in the army. After he returned from the war, they bought a farm and had seven more children. Economic conditions were strained

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in rural Arkansas even before the stock market crash of 1929 hurled the nation into the Great Depression. Floods ravaged the state in 1927, followed by a devastating drought three years later that caused the price of cotton to plummet and made other crops unprofitable. Wesley and Gladys lost their farm and were forced into the role of tenants, navigating the harsh reality of sharecroppers. They also picked fruit. The strawberry industry thrived in the area, even during the depression.<sup>4</sup>

*The Great Migration*

My mom's parents, Vernon and Pearl, married in 1935 when he was 17 and she 16. While the ranch that his father ran had been less affected by the economic downturn, now the young couple struggled. They worked as migrant pickers, harvesting strawberries in the sticky, humid 100 degree



*Vernon, Pearl, Marvel, Ramona and my mother*

heat of Arkansas summers and then following the crop seasons north into Michigan each year. My mother was born in Michigan while they were there to pick cherries. They continued to travel back and forth with the seasons, living in primitive migrant housing. They had two more daughters in Arkansas before Vernon

took a job at a Michigan steel mill in the early 1940s and they relocated permanently. Like millions of others across the country, they were part of the Great Migration of Americans from depressed rural areas looking for jobs in the cities.

Though disparaged as “dumb hillbillies” and “dirty migrant,” they worked and saved. Vernon and Pearl had two sons but had to bury my mother's younger sister, Marvell. Her life was snuffed out within a



*Vernon (right) putting up the sign for the auto trim shop*

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day from an infection at the age of five. Finally, the couple opened a paint and wallpaper business called the Village Color Shop in Benton Harbor that Pearl and her sister Hope operated. Hope's husband opened an auto trim shop in the back, skills he learned from his father, who was retired from General Motors. Vernon and Pearl later opened an upholstery business and moved to Bangor, where they bought a home and farm. My parents would learn upholstery from them.

### **OUR FAMILY**

#### *Bangor, Michigan*

My dad and mom, Constantine "Dean" and Norma Jean, were high school sweethearts who graduated in 1955 and married three years later. My mom sewed her own clothes growing up and said she learned to use patterns in her Home Economics class. This turned out to be valuable in their own business later.



*Constantine "Dean" and Norma Jean*

My dad was a high school basketball star and state champion, but had to forgo college to care for his father. By 1965, my parents and their three boys moved into the farmhouse where my dad grew up. Though there was room, Themistocles wanted to give them space so Dean and Jean built a separate house for him on the property using reclaimed wood. As with many things in life, they learned how as they went. The home has since been added onto and is still inhabited today.

#### *Relocating to Arkansas*

A couple years after Themistocles passed of natural causes, my family turned their sights on Arkansas in search of better economic opportunities and warmer weather. The type of business they started and work they could do fit well into the local environment and its burgeoning industries. North Central Arkansas is beautifully natural, an isolated landscape of limestone mountains, deep lakes and pristine rivers. It became a recreational mecca as the 20<sup>th</sup> Century progressed for those willing to drive for hours on a

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tangled, scattering of two-lane roads from the closest city or commercial airport.

Two hydroelectric dams were built here in the years leading up to World War II on the White and North Fork rivers, drowning small communities beneath vast reservoirs and changing the area's fortunes forever. Jobs came with the construction and then from the growth of tourism as little resorts, shops and boat docks grew up to service the fishermen, watersport enthusiast and other vacationers and retirees willing to hazard the rugged terrain to enjoy its natural wonders. Wages and cost of living were low. Young people's first jobs



*Norfolk dam postcard, 1940s*

when I grew up tended to be at factories or food service. The area would become the center of the bass boat industry for many years.

My parents, Dean and Jean, moved here in 1968, carrying with them their three young sons and only those belongings they could cram into the used school bus they bought for the move. I was born a couple of years later. They started an upholstery business with one used sewing machine, working out of the bus until it sold. They then worked out of a tent until moving into a small concrete block building they built themselves. At first, they repaired anything from car seats and old furniture to diesel-covered tarps used by big trucks to cover their loads, all often nasty, difficult work.



*First block shop building, late 1960s*

Some years later they had a larger metal building built and kept adding to it over the years. Though they still did custom work, they also started building marine products, including seats and covers for many boat companies, among them Champion Boats, Ranger, Bass Cat and a long list of others, that either briefly or consistently relied on my family's business

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for design and production. Their work became legendary in the bass boat industry. They built a new home behind “the shop,” which is how we always referred to the business. My mom sewed from home as she watched me and then started bringing me to the shop with her.

I remember, when I was little, going to see my dad who would still be toiling away at a sewing machine late into the night in an otherwise deserted building. My three brothers and I all worked there when we got older. The house I grew up in was a kit ordered from a magazine that included all of the materials for construction and was dried in by hired workers. My parents finished much of the interior themselves over time. Along the way, if they needed to know how to do something - electric, plumbing, construction - they researched it.

We always accomplished more as a family helping each other than any of us ever could have done alone, perhaps inheriting some of those hands-on blacksmithing skills from our ancestors. Had we been forced to hire everything done, we could never have afforded it, nor could we have started a business. My parents were never afraid of hard work and always strove to do what was right and provide a quality product. They would spend more to buy materials locally or regionally because small businesses succeed by supporting each other.

Over many years, through effort and sacrifice, their business grew, putting two children through college and starting the other two as successful small business owners. At the same time, they employed thousands of people and contributed to the growth and advancement of the community. My parents celebrated their 65<sup>th</sup> wedding anniversary in 2023 before my mom passed that September after a long, torturous struggle with the effects of strokes. She was 86. My dad still lives next door to me today. The business my parents built stayed in the family – on the same property, using the



*First metal building (left) 1977, late 1980's (right). By 2023, it almost doubled the buildings visible here.*



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same phone number – for over 45 years before being sold. There are many in America with darker stories but also many brighter ones. I certainly had a better quality of life than my parents and certainly much better than their parents.

### *Growing Up*

I was raised in the rural south of Arkansas in the 1970's and 1980's with my family as my role models, supporters and protectors. The traditional family unit definitely made a difference in my life. Our community was safe and quiet. I learned about our unique and exceptional nation and the ideals built into its founding documents at school.



*Grandpa Vernon and Julie*

I was also taught about our nation's troubled past, including slavery, civil war, segregation and, finally, the civil rights movement. Arkansas figured notably in the death of the old order as Democrat Governor Orval Faubus infamously attempted to prevent black students from entering Little Rock Central High School during desegregation. Having emerged from this dark past, however, a nation designed for liberty and justice, had finally applied those ideals and rights to all under law. Despite its flaws, our nation and its people were viewed as basically good and striving to be better.

I was idealistic and, like most youth, more than a little naive. My family succeeded on hard work and determination, overcoming various difficulties and personal tragedies. They had no advantages or privileges, more or less than many other rural or immigrant poor. Greeks were not considered “white” when my grandfather came to this country as an indentured servant and migrant pickers and sharecroppers were little regarded, whatever their skin color. If race was a benefit, it wasn't much. As a nation, we can't deny the dark parts of our history, but that doesn't diminish the positives that made this country stand apart from the rest of the world. Yet, how a nation that offered the opportunities of the American Dream to so many, arrive at its current state? Plagued by violence, our debt skyrocketing, wars raging and equal justice under the law beyond reach, our nation's positive trajectory has clearly cratered. I began to understand *why* over the years of research I put into this book.

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This book began as my personal investigation into the relationship between religion and liberty in the establishment of this nation and the true intent of its founders, determined to make sense of apparent contradictions in the accounts and, at the same time, discover whether my nonconforming beliefs were intended to be equally protected under its authority or merely tolerated. What I discovered was not likely to fully please either side of the debate, but it exposed a greater battle. It was a conflict was waged across the millennia between those ambitious to gain power over others and those desperate to make their own way and think for themselves. The battle between these competing desires was evident during the establishment of the United States and, in fact, can be traced back to the very beginning of western civilization. It continues at the heart of our political conflicts today, where we see that a religiously held ideology need not include a god to be beyond the authority of civil government to promote or serve as a tool for state control. Our nation, based on the ideal of individual freedom, limited only by the equal freedom of others, was unlike every other nation in history and, though imperfect, marked a tremendous victory in the fight against tyranny.

We are often told that Americans are more divided than ever, but I disagree. I have spent the last twenty years working and living around the country, responding to national disasters, helping people recover and learn how to reduce future losses through hazard mitigation. I've met people from all walks of life, all shades, histories and political leanings, and have come to believe that the vast majority of Americans, regardless of political party, are on the same side and share the same natural sense of justice and morality. Though constantly manipulated to fight against each other, to dehumanize and demean our opponents, we share a common foe that has corrupted the establishment of both sides, put racism and injustice into the system designed to fight against it, and indoctrinated our institutions.

I believe the vast majority of Americans are compassionate, level-headed people who just want a safe environment for their families and a fair shot at life. I believe the Americans agree on far more than they disagree and are willing to compromise on even the most contentious issues. Honest compromise, however, does not serve the interests of those in power. To survive as a nation, we need to look beyond the distortions that separate us, that convince half of the country that the other half is evil or ignorant. It is time to redefine the political spectrum in order to accurately separate the totalitarians from the humanitarians, those who value people for their intrinsic worth and those who assess their worth only as pawns to be

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sacrificed for their own ambitions. We need a clear to see past the platitudes, propaganda and indoctrination our domestic enemies produce.

I had no idea what conclusions this book would reach or the changes that would affect our nation by the time I finished it. I also failed to predict how significant this era in our history would be. Our republic and our people face grave peril, and it is a hazard we have failed to mitigate against. This last decade or two, however, aptly demonstrates the forces at play and the tools being used to control the people. The story of this battle started many centuries ago.

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*“So the restraints of religion are thrown off, by which alone kingdoms stand.”*

*– Pope Gregory XVI*

## **Chapter 1**

### **By Which Kingdoms Stand**

Starting with the family and then the clan, the father or eldest father commonly led from inherent authority. As humans began to live in larger concentrations, leaders claimed the authority of the gods and, in the common era, the authority of the father in the form of a God.

Pope Leo XIII, *On the Christian Constitution of States*, 1885: “In civil society, God has always willed that there should be a ruling authority, and that they who are invested with it should reflect the divine power and providence in some measure over the human race. They, therefore, who rule should rule with evenhanded justice, not as masters, but rather as fathers, for the rule of God over man is most just, and is tempered always with a father’s kindness.”<sup>5</sup>

It was not merely that powerful leaders claimed the favor of gods, but it was understood that these leaders would not have attained their positions of authority had the gods not chosen and ordained them in those roles. This idea can be seen from our earliest leaders to the relatively modern practices of Trial by Ordeal<sup>6</sup>, where people were subjected to often deadly experiences where survival determined innocence, and Trial by Battle, in which God’s providence was seen to assure the person in the right prevailed. That mindset was then used for much of western history to justify anything leaders chose to do. It was might makes right, success makes right, regardless of justness or reason. Some committed sacrifices. All manners of violence and oppression were justified in the name of God or gods, comprising the accepted rationale for many thousands of years. Over time,

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governments, laws and religions would be instituted to maintain order and guide behavior.

### **Origins of Western Law**

Civilizations and written language arose roughly 5,500 to 4,500 years ago (3,500 to 2,500 B.C.E), according to current estimates, among the peoples across the world, from Mesopotamia, Egypt, China, India, Mediterranean Europe to Mesoamerica. A case can be made that there may have been a civilization around the world far earlier than official estimates<sup>7</sup>, but we can only speak with any confidence on those cultures whose languages were recorded in a durable fashion, such as carved into stone, and since translated. Western civilization can be traced back to the Middle East.

The Sumerians of Mesopotamia represent the earliest known civilization and writing system. Their origin and ethnicity are unknown. Mesopotamia refers to the fertile lands between the Tigris and Euphrates rivers in the currently sand choked region of the Middle East now known as Iraq. The Sumerians established great city-states that would eventually be conquered by the Akkadians, a Semitic people from regions farther south on the Arabian Peninsula. The Sumerian culture, however, remained dominant and would prove exceedingly influential on our history. The Sumerians worshiped multiple gods, including a creator god, in a polytheistic religion typical of many early cultures.<sup>8</sup> They also left legends and poems which would form the basis of the Epic of Gilgamesh, a precursor to the Hebrew stories of Adam and Eve in the Garden of Eden and of Noah and the flood. These tales would later be expanded upon by an Assyrian king, and later yet rewritten to feature the Hebrew god, all referring to prehistoric events.<sup>9</sup>

The first known legal code came from a Sumerian leader named Urukagina, from around 2,350 B.C.E., though it was believed to have been reforms of existing laws. Urukagina's Code included death by stoning as a punishment for theft or adultery and the first known record of the concept of liberty.<sup>10</sup> Like so many laws that would follow, this code declared that the king was appointed by the gods. A few hundred years later, a more complex legal framework called Ur-Nammu's Code was developed by the Sumerian King of Ur around 2,050 B.C.E., which provided for judges, testimony under oath and punishments in proportion to crimes. Written in Cuneiform during a revival of Sumerian culture, the code would directly influence Babylonian laws to follow.<sup>11</sup> An upright stone slab (known as a Stele), dating to about 1790 B.C.E. has been found that featured the laws of the Babylonian King Hammurabi, known as Hammurabi's Code.

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Discovered in 1901, the Stele is now on display at the Louvre museum in Paris.<sup>12</sup> It includes a variety of laws related to theft and damages due to dishonesty or carelessness, protecting the rights of property (including slaves as property) and prohibitions against false imprisonment (the inherent contradiction there apparently escaping them).

While laws were developed around the world, western laws and governmental systems can be traced directly from these early examples to the Roman Republic and the Greek city-states of roughly 500 B.C.E. The harsh legal codes of a Greek citizen named Draco in 621 B.C.E. would form the first written laws of Greece and put the term “Draconian” into the English lexicon. Draco’s laws were more than strict, as most offenses were punishable by death. The laws that laid the foundation of western constitutional law and democracy came at roughly 500 B.C.E. when an Athenian named Solon worked to rewrite the laws of his Greek city-state in order to eliminate those injustices found in existing Draconian law, retaining the punishment of death only for the crime of murder. The Constitution of Solon<sup>13</sup> would also inspire a sort of bill of rights for the citizens of the neighboring Roman Republic.

Philosophy and logic as we know it emerged in Greece under the teachings of Socrates, born 469 B.C.E., who was known primarily through the writings of his students, particularly Plato. He is credited with the method of inquiry known now as the Socratic Method, a debate technique intended to encourage critical thinking, and for his ideas of ethics and justice. A proponent of conscience, Socrates was eventually tried by a jury and put to death by poison in 399 B.C.E., having been convicted of corrupting the minds of the young people of Athens and of not believing in the its gods.<sup>14</sup> Inspired by the Greeks, the Romans introduced a legal code called The Twelve Tables.<sup>15</sup> This came during the emergence of the Roman Republic, established in about 500 B.C.E., and provided for trial procedures, rights of property, the awarding of damages, punishment, parental rights, due process, the right to trial in capital cases, and prohibitions of a variety of acts, including ‘speaking false witness’, theft and murder.

The Roman Republic, which rose and fell before the advent of Christianity, established an advanced legal system with professional judges and lawyers in an era known as the Classical period of Roman law. Meanwhile, Greece’s Alexander the Great united an empire that drew together Greek, Egyptian and Persian law. The Greek, or Hellenic, cultural influence on Roman culture was substantial and Greek remained the common language

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throughout the Roman lands. All this then laid the foundation for western law as we know it today. The Roman Republic lasted about 500 years before transitioning into an Empire, its republican institutions substantially diminished, at about time of Jesus.

According to religious scholars, the commandments of the Hebrew god given to Moses and the people of Israel were believed to have occurred, based on historical references in the Bible, sometime between 1600 to 1300 B.C.E. They were not believed to be introduced to the world outside of Jewish society until after the advent of Christianity, beginning around 20 C.E. and, some argue, did not become prominent even in that faith until after the Protestant Reformation.<sup>16</sup> The story of Abraham leaving Ur to found a new nation in Canaan is dated to around 2000 B.C.E. or later. The Old Testament represented a collection of stories, a blend of historical record, parable and philosophy, many traceable to Sumer, Ur and Babylon in Mesopotamia.

The legal concepts in the old testament had its foundations, ultimately, in the Sumerian Civilization to which virtually all western law can trace its origins. The Ten Commandments are ancillary to western law. Reference to the justice of “an eye for an eye, tooth for a tooth” is first found in the Sumerian inspired Hammurabi’s Code, which would have already been in effect before Abraham’s departure from that culture. Also, like early Sumerian law, theft, murder and adultery were condemned in the Hebrew commandments as punishable offences. These ideas were not unique but were instead directly influenced by earlier legal thought. What was unique among western religions was the idea of a one and only god of monotheism.

It has been suggested that monotheism developed first in Egypt. It can be found in the ancient Egyptian civilization with the god Aten as promoted by the Pharaoh Akhenaten, who ruled at roughly the same time as Moses was supposed to have lived in Egypt. The Egyptians also thought humans, if judged positively on the actions of this life, would in death be met with punishment or join the divine and become eternal. However, any connection between Egyptian and Jewish monotheism is speculative. Other cultures also developed the idea of a superior or supreme deity which ruled over other gods, but it was the concept of a one and only god which would set the Jewish religion and its progeny apart.

By a couple of decades after the death of Jesus, his religious reforms began to spread into non-Jewish communities and then across the Roman Empire, facilitated by a common language and the mobility enabled by



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Roman roads. A wide range of religious beliefs and rituals, including multiple gods and the religions of conquered peoples, coexisted in the Roman Empire until the influx of Christianity changed the dynamic. What made Christianity different was that it required followers to renounce all other gods. This made non-Christians fear that other gods would be offended and bring harm to their lives and fortunes as a result. This led to widespread, violent mistreatment of Christians. By the end of the 3<sup>rd</sup> Century, Christians faced extensive persecution, forced to denounce their beliefs, flee or face horrifying methods of execution.

Seeing the persecution of Christians and perhaps the potential of this religion in political terms, Roman Emperors finally made moves to stop its oppression. First by Emperor Gaius Galerius in the Edict of Toleration in 311 C.E. and then in the Edict of Milan<sup>17</sup> presented by the Western Emperor Constantine and Eastern Emperor Licinius Augustus in 313 C.E., tolerance was granted to all religions, specifically directing protections for Christians. Numerous different interpretations of the scripture developed throughout this time, particularly about the nature of Jesus as human, God or something other.

A few decades into the 4<sup>th</sup> Century, a Christian convert named Constantine I, called together Christian Bishops from the Empire as the Council of Nicaea to consolidate the widely varying beliefs and practices of Christian churches into a single doctrine while separating out all that they considered heretical. The First Council of Nicaea in 325 C.E. presented a statement of belief and list of policies and revisions of canon law that would represent the official faith of the Roman Catholic Church. This did not end differences of opinions within the religion, as various sects with conflicting interpretations continued, but it blazed the path of the “one true faith” under the Roman Catholic Church for many centuries to come.

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“They will suffer... the punishment of our authority which in accordance with the will of Heaven we shall decide to inflict.”

- Edict of Thessalonica

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It was this version of Christianity which was declared by Emperor Theodosius I as the official religion of the Roman Empire fifty-five years later, leaving non-Christians to face punishment for not sharing the chosen faith. The tables had turned. Perhaps even more significant in the many

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centuries to follow, a doctrine of Christianity was established that would tolerate no deviation. A compilation of dictates by Christian Emperors since 312 C.E. was published throughout the Empire by 438 C.E. as the Edict of Thessalonica. Among the dictates:

Edict of Thessalonica, Emperor Theodosius, 380 C.E.:  
“According to the apostolic teaching and the doctrine of the Gospel, let us believe in the one deity of the Father, the Son and the Holy Spirit, in equal majesty and in a holy Trinity. We authorize the followers of this law to assume the title of Catholic Christians; but as for the others, since, in our judgment they are foolish madmen, we decree that they shall be branded with the ignominious name of heretics, and shall not presume to give to their conventicles the name of churches. They will suffer in the first place the chastisement of the divine condemnation and in the second the punishment of our authority which in accordance with the will of Heaven we shall decide to inflict.”<sup>18</sup>

Reflective of the changing religious perspective in the empire, the dictates asserted the privileges for holding the chosen faith and outlined punishments for dissenters. Roman law was conforming to canon law as it eagerly strove to take the opportunity of sinning away from dissenters, and failing that, taking their property or life.

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“It is necessary that the privileges which are bestowed for the cultivation of religion should be given only to followers of the Catholic faith.”  
- Constantine Augustus

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Constantine and Constans Augusti:

“It is decreed that in all places and all cities the temples should be closed at once, and after a general warning, the opportunity of sinning be taken from the wicked. We decree also that we shall cease from making sacrifices. And if anyone has committed such a crime, let him be stricken with the avenging sword. And we decree that the property of the one executed shall be claimed by the city, and that rulers of the provinces be punished in the same way, if they neglect to punish such crimes.”

Constantine Augustus:

“It is necessary that the privileges which are bestowed for the

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cultivation of religion should be given only to followers of the Catholic faith. We desire that heretics and schismatics be not only kept from these privileges but be subjected to various fines.”

Gratian, Valentinian, and Valens Augusti:

“The ability and right of making wills shall be taken from those who turn from Christians to pagans, and the testament of such an one, if he made any, shall be abrogated after his death.”

Valentinian and Valens Augusti:

“Whenever there is found a meeting of a mob of Manichaeans, let the leaders be punished with a heavy fine and let those who attended be known as infamous and dishonored, and be shut out from association with men, and let the house and the dwellings where the profane doctrine was taught be seized by the officers of the city.”<sup>19</sup>

Any semblance of religious liberty in the empire had come to an end. Our second President, John Adams, reflected on this freedom.

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“That wise and humane toleration which does so much honor to the Romans, and reflects disgrace on almost every Christian nation.” -  
President John Adams

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John Adams, *The Defence*, speaking of ancient Roman law, 1851: “In private, every family were free to worship the gods in their own way; and in public, though certain forms were required, yet there was not any penalty annexed to the omission of them, as the punishment of offences in this matter was left to the offended god.’ This, probably, was the source of that wise and humane toleration which does so much honor to the Romans, and reflects disgrace on almost every Christian nation.”<sup>20</sup>

The civil authority of the empire stepped fully into the role of enforcing church doctrine and eradicating heretical influences. Beginning in 528 Emperor Justinian collected and codify existing Roman law in his *Corpus Juris Civilis* (Code of Justinian), thoroughly incorporating Christianity and increasing the punishments for any who rejected the faith.<sup>21</sup> These legal codes and the canon law of the church became the basis of the legal system moving forward for much of Europe.

“We definitely state that it is not allowable for anyone to produce another faith.” - Third Council of Constantinople

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The nature of monotheism proved inherently amenable to the despotic aims of those then most inclined to leadership. Both the exclusionary nature of the doctrine and its inherent obligation toward the propagation of the faith made for an irresistible influence toward tyranny over the Roman Empire, Medieval Europe, and Muslim lands. When people believed in multiple gods, each asking different manners of reverence, a division of thought was common and generally acceptable. When, on the other hand, there was only one god and only one truth, the power of the religion became concentrated in whoever most successfully established themselves as the holders of that truth.

Third Council of Constantinople, 681 C.E.:

“So now that these points have been formulated by us with all precision in every respect and with all care, we definitely state that it is not allowable for anyone to produce another faith, that is, to write or to compose or to consider or to teach others; those who dare to compose another faith, or to support or to teach or to hand on another creed to those who wish to turn to knowledge of the truth, whether from Hellenism or Judaism or indeed from any heresy whatsoever, or to introduce novelty of speech, that is, invention of terms, so as to overturn what has now been defined by us, such persons, if they are bishops or clerics, are deprived of their episcopacy or clerical rank, and if they are monks or layfolk they are excommunicated.”<sup>22</sup>

To be excommunicated was to be condemned to hell. Along with eternal consequences, it also meant cutting one off from society and any civil rights. For the good of the people, and their eternal souls, dissention would not be tolerated.

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“Therefore all those who dare to think or teach anything different... that they be suspended if they are bishops or clerics, and excommunicated if they are monks or lay people.” - Second Council of Nicaea

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Second Council of Nicaea, 787 C.E.:

“The Lord has removed away from you the injustices of your enemies, you have been redeemed from the hand of your foes. The Lord the king is in your midst, you will never more see evil, and peace will be upon you for time eternal. Therefore all those who dare to think or teach anything different, or who follow the accursed heretics in rejecting ecclesiastical traditions, or who devise innovations, or who spurn anything entrusted to the church (whether it be the gospel or the figure of the cross or any example of representational art or any martyr’s holy relic), or who fabricate perverted and evil prejudices against cherishing any of the lawful traditions of the catholic church, or who secularize the sacred objects and saintly monasteries, we order that they be suspended if they are bishops or clerics, and excommunicated if they are monks or lay people.”<sup>23</sup>

As the Roman Empire declined in power, the Roman Catholic Church and feudalism rose, and darkness ensued. The era of Classical Antiquity, with all of the knowledge, thought and culture of the Greeks and Romans faded from memory, leaving a world where only the elite and well-connected had access to knowledge or any real degree of liberty. The books of Christianity were kept from the people. At the same time in neighboring lands, Muslim powers flourished and battles between the two continued. The early period of the Middle Ages in Europe was long known as the Dark Ages because of an apparent lack of published thought and literature, though many scholars today reject the attribution, pointing at cultural and intellectual activity that did continue. The true darkness came from centuries of war and persecution under the civil and ecclesiastical authorities, creating something far worse than just a slowdown in art and literature.

As the former Roman Empire was divided up by conflicting powers, the bloody and oppressive tendencies of the early church continued to emerge. Viciousness was praised when used to maintain control of the populous who were seen as sheep to be herded.

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“I glorify you for having maintained your authority by putting to death those wandering sheep who refused to enter the fold... A king need not fear to command massacres, when these will retain his subjects in obedience.” - Pope Nicholas I

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Pope Nicholas I in a letter to the King of Bulgaria in 860 C.E.:

“I glorify you for having maintained your authority by putting to death those wandering sheep who refused to enter the fold; and you not only have not sinned, by showing a holy rigour, but I even congratulate you on having opened the kingdom of heaven to the people submitted to your rule. A king need not fear to command massacres, when these will retain his subjects in obedience, or cause them to submit to the faith of Christ; and God will reward him in this world, and in eternal life, for these murders.”<sup>24</sup>

In these dark times, the remission of sins and entry into heaven, as offered below, must have even made certain death attractive. If the fight seemed just and in response to enemy aggression, that would surely only reinforce the religious rewards used to encourage it.

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“All who die... in battle against the pagans, shall have immediate remission of sins. This I grant them through the power of God with which I am invested.”- Pope Urban II

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Pope Urban II's address at the Council of Clermont, France, 1095: “[The Turks and Arabs] have killed and captured many and have destroyed the churches and devastated the empire. If you permit them to continue thus for awhile with impurity, the faithful of God will be much more widely attacked by them. On this account I, or rather the Lord, beseech you as Christ's heralds to publish this everywhere and to persuade all people of whatever rank, foot-soldiers and knights, poor and rich, to carry aid promptly to those Christians and to destroy that vile race from the lands of our friends. I say this to those who are present, it meant also for those who are absent. Moreover, Christ commands it. All who die by the way, whether by land or by sea, or in battle against the pagans, shall have immediate remission of sins. This I grant them through the power of God with which I am invested. O what a disgrace if such a despised and base race, which worships demons, should conquer a people which has the faith of omnipotent God and is made glorious with the name of Christ!”<sup>25</sup>

The vast, positive influence of Christianity in Europe grew in parallel as the ruling authority of the Roman Catholic Church also strove to assert its

supremacy over all civil powers, stretching tentacles into the treasuries and command structures of many kingdoms.

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“It is absolutely necessary for salvation that every human creature be subject to the Roman Pontiff.” – Pope Boniface VIII

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Pope Boniface VIII, Papal Bull Unam sanctam, 1302  
“Hence we must recognize the more clearly that spiritual power surpasses in dignity and in nobility any temporal power whatever, as spiritual things surpass the temporal. This we see very clearly also by the payment, benediction, and consecration of the tithes, but the acceptance of power itself and by the government even of things. For with truth as our witness, it belongs to spiritual power to establish the terrestrial power and to pass judgement if it has not been good. Thus is accomplished the prophecy of Jeremias concerning the Church and the ecclesiastical power: ‘Behold to-day I have placed you over nations, and over kingdoms’ and the rest... We declare, we proclaim, we define that it is absolutely necessary for salvation that every human creature be subject to the Roman Pontiff.”<sup>26</sup>

As the head of the Roman Catholic Church, the Pope presumed absolute authority over the true and proper faith of his subjects, working in concert with the civil rulers or, when opposing, toward their ruin. The application of civil and ecclesiastical dominion under the banner of Christianity provided authority to the good but also to the powerful and power hungry, justifying their deeds under godly pretense. Despite the better capacities of mankind and the positive and attractive philosophy of the Christian faith, oppressors and brutal despots gained the upper hand for most of the Christian era. Monotheism set the world aflame, and Christianity was its unlikely accelerant. In other lands, the Muslim version of monotheism took root, labeling opponents Infidels and working with equal relish to extinguish the embers of dissent.

This had nothing to do with Christianity itself, which persevered even in the darkest of times and gave rise to a great advancement of western civilization. It can be difficult to separate the corruptions and darker parts of history from their religion and faith, but criticism of the former is not meant as an attack on the latter.

## **Set the World in Flames**

Different teachings and sects existed throughout the history of Christianity and they were all seen as a threat to the authority and supremacy Roman Catholic Church. Attempts to suppress heresy, though, had less to do with truth or the teachings of Jesus than with power and submission: controlling the people by controlling speech, publication, thought and action. It labeled opposing ideas as heresy and a threat to the established order, often countered in the most brutal and tyrannical ways. Not all of Europe, nor all of the world, fell under the thumb of the Roman Catholic Church, but not for lack of ambition or effort.

The persecution of heretical depravity took an even darker turn in 1184 when Pope Lucius III defined heresy as treasonous and created an investigation to root it out, primarily in the south of France. Other Popes followed up with Papal Bulls further defining procedures for investigating and eliminating heresy. Along with various crusades, there were also numerous versions of inquisitions authorized by multiple popes, each one broader and crueller than the last. The Catholic Church turned into a totalitarian force, with the papacy doing everything it could to submit each nation to its rule.

Pope Innocent called the Fourth Lateran Council in an effort to establish the supremacy of the Papacy over the entire religion and secular authorities through a variety of canon laws. The declaration of heretics produced by this council also furthered a climate of terror, where the people were pressured to turn on each other to escape accusations against themselves.

Fourth Lateran Council, 1215, Constitutions, On Heretics: “We add further that each archbishop or bishop, either in person or through his archdeacon or through suitable honest persons, should visit twice or at least once in the year any parish of his in which heretics are said to live. There he should compel three or more men of good repute, or even if it seems expedient the whole neighbourhood, to swear that if anyone knows of heretics there or of any persons who hold secret conventicles or who differ in their life and habits from the normal way of living of the faithful, then he will take care to point them out to the bishop. The bishop himself should summon the accused to his presence, and they should be punished canonically if they are unable to clear themselves of the charge or if after compurgation they relapse into their former errors of faith.”<sup>27</sup>



In 1229, Pope Gregory IX established the Medieval Inquisition, which came to be used primarily in France and Italy. The use of torture was authorized by Pope Innocent IV in 1252 (the irony of his name clearly lost) and then in 1256 Pope Alexander IV gave inquisitors the authority to absolve each other of their deeds during inquisitions so that they could directly commit despicable acts without a risk to conscience or eternal punishment.<sup>28</sup> In 1478, Pope Sixtus IV authorized the Spanish monarchs to establish the Spanish Inquisition, which would spread to Africa, Asia and the Americas.

The Catholic monarchs of Spain used the inquisition against Muslim and Jewish influences and used it, inevitably, toward their own political ends. There was some common history between these religions but a common Judeo-Christian culture did not yet exist and their interactions were most often adversarial. The interrogations and punishments became ever darker. Torture was applied to elicit confessions and heretics who were convicted for a second offense or who failed to confess despite evidence of guilt were sentenced to burn at the stake at the hands of the secular authority. The added advantage was that the possessions of those convicted of serious heresy would be confiscated, allegedly to defer the cost of their prosecution. The Spanish Inquisition expanded in scope over the years and did not end until 1834, more than half a century after the declaration of American independence.<sup>29</sup>

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“Punishment... for the public good in order that others may become terrified.” - Inquisitor General Nicholas Eymerich

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The Roman Inquisition was established in the 16<sup>th</sup> Century by Pope Paul III in response to the growth of Protestantism. It extended, in time, as earlier Inquisitions had done, to widely aim at all manner of dissent, from heresy to witchcraft, blasphemy and immorality. Published for the Spanish Inquisition and again in Rome in 1578, a prominent manual for inquisitors described its purpose:

Directorium Inquisitorum, 1376 by Inquisitor General Nicholas Eymerich:

“Punishment does not take place primarily and per se for the correction and good of the person punished, but for the public

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good in order that others may become terrified and weaned away from the evils they would commit.”<sup>30</sup>

It was terrorism. Only a fraction of those investigated by the Inquisition were put to death, but that fraction was still enough to send untold thousands, or hundreds of thousands, to their graves and enough to keep the flock under control. Throughout much of their history, the inquisitors were able to “keep their hands clean” by turning the convicted heretic over to civil authorities for the infliction of the prescribed punishment. In time and under the direct authority of the Pope, the Inquisitors themselves became especially skilled in the application of torments. Methodologies were developed over time, including various detailed in instructional manuals.<sup>31</sup> Even when the Catholic Church outwardly prohibited the spilling of blood, the reality of the times was unequivocally brutal.

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“Among other works well pleasing to the Divine Majesty... that barbarous nations be overthrown and brought to the faith itself.”

- Pope Alexander VI

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The inquisitions also suppressed advancements in science and knowledge that diverged from the accepted faith, such as in the case of Galileo Galilei and his teachings about the Copernican Theory, that the earth revolved around the sun. Galileo was convicted of heresy by the Roman Inquisition. For a lenient sentence (house arrest), Galileo signed a statement denouncing the science described, professing belief and complete submission to church doctrine, and promising to also report any heretics he encountered to the Holy Office.<sup>32</sup> Along with bringing the inquisition in the Americas, the forcible conversion of natives was approved by the Catholic Church for some time.

Pope Alexander VI, The Bull *Inter Caetera*, May 4, 1493:

“Among other works well pleasing to the Divine Majesty and cherished of our heart, this assuredly ranks highest, that in our times especially the Catholic faith and the Christian religion be exalted and be everywhere increased and spread, that the health of souls be cared for and that barbarous nations be overthrown and brought to the faith itself.”<sup>33</sup>

“The king has every right to send his men... to demand their territory from these idolaters.” - Judge Martin Fernandez de Encisco

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This Papal Bull was used to justify war on any natives of the Americas who refused to convert to Christianity or to give up their land and wealth. A Spanish Judge in the Americas wrote in defense of these actions.

Judge Martin Fernandez de Encisco, 1509:

“The king has every right to send his men to the Indies to demand their territory from these idolaters because he had received it from the pope. If the Indians refuse, he may quite legally fight them, kill them and enslave them, just as Joshua enslaved the inhabitants of the country of Canaan.”<sup>31</sup>

There were differences in tone and substance, from one Pope to another. In a contradictory statement 28 years later, Pope Paul III declared American Indians should not be stolen from or enslaved. Unfortunately, this perspective seems to have been the exception in practice.

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“The said Indians... are by no means to be deprived of their liberty or the possession of their property, even though they be outside the faith of Jesus Christ.” - Pope Paul III

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Pope Paul III, Sublimus Dei, 1537:

“We, who, though unworthy, exercise on earth the power of our Lord and seek with all our might to bring those sheep of His flock who are outside into the fold committed to our charge, consider, however, that the Indians are truly men and that they are not only capable of understanding the Catholic Faith but, according to our information, they desire exceedingly to receive it. Desiring to provide ample remedy for these evils, We define and declare by these Our letters, or by any translation thereof signed by any notary public and sealed with the seal of any ecclesiastical dignitary, to which the same credit shall be given as to the originals, that, notwithstanding whatever may have been or may be said to the contrary, the said Indians and all other people who may later be discovered by Christians, are by no means to be deprived of their liberty or the possession of their property, even though they be

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outside the faith of Jesus Christ; and that they may and should, freely and legitimately, enjoy their liberty and the possession of their property; nor should they be in any way enslaved; should the contrary happen, it shall be null and have no effect.”<sup>35</sup>

The church also excelled at censorship. The printing press, coming in about 1440, facilitated the propagation of contrary ideas and led to the creation of a forbidden books list by the Catholic Church. Book burnings were conducted to stamp out opposing opinions and all manner of heretical thought. Another way the church maintained their control was to restrict the common people’s access to knowledge and history, especially the texts of the Bible, so that the church remained the sole authority. For this reason, these texts were printed in Latin, a language then unknown to most of Europe. This helped the Catholic Church secure its authority and its version of the truth. These texts were thought to be beyond the capacity of the common people to comprehend without their guidance.

Pope Gregory XVI, *Inter Praecipuas*, On Biblical Societies, 1844: “Among the special schemes with which non-Catholics plot against the adherents of Catholic truth to turn their minds away from the faith, the biblical societies are prominent. They were first established in England and have spread far and wide so that We now see them as an army on the march, conspiring to publish in great numbers copies of the books of divine Scripture.

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“Indeed, what is even more absurd and almost unheard of, they do not exclude the common people of the infidels from sharing this kind of a knowledge.” - Pope Gregory XVI

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“These are translated into all kinds of vernacular languages for dissemination without discrimination among both Christians and infidels. Then the biblical societies invite everyone to read them unguided. Therefore it is just as Jerome complained in his day: they make the art of understanding the Scriptures without a teacher ‘common to babbling old women and crazy old men and verbose sophists,’ and to anyone who can read, no matter what his status. Indeed, what is even more absurd and almost unheard of, they do not exclude the common people of the infidels from sharing this kind of a knowledge...

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“Moreover, regarding the translation of the Bible into the vernacular, even many centuries ago bishops in various places have at times had to exercise greater vigilance when they became aware that such translations were being read in secret gatherings or were being distributed by heretics. Innocent III issued warnings concerning the secret gatherings of laymen and women, under the pretext of piety, for the reading of Scripture in the diocese of Metz. There was also a special prohibition of Scripture translations promulgated either in Gaul a little later or in Spain before the sixteenth century. But later even more care was required when the Lutherans and Calvinists dared to oppose the changeless doctrine of the faith with an almost incredible variety of errors.

“They left no means untried to deceive the faithful with perverse explanations of the sacred books, which were published by their adherents with new interpretations in the vernacular. They were aided in multiplying copies and quickly spreading them by the newly invented art of printing. Therefore in the rules written by the fathers chosen by the Council of Trent, approved by Pius IV and placed in the Index of forbidden books, we read the statute declaring that vernacular Bibles are forbidden except to those for whom it is judged that the reading will contribute ‘to the increase of faith and piety.’ Because of the continued deceptions of heretics, this rule was further restricted and supplemented by a declaration of Benedict XIV: for the future the only vernacular translations which may be read are those which ‘are approved by the Apostolic See’ or at least were published ‘with annotations taken from the holy Fathers of the Church, or from learned and Catholic authors.’”<sup>36</sup>

A change in thought began to emerge in England regarding the rights of citizens and their capacity for self-rule. Reforms came with the adoption of the Magna Carta in 1215, which introduced the supremacy of the rule of law over kings and the establishment of individual liberties and immunities of free citizens.<sup>37</sup> The use of unfathomably brutal methods of punishment and execution, though, continued for hundreds of years to come. While the use of torture to attain information was technically illegal in England during this period, no restrictions were noted to the methods of punishment and execution.<sup>38</sup> This meager attempt to secure the rights of the people, however, was met with condemnation by king and pope. These

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rights were in direct opposition of church doctrine. Pope Innocent III issued a papal bull to annul the Magna Carta, which he said was forced on King John “by such violence and fear as might affect the most courageous of men,” in a document the pope called “illegal, unjust, harmful to royal rights and shameful to the English people.”<sup>39</sup> The Magna Carta was reissued many years later.

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“The chain of authority was broken, which restrains the bigot from thinking as he pleases, and the slave from speaking as he thinks.”

- David Gibbon

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Though the Catholic Church long enjoyed the ability to determine the “correct” doctrine and declare heresy, the same claims in time would be made by other leaders of the reformation, each convinced that theirs was the one true faith. Opposing sects had always existed but the church was able to put them down through various murderous campaigns and tyrannies. But, after more than a thousand years of dominion over Christian thought and belief, the religion became irreparably splintered. The efforts of religious reformers Martin Luther, John Calvin and others established the Protestant branch of Christianity in the 1500’s, rejecting much of the doctrine and structure established by the Catholic Church, while continuing the practice of violent intolerance. Historian David Gibbon, whose massive work on Roman history is still admired today.

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“Each Christian was taught to acknowledge no law but the scriptures, no interpreter but his own conscience.” - David Gibbon

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David Gibbon, “The Decline and Fall of the Roman Empire”:  
“The chain of authority was broken, which restrains the bigot from thinking as he pleases, and the slave from speaking as he thinks; the popes, fathers, and councils were no longer the supreme and infallible judges of the world, and each Christian was taught to acknowledge no law but the scriptures, no interpreter but his own conscience. This freedom, however, was the consequence, rather than the design, of the Reformation. The patriot reformers were ambitious of succeeding the tyrants whom they had dethroned.

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They imposed with equal rigour their creeds and confessions; they asserted the right of the magistrate to punish heretics with death...

“The nature of the tiger was the same, but he was gradually deprived of his teeth and fangs... Since the days of Luther and Calvin, a secrete reformation has been silently working in the bosom of the reformed churches; many weeds of prejudice were eradicated; and the disciples of Erasmus<sup>40</sup> diffused a spirit of freedom and moderation. The liberty of conscience has been claimed a common benefit, an inalienable right... I am sorry to observe that the three writers of the last age, by whom the rights of toleration have been so nobly defended, Bayle, Leibnitz, and Locke, are all laymen and philosophers.”<sup>41</sup>

While Northern Europe was dominated by reformed versions of the faith, Southern Europe remained mostly Catholic, leading to religious wars that would rage for more than a hundred years. Meanwhile, religious leaders on both sides saw the common people as being incapable of thinking for themselves. In 1521 the German reformer Martin Luther was condemned as a heretic by the Pope.

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“...should not deceive the multitude of the simple by their lives and their deceitful devices.” - Pope Leo X

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Pope Leo X, Papal Bull on Martin Luther, Jan. 3, 1521:

“Through the power given him from God, the Roman Pontiff has been appointed to administer spiritual and temporal punishments as each case severally deserves. The purpose of this is the repression of the wicked designs of misguided men, who have been so captivated by the debased impulse of their evil purposes as to forget the fear of the Lord, to set aside with contempt canonical decrees and apostolic commandments, and to dare to formulate new and false dogmas and to introduce the evil of schism into the Church of God—or to support, help and adhere to such schismatics, who make it their business to cleave asunder the seamless robe of our Redeemer and the unity of the orthodox faith.

“Hence it befits the Pontiff, lest the vessel of Peter appear to sail without pilot or oarsman, to take severe measures against such men and their followers, and by multiplying punitive measures and by

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other suitable remedies to see to it that these same overbearing men, devoted as they are to purposes of evil, along with their adherents, should not deceive the multitude of the simple by their lives and their deceitful devices, nor drag them along to share their own error and ruination, contaminating them with what amounts to a contagious disease...

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“We would protect the herd from one infectious animal, lest its infection spread to the healthy ones.” - Pope Leo X

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“We prescribe and enjoin that the men in question are everywhere to be denounced publicly as excommunicated, accursed, condemned, interdicted, deprived of possessions and incapable of owning them. They are to be strictly shunned by all faithful Christians.... We would make known to all the small store that Martin, his followers and the other rebels have set on God and his Church by their obstinate and shameless temerity. We would protect the herd from one infectious animal, lest its infection spread to the healthy ones.”<sup>42</sup>

While the German theologian Martin Luther was credited with initiating the Protestant Reformation, he did not differ from the previous establishment in denouncing liberty and the reliance on human reason to discover knowledge. His anti-Semitism and elitism were prevalent in his works.

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“Faith must trample underfoot all reason, sense, and understanding.”  
- Martin Luther

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Martin Luther, Table Talk:

“For reason is the greatest enemy that faith has; it never comes to the aid of spiritual things, but - more frequently than not - struggles against the divine Word, treating with contempt all that emanates from God.”<sup>43</sup>

Martin Luther, “Works”, Vol. 12:

“There is on earth among all dangers no more dangerous thing than a richly endowed and adroit reason, especially if she enters into



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spiritual matters which concern the soul and God... For it is more possible to teach an ass to read than to blind such a reason and lead it right; for reason must be deluded, blinded, and destroyed. Faith must trample underfoot all reason, sense, and understanding, and whatever it sees must be put out of sight and... know nothing but the word of God.”<sup>44</sup>

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“This fool wishes to reverse the entire science of astronomy.” – Martin Luther

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Martin Luther’s Last Sermon in Wittenberg:

“But the devil’s bride, reason, the pretty whore comes in and thinks she is wise, and what she says, what she thinks, is from the Holy Spirit. Who can help us then? Not jurist, physician, nor king, nor emperor, for she is the Devil’s greatest whore.”<sup>45</sup>

Martin Luther, 1539:

“People gave ear to an upstart astrologer [Copernicus] who strove to show that the earth revolves, not the heavens or the firmament, the sun and the moon.... This fool wishes to reverse the entire science of astronomy; but sacred scripture tells us that Joshua commanded the sun to stand still, and not the earth.”<sup>46</sup>

Though considered by many at the time to be responsible for the peasant uprising, Luther stood with their oppressors, placing obedience of the people to the established authority above all else. In his pamphlet “Against the Heavenly Prophets” Luther said that the penalties of sword and law restrained the people from error and to obedience in the same way that “wild beasts are held in check by chains and bars, in order that outward peace may prevail among the people; for this purpose the temporal authorities are ordained, and it is God’s will that they be honoured and feared.”<sup>47</sup> In the beginning oppression under the direction of Luther was little different to that which preceded the Reformation.

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“Just as one must slay a mad dog, so, if you do not fight the rebels, they will fight you, and the whole country with you.” – Martin Luther

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## *Tyranny of the Mind*

Martin Luther, "Against the Peasants", 1525:

"It is right and lawful to slay at the first opportunity a rebellious person, who is known as such, for he is already under God's and the emperor's ban. Every man is at once judge and executioner of a public rebel; just as, when a fire starts, he who can extinguish it first is the best fellow. Rebellion is not simply vile murder, but is like a great fire that kindles and devastates a country; it fills the land with murder and bloodshed, makes widows and orphans, and destroys everything, like the greatest calamity. Therefore, whosoever can, should smite, strangle, and stab, secretly or publicly, and should remember that there is nothing more poisonous, pernicious, and devilish than a rebellious man. Just as one must slay a mad dog, so, if you do not fight the rebels, they will fight you, and the whole country with you."<sup>18</sup>

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"We condemn, reprobate, and reject completely each of these theses or errors as... offensive to pious ears or seductive of simple minds."

- Pope Leo X

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Pope Leo X published a list of errors supported by Martin Luther, condemning them, and at the same time revisiting the belief that the common people were simple and easily seduced by errors. They believed the greatest virtue was obedience.

Pope Leo X, *Exsurge Domine*, 1520:

"No one of sound mind is ignorant how destructive, pernicious, scandalous, and seductive to pious and simple minds these various errors are, how opposed they are to all charity and reverence for the holy Roman Church who is the mother of all the faithful and teacher of the faith; how destructive they are of the vigor of ecclesiastical discipline, namely obedience. This virtue is the font and origin of all virtues and without it anyone is readily convicted of being unfaithful... We condemn, reprobate, and reject completely each of these theses or errors as either heretical, scandalous, false, offensive to pious ears or seductive of simple minds, and against Catholic truth."<sup>19</sup>

Religious reformer John Calvin of France, though also breaking from the Catholic Church and further spurring the Christian Reformation, expressed distrust in the individual intelligence. He also believed that the

fear of God was required for morality, a perspective that would continue to be common to the Christian traditions of Europe and America.

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“For without the fear of God, men preserve no equity and love among themselves.” - John Calvin

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John Calvin, *Calvin’s New Testament Commentaries: A Harmony of the Gospels*:

“That in order to our being properly qualified for becoming his disciples, we must lay aside all confidence in our own abilities, and seek light from heaven; and, abandoning the foolish opinion of free-will, must give ourselves up to be governed by God. Nor is it without reason that Paul bids men become fools, that they may be wise to God, (1 Corinthians 3:18;) for no darkness is more dangerous for quenching the light of the Spirit than reliance on our own sagacity [intelligence].”<sup>50</sup>

John Calvin, *The Institutes of the Christian Religion*, 1536:

“It is in vain, therefore, to boast of righteousness without religion; as well might the trunk of a body be exhibited as a beautiful object, after the head has been cut off. Nor is religion only the head of righteousness, but the very soul of it, constituting all its life and vigour; for without the fear of God, men preserve no equity and love among themselves.”<sup>51</sup>

These leaders were still willing to extinguish the lives of those who disagreed with their version of the truth. Despite an earlier work in favor of tolerance<sup>52</sup>, Martin Luther also called for the extermination of heretics. While he acknowledged a freedom to believe as one chooses, Luther strongly opposed freedom of speech and religious expression, as these might lead others to heresy. Though the Catholic Church had for so many centuries kept down opposing Christian sects and ideologies by war, inquisition and sometimes massacres<sup>53</sup>, it found the Reformation and, eventually, the Enlightenment, beyond its ability to suppress.

King Henry VIII left the Catholic Church and established the Church of England in 1534 with himself at its head, burning as heretics any who professed opposing doctrines. He was the first of Europe’s leaders to break from the Catholic Church, though his motives were bound in his desire to escape an undesirable marriage which the church refused to annul. Over

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Henry's reign the numbers of men, women and children executed has been estimated in the tens of thousands, with countless others tortured. After Henry's death, his son Edward would make the Church of England a Protestant institution, as opposed to the independent church his father established, but he and his reign were short-lived.

His older sister Mary took power and returned the country to the Catholic faith. Known to history as Bloody Mary, she married King Phillip II of Spain, a country well embroiled in the Inquisition. She sent hundreds of men, women and children to the flames for the crime of not being sufficiently Catholic, often in mass burnings that spread the aroma of searing flesh for miles around. It was a deliberate and torturous death, but the pain inflicted prior to burning was often even more hideous. Mary killed all of the top Protestant Bishops and a long list of others who contradicted her faith or threatened her rule.<sup>54</sup> Only later, under the rule of her sister Queen Elisabeth, did England begin to put that religious motivated violence behind them.

While the Reformation led to alternative interpretations of Christianity and even to reforms within the Catholic Church, it led also to violent conflict across the continent between the newly divided factions, darkly enhancing an already brutal landscape. Peace finally came in the middle of the 1600s and, as a result, Catholicism, Lutheranism and Calvinism were identified as religions available for leaders to declare as their State religion. Christians were also granted the right to practice these religions even if it was not the religion of their State. For large parts of Europe, freedom of religion was established, though only within the primary Christian faiths. Pope Innocent X opposed the agreement and refused to acknowledge it, as it greatly reduced his financial base and domain of control.

Despite the splitting of authority, the appetite for the blood of people holding differing beliefs remained insatiable; fueled by the intoxication of power on the one hand and religious fervor on the other. Though the Roman Church continued to battle the Protestant heresy, it also pointed its investigations at witchcraft. Witch trials that originated in France in the 14<sup>th</sup> Century would continue well into the 18<sup>th</sup>, killing tens of thousands, if not more, for some manner of imagined sorcery. As with the Inquisition, the point was terror and control.

The Catholic Church denied the existence of witchcraft until the early 1300s, then influenced in part by the widespread death from the Black Plague. In the following centuries, Christian leaders and followers imagined

all manner of evil infesting everyday life, again, like a contagion to which people might unwittingly fall prey. Even as the Catholic Church lost its singular dominion over Christianity, the totalitarian nature of the religion's leaders continued. The thoughts, beliefs and practices of the people in Europe were strictly monitored and controlled, with the notion of tolerance truly unimaginable. Souls were at stake.

James Howell, Historiographer Royal to King Charles II, 1646:  
“We have multitudes of witches among us; for in Essex and Suffolk there were above two hundred indicted within these two years; and above the half of them executed.... I speak it with horror! God guard us from the Devil! For I think he was never so busy upon any part of the earth that was lightened by the beams of Christianity.”<sup>55</sup>

Under the law of the time, those convicted of heresy and who refused to recant would be burned at the stake by the secular authority. Hundreds were simultaneously burned in public executions.<sup>56</sup> The hysteria over any hint of heresy, demons or witchcraft was like adding an accelerant to fire. In time, though, the religion would shed its atrocities and corruptions.

## **Emerging from History**

Humanity's advancement toward liberty was painfully slow. England led the charge by limiting the power of the King. Their Glorious Revolution of 1688 led to the ouster of King James II and the passage into law of the English Bill of Rights in 1689, which created a Constitutional Monarchy. Under this structure, the power of the monarch was limited and the authority of Parliament was elevated. Despite the history of bloodshed, the morality that persisted at the heart of Christianity had a profound effect on the west, especially our nation's founders. Many extracted a benevolent morality from the religious texts, while rejecting much of what made Christianity, in the words of President John Adams, quoted farther below, “the most bloody religion that ever existed.”<sup>57</sup> Adams described the tyranny of the previous millennia and the need to restrain the powers of leadership.

President John Adams, *Dissertation on the Canon and Feudal Law* in 1763:

“Since the promulgation of Christianity, the two greatest systems of tyranny that have sprung from this original are the canon and the feudal law. The desire of dominion, that great principle by which we have attempted to account for so much good and so much evil, is, when properly restrained, a very useful and noble movement in

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the human mind. But when such restraints are taken off, it becomes an encroaching, grasping, restless, and ungovernable power.

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“They even persuaded mankind to believe, faithfully and undoubtingly, that God Almighty had entrusted them with the keys of heaven” - President John Adams

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“Numberless have been the systems of iniquity contrived by the great for the gratification of this passion in themselves; but in none of them were they ever more successful than in the invention and establishment of the canon and the feudal law.

“By the former of these, the most refined, sublime, extensive, and astonishing constitution of policy that ever was conceived by the mind of man was framed by the Romish clergy for the aggrandizement of their own order. All the epithets I have here given to the Romish policy are just, and will be allowed to be so when it is considered, that they even persuaded mankind to believe, faithfully and undoubtingly, that God Almighty had entrusted them with the keys of heaven, whose gates they might open and close at pleasure; with a power of dispensation over all the rules and obligations of morality; with authority to license all sorts of sins and crimes; with a power of deposing princes and absolving subjects from allegiance;

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“All these opinions they were enabled to spread... by reducing their minds to a state of sordid ignorance and staring timidity, and by infusing into them a religious horror of letters and knowledge.” - President John Adams

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“with a power of procuring or withholding the rain of heaven and the beams of the sun; with the management of earthquakes, pestilence, and famine; nay, with the mysterious, awful, incomprehensible power of creating out of bread and wine the flesh and blood of God himself. All these opinions they were enabled to spread and rivet among the people by reducing their minds to a state of sordid ignorance and staring timidity, and by infusing into them a religious horror of letters and knowledge. Thus was human

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nature chained fast for ages in a cruel, shameful, and deplorable servitude to him, and his subordinate tyrants, who, it was foretold, would exalt himself above all that was called God, and that was worshipped.

“In the latter we find another system, similar in many respects to the former; which, although it was originally formed, perhaps, for the necessary defence of a barbarous people against the inroads and invasions of her neighboring nations, yet for the same purposes of tyranny, cruelty, and lust, which had dictated the canon law, it was soon adopted by almost all the princes of Europe, and wrought into the constitutions of their government. It was originally a code of laws for a vast army in a perpetual encampment. The general was invested with the sovereign propriety of all the lands within the territory. Of him, as his servants and vassals, the first rank of his great officers held the lands; and in the same manner the other subordinate officers held of them; and all ranks and degrees held their lands by a variety of duties and services, all tending to bind the chains the faster on every order of mankind.

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“Liberty, and with her, knowledge and virtue too, seem to have deserted the earth, and one age of darkness succeeded another.” – President John Adams

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“In this manner the common people were held together in herds and clans in a state of servile dependence on their lords, bound, even by the tenure of their lands, to follow them, whenever they commanded, to their wars, and in a state of total ignorance of every thing divine and human, excepting the use of arms and the culture of their lands. But another event still more calamitous to human liberty, was a wicked confederacy between the two systems of tyranny above described. It seems to have been even stipulated between them, that the temporal grandees should contribute every thing in their power to maintain the ascendancy of the priesthood, and that the spiritual grandees in their turn, should employ their ascendancy over the consciences of the people, in impressing on their minds a blind, implicit obedience to civil magistracy.

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“Thus, as long as this confederacy lasted, and the people were held in ignorance, liberty, and with her, knowledge and virtue too, seem to have deserted the earth, and one age of darkness succeeded another, till God in his benign providence raised up the champions who began and conducted the Reformation. From the time of the Reformation to the first settlement of America, knowledge gradually spread in Europe, but especially in England; and in proportion as that increased and spread among the people, ecclesiastical and civil tyranny, which I use as synonymous expressions for the canon and feudal laws, seem to have lost their strength and weight.

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“The struggle between the people and the confederacy aforesaid of temporal and spiritual tyranny... It was this great struggle that peopled America.” – President John Adams

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“The people grew more and more sensible of the wrong that was done them by these systems, more and more impatient under it, and determined at all hazards to rid themselves of it; till at last, under the execrable race of the Stuarts, the struggle between the people and the confederacy aforesaid of temporal and spiritual tyranny, became formidable, violent, and bloody. It was this great struggle that peopled America. It was not religion alone, as is commonly supposed; but it was a love of universal liberty, and a hatred, a dread, a horror, of the infernal confederacy before described, that projected, conducted, and accomplished the settlement of America.”<sup>58</sup>

Still, the religious violence of Europe did spread to the New World, most famously in the Salem Witch Trials, where one man was pressed to death in 1692 after refusing to enter a plea and dozens of others were hung or died in prison. That year a special court was established to judge cases of witchcraft. The methods of investigating and prosecuting witchcraft developed in England were employed in the Colonies, though on a much smaller scale.



“To deny the possibility, nay, actual existence of witchcraft and sorcery is at once flatly to contradict the revealed Word of God.”

- Sir William Blackstone

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William Poole, Librarian of the Chicago Public Library:

“The New-England colonists had no views concerning witchcraft and diabolical agency which they did not bring with them from the Old World. The prosecutions in England were never carried on with a blinder zeal and more fatal results than during the first twenty years after Governor Winthrop and his company landed in Boston.”<sup>59</sup>

Sir William Blackstone, English Judge, Commentaries on the Laws of England, 1753:

“To deny the possibility, nay, actual existence of witchcraft and sorcery is at once flatly to contradict the revealed Word of God in various passages in both the Old and New Testament; and the thing itself is a truth borne testimony, either by examples seemingly well attested, or by prohibitory laws, which at least suppose the possibility of commerce with evil spirits.”<sup>60</sup>

Thus, religious tyranny continued in the New World even in the time of change and social advancement, just as other forms of tyranny also survived. Even under the authoritarian rule of church and state, a core of morality and an innate desire to learn, reason and create emerged. The Renaissance led to a rediscovery of Classical culture and a creative awakening, both supported and restricted by the church. The stage was then set by the scientific revolution of the 17<sup>th</sup> Century for the emergence of the Enlightenment. Along with the underlying nature of Christianity, the Enlightenment was the most direct and easily demonstrated antecedent to the ideals identified with our American Republic and expressed in our founding documents.

It was a movement in which reason and individual intelligence, liberty, republicanism, democracy and religious tolerance were embraced. Religion and heresy were subjected to reason. The Enlightenment was a driving force of western philosophy, as well as intellectual, scientific and cultural life. The movement broke from the idea that kings had a divine right to rule and the traditional collusion of the church and civil authority, suggesting instead that rulers gained their authority from the consent of the

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governed and that individuals were capable of making their own religious decisions without the need of civil enforcement.

No longer did the common man accept without question the authority of his religious or civil leaders. The Enlightenment was in distinct contrast to established religious and feudal traditions. It was daylight to a world too long darkened by dogma and oppression. It promoted freedom and reason, engaging fervently in the critical questioning of some traditional institutions, customs and principles, while often retaining a belief in Christianity which remained at the center of western culture. There was a rational reassessment of the world, relying on the accumulated knowledge of the past, long suppressed, and a belief in the value of every individual. Just as Christianity was reborn through the reformation, the capacity of mankind was renewed and rekindled in the Enlightenment.

It included the belief that humans were both equal by nature and equally capable of enlightenment. The movement saw humanity moving from superstition to reason and from slavery to freedom, believing the individual could seek knowledge independently, rather than being told what to think by the established authorities. To the idea of logic embraced by the Greeks, the Enlightenment added a depth of reason, common sense and observation, entwined with the morality of natural law and Christianity. They imagined the individual was responsible for his own fate and fortune and drew on the philosophers and systems of the past to inform their conclusions about the manner of government most likely to be successful and practical.

While the horror of the French Revolution also came from the Enlightenment, the English and American movements furthered the advancement of mankind, the former being more atheistic while the latter embraced belief in God. Enlightenment thinkers often replaced the belief in revealed religion and the supernatural with a deist view of a god: a being one could infer through the logical construction of the world, though Christianity was still embraced. Enlightenment thinkers shared a belief that the universe was accessible to human reason, even if never entirely understood by it, and that humans were capable of ruling themselves.

They supported tolerance but these men were a product of their time and many, including the influential John Locke, believed in liberty and tolerance only to a point, excluding Catholics and atheists, for instance. A belief in divine providence also persisted among many, including our founders, harkening back to the justifications of previous eras.

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Nonetheless, the progress of liberty during the Enlightenment was substantial. John Locke, an English philosopher and physician, was perhaps the single most influential mind among the Enlightenment thinkers affecting our founders and the establishment of our nation. He was referred to by them often. Locke believed in government by the consent of the governed, separation of civil and ecclesiastical powers and that governments should be limited.

John Locke, *Second Treatise on Government*, 1690:

“The beginning of politic society depends upon the consent of the individuals to join into and make one society, who, when they are thus incorporated, might set up what form of government they thought fit.”<sup>61</sup>

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“The end of law is not to abolish or restrain, but to preserve and enlarge freedom.” – John Locke

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John Locke, *Second Treatise on Government*, 1690:

“For law, in its true notion, is not so much the limitation as the direction of a free and intelligent agent to his proper interest, and prescribes no farther than is for the general good of those under that law: could they be happier without it, the law, as an useless thing, would of itself vanish; and that ill deserves the name of confinement which hedges us in only from bogs and precipices. So that, however it may be mistaken, the end of law is not to abolish or restrain, but to preserve and enlarge freedom.”<sup>62</sup>

John Locke, ‘*A Letter Concerning Toleration*’, 1689:

“Now that the whole jurisdiction of the magistrate reaches only to these civil concerns, and that all civil power, right and dominion, is bounded and confined to the only care of promoting these things; and that it neither can nor ought in any manner to be extended to the salvation of souls, these following considerations seem unto me abundantly to demonstrate.

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“No man can so far abandon the care of his own salvation as blindly to leave to the choice of any other.” – John Locke

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“First, because the care of souls is not committed to the civil magistrate, any more than to other men. It is not committed unto him, I say, by God; because it appears not that God has ever given any such authority to one man over another as to compel anyone to his religion. Nor can any such power be vested in the magistrate by the consent of the people, because no man can so far abandon the care of his own salvation as blindly to leave to the choice of any other, whether prince or subject, to prescribe to him what faith or worship he shall embrace. For no man can, if he would, conform his faith to the dictates of another...

“And further, things never so indifferent in their own nature, when they are brought into the Church and worship of God, are removed out of the reach of the magistrate's jurisdiction, because in that use they have no connection at all with civil affairs. The only business of the Church is the salvation of souls, and it no way concerns the commonwealth, or any member of it, that this or the other ceremony be there made use of. Neither the use nor the omission of any ceremonies in those religious assemblies does either advantage or prejudice the life, liberty, or estate of any man.”<sup>63</sup>

Other Enlightenment thinkers also greatly influenced our nation's founders and the remarkable turn of civilization that culminated in our American Republic, as I often refer to the United States of America. The idea of the social contract was a key concept.

**Jean-Jacques Rousseau: The Social Contract 1762:**

“We must grant, therefore, that force does not constitute right, and that obedience is only due to legitimate powers... What man loses by the social contract is his natural liberty and an unlimited right to everything he tries to get and succeeds in getting; what he gains is civil liberty and the proprietorship of all he possesses. If we are to avoid mistake in weighing one against the other, we must clearly distinguish natural liberty, which is bounded only by the strength of the individual, from civil liberty, which is limited by the general will; and possession, which is merely the effect of force or the right of the first occupier, from property, which can be founded only on a positive title... We might, over and above all this, add, to what man acquires in the civil state, moral liberty, which alone makes him truly master of himself; for the mere impulse of appetite is slavery,

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while obedience to a law which we prescribe to ourselves is liberty.”<sup>64</sup>

Europe was changing into an era where many of the chains of established authorities were loosened and, in some cases, broken. To the Roman Church, liberty of conscience, religious expression, speech, press, and reason, were foolish errors that undermined its authority and influence, and that of the civil leaders with which they were in league. To trust one’s own reason above the established authority, or to have a direct connection to God without their guidance, was an outrageous arrogance. The dictates of Popes below provide a glimpse into the church’s view on the ideals central to the Enlightenment and our American Republic. In their minds, rejecting establishment was equivalent to rejecting all civil and divine authority.

Encyclical of Pope Pius VI, Sec. 7, December 25, 1775:

“When they have spread this darkness abroad and torn religion out of men’s hearts, these accursed philosophers proceed to destroy the bonds of union among men, both those which unite them to their rulers, and those which urge them to their duty.

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“That society accordingly is a crowd of foolish men who stupidly yield to priests who deceive them and to kings who oppress them”  
- Pius VI

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“They keep proclaiming that man is born free and subject to no one, that society accordingly is a crowd of foolish men who stupidly yield to priests who deceive them and to kings who oppress them, so that the harmony of priest and ruler is only a monstrous conspiracy against the innate liberty of man. Everyone must understand that such ravings and others like them, concealed in many deceitful guises, cause greater ruin to public calm the longer their impious originators are unrestrained. They cause a serious loss of souls redeemed by Christ’s blood wherever their teaching spreads, like a cancer; it forces its way into public academies, into the houses of the great, into the palaces of kings, and even enters the sanctuary, shocking as it is to say so.”<sup>65</sup>

As the 18<sup>th</sup> century turned into the 19<sup>th</sup>, the Catholic Church played a different role, not only having to share power and influence with Protestant

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branches of the faith, but facing a new nation that forbade any religious establishment at all, something unheard of in the Christian world. The encyclical below addresses the view of the church with respect to liberty and obedience to authorities.

### Encyclical of Pope Gregory XVI, August 15, 1832:

“5. Our Roman See is harassed violently and the bonds of unity are daily loosened and severed. The divine authority of the Church is opposed and her rights shorn off. She is subjected to human reason and with the greatest injustice exposed to the hatred of the people and reduced to vile servitude. The obedience due bishops is denied and their rights are trampled underfoot. Furthermore, academies and schools resound with new, monstrous opinions, which openly attack the Catholic faith; this horrible and nefarious war is openly and even publicly waged.

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“The restraints of religion are thrown off, by which alone kingdoms stand.”  
- Pope Gregory XVI

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“Thus, by institutions and by the example of teachers, the minds of the youth are corrupted and a tremendous blow is dealt to religion and the perversion of morals is spread. So the restraints of religion are thrown off, by which alone kingdoms stand. We see the destruction of public order, the fall of principalities, and the overturning of all legitimate power approaching...

The church specifically targeted religious liberty and freedom of speech.

“13. Now We consider another abundant source of the evils with which the Church is afflicted at present: indifferentism. This perverse opinion is spread on all sides by the fraud of the wicked who claim that it is possible to obtain the eternal salvation of the soul by the profession of any kind of religion, as long as morality is maintained... ‘without a doubt, they will perish forever, unless they hold the Catholic faith whole and inviolate...’

“Experience shows, even from earliest times, that cities renowned for wealth, dominion, and glory perished as a result of this single evil, namely immoderate freedom of opinion.” - Pope Gregory XVI

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“14. This shameful font of indifferentism gives rise to that absurd and erroneous proposition which claims that liberty of conscience must be maintained for everyone. It spreads ruin in sacred and civil affairs, though some repeat over and over again with the greatest impudence that some advantage accrues to religion from it. ‘But the death of the soul is worse than freedom of error,’ as Augustine was wont to say. When all restraints are removed by which men are kept on the narrow path of truth, their nature, which is already inclined to evil, propels them to ruin. Then truly ‘the bottomless pit’ is open from which John saw smoke ascending which obscured the sun, and out of which locusts flew forth to devastate the earth. Thence comes transformation of minds, corruption of youths, contempt of sacred things and holy laws – in other words, a pestilence more deadly to the state than any other. Experience shows, even from earliest times, that cities renowned for wealth, dominion, and glory perished as a result of this single evil, namely immoderate freedom of opinion, license of free speech, and desire for novelty.

The censorship of books was justified as a way to protect the people from error. They also rejected the argument that bad speech can best be countered by more speech.

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“That harmful and never sufficiently denounced freedom to publish any writings whatever and disseminate them to the people.” - Pope Gregory XVI

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“15. Here We must include that harmful and never sufficiently denounced freedom to publish any writings whatever and disseminate them to the people, which some dare to demand and promote with so great a clamor. We are horrified to see what monstrous doctrines and prodigious errors are disseminated far and wide in countless books, pamphlets, and other writings which,

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though small in weight, are very great in malice. We are in tears at the abuse which proceeds from them over the face of the earth. Some are so carried away that they contentiously assert that the flock of errors arising from them is sufficiently compensated by the publication of some book which defends religion and truth. Every law condemns deliberately doing evil simply because there is some hope that good may result. Is there any sane man who would say poison ought to be distributed, sold publicly, stored, and even drunk because some antidote is available and those who use it may be snatched from death again and again?

“16. The Church has always taken action to destroy the plague of bad books. This was true even in apostolic times for we read that the apostles themselves burned a large number of books...

“‘We must fight valiantly,’ Clement XIII says in an encyclical letter about the banning of bad books, ‘as much as the matter itself demands and must exterminate the deadly poison of so many books; for never will the material for error be withdrawn, unless the criminal sources of depravity perish in flames.’ Thus it is evident that this Holy See has always striven, throughout the ages, to condemn and to remove suspect and harmful books. The teaching of those who reject the censure of books as too heavy and onerous a burden causes immense harm to the Catholic people and to this See. They are even so depraved as to affirm that it is contrary to the principles of law, and they deny the Church the right to decree and to maintain it.

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“Those who, consumed with the unbridled lust for freedom, are entirely devoted to impairing and destroying all rights of dominion.” - Pope Gregory XVI

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“17. ...both divine and human laws cry out against those who strive by treason and sedition to drive the people from confidence in their princes and force them from their government.

“19. These beautiful examples of the unchanging subjection to the princes necessarily proceeded from the most holy precepts of the Christian religion. They condemn the detestable insolence and improbity of those who, consumed with the unbridled lust for



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freedom, are entirely devoted to impairing and destroying all rights of dominion while bringing servitude to the people under the slogan of liberty.

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“They preach liberty of every sort... and pluck authority to pieces.” - Pope Gregory XVI

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“20. Nor can We predict happier times for religion and government from the plans of those who desire vehemently to separate the Church from the state, and to break the mutual concord between temporal authority and the priesthood. It is certain that that concord which always was favorable and beneficial for the sacred and the civil order is feared by the shameless lovers of liberty.

“21. But for the other painful causes We are concerned about, you should recall that certain societies and assemblages seem to draw up a battle line together with the followers of every false religion and cult. They feign piety for religion; but they are driven by a passion for promoting novelties and sedition everywhere. They preach liberty of every sort; they stir up disturbances in sacred and civil affairs, and pluck authority to pieces.

“22. ...It is the proud, or rather foolish, men who examine the mysteries of faith which surpass all understanding with the faculties of the human mind and rely on human reason which by the condition of man's nature, is weak and infirm.”<sup>66</sup>

The Catholic church at that time reviled these ideas of liberty and the separation of church and state that were so crucial to our founders, who sought a separation of civil and ecclesiastical authorities, not a separation of the people from God or religion. Pope Leo XIII openly derided the notion that a nation's people could rule themselves or be permitted freedoms of the mind. This fight for self-rule constituted an insurrection against the established powers.

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“A State becomes nothing but a multitude which is its own master and rule.” - Pope Leo XIII

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## *Tyranny of the Mind*

Pope Leo XIII, Immortale Dei, Nov. 1, 1885:  
“5. ...To despise legitimate authority, in whomsoever vested, is unlawful, as a rebellion against the divine will, and whoever resists that, rushes willfully to destruction. ‘He that resisteth the power resisteth the ordinance of God, and they that resist, purchase to themselves damnation.’ To cast aside obedience, and by popular violence to incite to revolt, is therefore treason, not against man only, but against God.

“6. ...So, too, is it a sin for the State not to have care for religion as a something beyond its scope, or as of no practical benefit; or out of many forms of religion to adopt that one which chimes in with the fancy; for we are bound absolutely to worship God in that way which He has shown to be His will...

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“That everyone has unbounded license to think whatever he chooses and to publish abroad whatever he thinks.” - Pope Leo XIII

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“25. The authority of God is passed over in silence, just as if there were no God; or as if He cared nothing for human society; or as if men, whether in their individual capacity or bound together in social relations, owed nothing to God; or as if there could be a government of which the whole origin and power and authority did not reside in God Himself. Thus, as is evident, a State becomes nothing but a multitude which is its own master and ruler. And since the people is declared to contain within itself the spring-head of all rights and of all power, it follows that the State does not consider itself bound by any kind of duty toward God.

“26. And it is a part of this theory that all questions that concern religion are to be referred to private judgment; that every one is to be free to follow whatever religion he prefers, or none at all if he disapprove of all. From this the following consequences logically flow: that the judgment of each one's conscience is independent of all law; that the most unrestrained opinions may be openly expressed as to the practice or omission of divine worship; and that every one has unbounded license to think whatever he chooses and to publish abroad whatever he thinks.

“The unrestrained freedom of thinking and of openly making known one's thoughts is not inherent in the rights of citizens.”

- Pope Leo XIII

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“35. From these pronouncements of the Popes it is evident that the origin of public power is to be sought for in God Himself, and not in the multitude, and that it is repugnant to reason to allow free scope for sedition. Again, that it is not lawful for the State, any more than for the individual, either to disregard all religious duties or to hold in equal favor different kinds of religion; that the unrestrained freedom of thinking and of openly making known one's thoughts is not inherent in the rights of citizens, and is by no means to be reckoned worthy of favor and support...

“37. In the same way the Church cannot approve of that liberty which begets a contempt of the most sacred laws of God, and casts off the obedience due to lawful authority, for this is not liberty so much as license, and is most correctly styled by St. Augustine the ‘liberty of self-ruin’...

“42. Especially with reference to the so-called ‘liberties’ which are so greatly coveted in these days, all must stand by the judgment of the apostolic see, and have the same mind. Let no man be deceived by the honest outward appearance of these liberties, but let each one reflect whence these have had their origin, and by what efforts they are everywhere upheld and promoted.

“47. Hence, lest concord be broken by rash charges, let this be understood by all, that the integrity of Catholic faith cannot be reconciled with opinions verging on naturalism or rationalism, the essence of which is utterly to do away with Christian institutions and to install in society the supremacy of man to the exclusion of God.”<sup>67</sup>

To the contrary of that last statement, the great majority of those clamoring for liberty were Christian and believers in God, though opposed to the authority of religious establishments and the Roman Catholic Church as it had long existed.

“Superstition sets the whole world in flames; philosophy extinguishes them.” - Voltaire

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Voltaire, aka François-Marie Arouet, a *Philosophical Dictionary*, 1764:

“I defy you to show me a single philosopher, from Zoroaster down to Locke, that has ever stirred up a sedition, - that has ever been concerned in an attempt against the life of a king, - that has ever disturbed society; and, unfortunately, I will find you a thousand votaries of superstition, from Ehud down to Kosinski, stained with the blood of kings and with that of nations. Superstition sets the whole world in flames; philosophy extinguishes them.... Nearly all that goes farther than the adoration of a supreme being, and the submission of the heart to his eternal orders, is superstition.”<sup>68</sup>

For fifteen hundred years the collusion of ecclesiastic and civil establishments created a state of overarching tyranny, where violence and the threat of violence were used to constrain speech and the printed word, to restrict education and to suppress earlier philosophies and conflicting interpretations. A benevolent philosophy was used so that the few in power could oppress the many. The horrors of medieval times were expressions of evil beyond comprehension, and while blame for the millennia of torture and executions that preceded our nation’s founding rests entirely on the individuals who committed those acts, were it not for supernatural fears, oppressors might have found society far less receptive and permissive to the atrocities human reason innately rejects.

Virtually every method employed in the inquisitions and witch trials stand in stark contrast to the laws and rights later declared in the American Constitution and Bill of Rights. Where America had freedom of the press, the church had an index of forbidden books. Where America protected freedom of thought and belief, the church used fear and torture to conform all to its one ‘true’ belief. Where America had free speech, saying the wrong thing in these times of religious dominion could get one killed in the most brutal of ways.

Historian Edward Gibbon, *History of the Decline and Fall of the Roman Empire*:

"The influence of the clergy, in an age of superstition, might be usefully employed to assert the rights of mankind; but so intimate

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is the connection between the throne and the altar, that the banner of the church has very seldom been seen on the side of the people.<sup>169</sup>

For many in power, the individual's ability to reason and think independently was so dangerous that any means of its suppression was justified. The fear of ideological contagion was stronger than the horror employed in its eradication. The church and the civil authority at its disposal did not invent torture or terror, but its methods of investigation and oppression were honed under the leadership of many tyrants in the pursuit of the control and conformity during those dark times. The established church in all its forms evolved and religious expression flourished in the new world where none were established civilly.

The religious and cultural traditions that preceded the Enlightenment and our American experiment in self-rule were, by overwhelming majority, based on the belief that man was not trusted to rule himself or come to the "correct" conclusions on his own. Submission to civil and ecclesiastical authority was unquestioned, as both ruled by the authority of God. The common man must be controlled for his own good. The utility of religious belief in the oppression of the people has proven especially pervasive, but examples of unfathomable totalitarian and authoritarian regimes that denounced theistic belief have also emerged, namely in communism and related ideologies. Though they professed very different beliefs, their opinions of the common people were identical. It isn't a belief in god that they had in common, but a belief in tyranny.

## *Tyranny of the Mind*

*“We have seen the mere distinction of colour made in the most enlightened period of time, a ground of the most oppressive dominion ever exercised by man over man.”*

– President James Madison