



Ten Commandments Monuments and the Rivalry of Iconic Texts

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Introduction

[1] The legal and political controversy over Ten Commandments monuments in the United States involves *iconic texts* holding a discrete symbolic value compared to texts whose function primarily is to be read. The nation's founding documents, the Declaration of Independence, the Constitution, and the Bill of Rights, have also increasingly been turned into monumental icons over the last half-century. The Ten Commandments controversy can therefore be understood in terms of competition among iconic texts for symbolic supremacy. Like the placement of divine images in ancient Near Eastern temples, struggles over the public display of iconic national and religious texts involve claims for their relative prestige in contemporary America.

[2] I will defend these claims by describing the nature of iconic texts and the trend to enshrine American national texts as icons. First, I will review the recent controversy over Ten Commandments monuments, since events in Alabama in 2003 demonstrated very clearly that the Ten Commandments is an iconic text in America. The essential features of the extensive media coverage of this event are as follows:

[3] In 2001, the newly elected Alabama Chief Justice, Roy Moore, installed a two-ton granite monument of the Ten Commandments in the rotunda of the State Judicial Building. After a series of lawsuits, in the summer of 2003 a Federal court ordered the monument removed, calling its presence there an infringement on the constitutional separation between church and state. This order prompted an outpouring of support for the monument and for Judge Moore. Evangelical Christians protested and prayed by the commandments and in front of the building after they were evicted from the premises. A rabbi promised Moore the support of two Orthodox Jewish organizations. Delays in implementing the court order extended the protests for several weeks, until finally the monument was removed from view (AP, [August 1, 2001](#); [August 15, 2003](#); CNN).

[4] The media covered these events extensively both in the United States and abroad. They prompted considerable debate about religion, law, and the state, but also much bemusement over the intense emotions the presence of this monument aroused. No one should have been surprised; similar events had occurred around the country for the past several years. In 2002, protesters had to be dragged away from a plaque of the Ten Commandments in Chester County, Pennsylvania, so that it could be covered while a lawsuit over its display was appealed (*Philadelphia Inquirer*, [April 23, 2002](#)). One judge ordered the plaque removed, but an appeals court overruled the order, saying that the plaque could be preserved because of its eighty-three-year-old historical value (*Philadelphia Inquirer*, September 13, 2003). Other lawsuits against Ten Commandments monuments on public land have been filed in numerous communities. Sometimes, protests have occurred against Ten Commandments monuments (for example, in Austin, Texas; see [Metroplex Atheists](#)), and in a few places such monuments have even been vandalized with graffiti stating that they are unconstitutional (as in South Bend, Indiana; see [South Bend Tribune](#)).

[5] Clearly, a plaque or monument of the Ten Commandments carries powerful symbolism in

contemporary America. But why has this symbol now become such an object of devotion, derision, and conflict? The news coverage of the Alabama commandments monument connects to an aspect of my own research that may shed some light on this phenomenon.

Iconic Books and Texts

[6] The Iconic Book Project at Syracuse University is assembling a database of images and descriptions of iconic books. An "iconic" book or text may be defined as one that is manipulated, displayed, venerated, and/or decorated in addition to being read. To a certain extent, all books are iconic because books are symbolic representations of culture. Books that appear in works of art aim to evoke associations with education, religious authority, and law, to name a few examples. The possession of books characterizes the owner's learning or piety. However, sacred religious books and political texts carry more iconic status than other books and texts. The ritual display of sacred books establishes the legitimacy of religious rituals and the authority of religious leaders. Politicians in many cultures use sacred texts or national constitutions in swearing-in ceremonies that legitimize political authority and succession. Religious scriptures often receive extensive embellishment of their texts and covers, as well as elaborate cases for preservation and display. In all these ways, people treat books as icons, that is, the symbolic manifestation of divine authority and/or state sovereignty.

[7] The Iconic Book Project subjects the phenomenon of iconic books to cross-cultural comparison and analysis, looking for cultural and historical patterns of usage and development. Although the project has only recently gotten underway, some provisional conclusions can already be drawn from this material. One of these conclusions is that the iconic use of books in Western culture has not declined in modern times. It has in fact increased over the nineteenth and twentieth centuries, and plays a central role in many contemporary religions as well as in the political discourses of many countries.

[8] One kind of evidence for this conclusion can be found in the depictions of scriptures in art. Prior to the nineteenth century, books or other kinds of texts were usually depicted with people: they signify the person's scholarship or religious orthodoxy or, in the case of divine figures, the source of the book's authority. Traditional Jewish art generally did not portray Torah scrolls, preferring to depict the ark that contains the scrolls. However, in imagery from the last one hundred and fifty years, sacred books and scrolls have been freed of such contexts; they become objects of artistic interest in themselves. Pictures of Bibles or Torah scrolls or Qurans now appear frequently as the focus of attention in works of art and popular media. They have become independent icons of religious truth and power in contemporary visual culture.

[9] The Alabama Ten Commandments clearly fits the description of an iconic text. Of course, proponents of the Ten Commandments movement also promote reading the commandments: one philanthropist promised ten dollars to every child in American who memorized them (AP, April 10, 2003). However, it is important to state again that the Alabama monument was designed to be seen as much as read. Its massive bulk symbolized divine authority behind human law. Its public display in a court building laid claim to the representation of religion as a fundamental source of American government (see [Ten Commandments Defense Fund](#)).

[10] Therefore, the controversy over the monument is one symptom of contemporary culture's increasing fascination with iconic texts. Examining the debate in the context of iconic books and texts casts the political and religious forces in conflict over Ten Commandments monuments in a different light than do the usual legal and political commentaries.

The Ten Commandments Movement

[11] A "Ten Commandments movement" has been gathering steam for several years. In 2000, the Associated Press reported that "With its message on yard signs, book covers and on the walls of courthouses and public classrooms, a Ten Commandments movement is pushing forward in Kentucky and nationwide" ([January 7, 2000](#)). The article mentioned efforts to post Ten Commandments in courts and schools in Kentucky, Pennsylvania, and California, and spoke of Ten Commandments rallies across the country. Frank Flinn wrote: "This controversy is quickly replacing abortion as the litmus test for Christian values in the public forum. A complicated constitutional lawsuit over abortion is difficult to pay for and argue. Hanging the Decalogue in a public hallway is both cheap and easy." The escalating battles since then over such monuments confirm his assessment.

[12] The Associated Press also reported in 2000 that "Roy Moore, an Alabama circuit judge who refused to take down the commandments posted in his courtroom in 1995, has spoken about his case at Christian

rallies across the country - including one Nov. 7 in Corbin, Ky., that 3,000 people attended. He encourages school boards to post the Ten Commandments even if it means a costly lawsuit for the district" ([January 7, 2000](#)). Later that year, Moore campaigned for Chief Justice of the Alabama Supreme Court on the slogan "The Ten Commandment's Judge" and won by a wide margin.

[13] When Moore installed his granite monument in the rotunda of the Alabama Judicial Building, he did so in the middle of the night and without consulting the other justices of the court. However, he made sure his action was noticed: "A Florida TV preacher who supports Moore, D. James Kennedy, had a crew from his Coral Ridge Ministries film the installation and offered videotapes of it for a donation of \$19," the Associated Press reported ([October 16, 2002](#)). In the lawsuits that followed, Moore testified that he began planning to put a monument in the judicial building at his inauguration in January 2001. Moore acted self-consciously to promote a national movement of Christian political action, and to defy opposing social forces. His defense attorney called the suits against the monument part of a national movement "to censor God." It may be fair to say that in the course of this controversy, the Ten Commandments have become a symbol representing Evangelical political goals.

[14] However, other courthouse monuments of the Ten Commandments are products of much earlier movements. The Ten Commandments have been a common theme in Western religious and legal art. The tablets on which the commandments are traditionally represented, alone or with lions rampant, often decorate the synagogue arks containing the Torah scrolls. The "holy ark" [*ha'aron haqodesh*] usually occupies the most prominent position facing the congregation. The tablets of the commandments emphasize the centrality of law in Jewish tradition, and are a common feature of synagogue architecture. The fact that the tablets often contain only the numbers one through ten in Hebrew characters (or Roman numerals in Christian iconography) in place of the actual commandments further illustrates their iconic role in Jewish and Christian cultures.

[15] During the Protestant Reformation of the sixteenth century, some European churches replaced their pictorial altar pieces with biblical texts, often the Ten Commandments, as part of an iconoclastic reaction against images in churches (Koerner). In England, "Decalogue boards" appeared after the Reformation, not only to demonstrate essentials of Christian behavior but also the legal power of the state over the church. Few have survived the changing tides of English religious politics: many were painted over by seventeenth-century Puritans who opposed all visual displays, even textual ones; others were reinstalled by eighteenth-century Evangelicals, but were dismantled again by the nineteenth-century Anglo-Catholic Oxford Movement (see [Suffolk County Churches](#)). Their fate shows that the Ten Commandments have long been a potent symbol when religion and state clash over issues of law. It also demonstrates that their symbolism may be wielded by the state against religious dissidents as much as by religious groups against state authority.

[16] Art in other contexts usually portrays the commandments in the hands of Moses, in a scene often reproduced in monumental sculpture decorating graveyards and memorials, American law schools, and courthouses. The current U.S. Supreme Court building, opened in 1935, portrays Moses holding the tablets of the commandments as the central and largest figure on its [east pediment](#). Court rulings allow such displays if they are motivated by historical, rather than religious, intent. In this case, Confucius and Solon flank Moses so that the three represent historical antecedents of U.S. law in Chinese, Hebrew, and Greek cultures. But Moses' central position and larger size nevertheless lends support to the Ten Commandments movement: proponents often cite it and other artwork depicting Moses and the commandments in Washington government buildings as examples of the Federal Judiciary's hypocrisy in outlawing Ten Commandments displays on public land (for example, Pat Robertson on [CBNNews](#) and the photo essays by Carrie Devorah in the [National Conservative Weekly](#)).

[17] Religious groups set up some Ten Commandments monuments on public sites in American cities as early as the 1920s. Then after World War II, Minnesota Judge E. J. Ruegemer and the Fraternal Order of Eagles, a nation-wide service club, pushed to have the Ten Commandments posted on the walls of schools and court rooms (Mittlebeeler). Ruegemer defended this action as non-sectarian, because "The Commandments are not just a religious rule, but a good code of conduct which can be followed by everyone, regardless of creed" ([ACLJ](#)). The trend gathered steam in the 1950s when the Eagles began donating granite monuments of the Ten Commandments to court houses across the country. This effort was supported by Cecil B. De-Mille, whose movie "The Ten Commandments" was released in 1956 ([FOE](#)). Though published estimates of how many monuments the Eagles set up reach as high as 4,000 ([Minneapolis Star Tribune](#)), a count by independent researcher Sue Hoffman has documented only around 150. In the 1990s, Evangelical Christians reenergized such efforts by mobilizing to defend existing monuments and install new ones.

[18] Proponents have often repeated the claim that the commandments distill a moral and spiritual code

common to Judaism, Christianity, Islam, and other religions. The FOE worked to synthesize the different wording and enumeration of the commandments in Jewish, Catholic, and Protestant traditions to produce a version acceptable to all. The commandments monuments were therefore one more expression of the mid-twentieth century effort to promote an American civil religion that also produced the phrase "under God" in its Pledge of Allegiance. This effort built on a tradition dating back to the 1864, when the phrase "In God We Trust" first appeared on U.S. coins. These efforts during the Civil War and Cold War tapped religious sentiment to fuel American nationalism. The Ten Commandments monuments, by virtue of their monumental character, gave God a visible place in public space, which is what their sponsors intended. Robert S. Nelson and Margaret Olin observe that this is the function of any public monument: "The Monument expresses the power and sense of the society that gives it meaning, and at the same time obscures competing claims for authority and meaning" (7).

[19] Claims for the universalism of the commandments encounter more resistance at the beginning of the twenty-first century, however, when immigration has diversified the American religious landscape and Christian and Jewish communities find themselves split internally over many issues, including state display of the commandments. For example, several groups representing Christian and Jewish denominations as well as interfaith organizations filed *amici curiae* briefs opposing the Alabama Ten Commandments monument (see [Alabama Supreme Court](#)), in contrast to the Christian and Jewish support for it cited above. The commandments have now become a symbol of conservative political and religious agendas in an era when sharp ideological differences divide both political and religious institutions.

[20] Some advocates are using the decades-old tolerance for monuments to the Ten Commandments for openly divisive purposes. Reverend Fred Phelps proposed erecting monuments on public lands in cities in Wyoming, Idaho, and Kansas to commemorate Matthew Shephard, murdered in 1998 because he was gay. But he intended to commemorate Shephard not as a victim of murder, but as an object lesson of someone who "entered hell" because of his homosexual behavior. In Pennsylvania, Phelps announced a similar effort to focus on a gay man who committed suicide in 1997. Phelps cited a ruling of the 10th Circuit Court of Appeals that "any city that displays a Ten Commandments monument on public property must also allow monuments espousing the views of other religions or political groups on that same property" (AP, [February 1, 2004](#)). The city council of Casper, Wyoming, where Shephard was murdered, considered removing their Ten Commandments monument, donated by the FOE in 1965, to frustrate Phelps' legal challenge. These developments illustrate not only the complicated legal problems posed by religious monuments, but also the iconic tendency of monuments to generate more monuments. When society enshrines some texts, opposing social groups tend to interpret the symbolic relationship between such texts differently, some seeing them as mutually supportive while others view them as contradictory. Since the relationships between iconic texts is symbolic, such disputes cannot be resolved by simply interpreting the contents of the texts.

[21] The net effect of this history is that the Ten Commandments have become a common symbol for the claim that U.S. law and government developed from religious roots and that it should remain true to them. However, the Ten Commandments are not alone in being displayed on public property as iconic texts. In fact, the Ten Commandments movement is playing catch-up with another movement in American society, the one to elevate the country's foundational documents to the status of iconic texts. This movement has developed in ways that parallel both the Ten Commandments movement and other ways in which religious groups revere and popularize their sacred texts.

Iconic National Texts

[22] Since the late 1940s, another American service organization, the Exchange Club, has been placing "Freedom Shrines" in public schools, government buildings, and courthouses throughout the United States. The shrines contain twenty or thirty documents, including the Declaration of Independence, the Constitution, and the Bill of Rights, as well as materials ranging in date from the Mayflower Compact to Martin Luther King, Jr.'s "I Have a Dream" speech (see NEC, "[Freedom Shrine](#)"). The National Exchange Club developed Freedom Shrines as part of its "Americanism" project, which promotes "pride in country, respect for the flag, and appreciation of our freedoms" (NEC, "[Americanism](#)"). The club claims to have placed more than twelve thousand shrines nationwide. It distributes the shrines to its local clubs together with suggested rituals and speeches for dedication ceremonies (NEC, "[Exchange Marketplace](#)").

[23] Around the middle of the twentieth century, the original founding documents of the United States were installed in the Rotunda of the National Archives in Washington, D.C. In the installation ceremony, held on December 13, 1952, President Harry S. Truman said:

The Declaration of Independence, the Constitution, and the Bill of Rights are now assembled in one place for display and safekeeping . . . We are engaged here today in a *symbolic* act. We are *enshrining* these documents for future ages . . . This magnificent hall has been constructed to exhibit them, and the vault beneath, that we have built to protect them, is as safe from destruction as anything that the wit of modern man can devise. All this is an honorable effort, based upon *reverence* for the great past, and our generation can take just pride in it ([NARA](#), emphasis mine).

After undergoing extensive renovations, the rotunda of the National Archives was reopened on September 18, 2003. The National Archives publicized the event with rhetoric of a promised renewal of not only national but worldwide import: "The Charters of Freedom: A New World is at Hand." The following description captures a sense of the rotunda's architectural effect:

Placed in the center of the grand 75-foot high domed semi-circular Rotunda, the Charters are currently displayed in a raised marble case, flanked by two 35-foot *murals* depicting the presentation of the Declaration of Independence to John Hancock, president of the Continental Congress, on the left; and James Madison presenting George Washington with the final draft of the U.S. Constitution, on the right. The Declaration is mounted vertically on the wall above the Constitution and the Bill of Rights. Each night the Charters are lowered twenty feet into a steel and reinforced concrete vault beneath the display area ([NARA](#)).

The architecture of the rotunda and its display cases evokes, consciously or unconsciously, that of a synagogue ark that holds Torah scrolls. Truman rightly described the foundational documents as "enshrined."

[24] The tendency to characterize the Constitution as incomparable was taken even further by the publicity for the new National Constitution Center that opened in Philadelphia on July 4, 2003. It is promoted as a constitutional theme park:

Just as the Constitution affects every facet of Americans' daily lives, so will the National Constitution Center (NCC) use a wide variety of media - interactive and multi-media exhibits, live actors and interpreters, film, music, artifacts, television, text panels and labels, sculpture, and the Internet - to bring the document to life ([National Constitution Center](#)).

This textual theme park invites comparison with Christian Bible theme parks that have been popular in recent decades (Jim Bakker's well-known "[Heritage USA](#)" went bankrupt in the late 1980s, but there are others: [Holy Land Experience](#) opened in 2000 in Orlando, Florida; an old example is [Field of the Woods in Murphy, North Carolina](#), which among other things advertises "the world's largest Ten Commandments"). In Philadelphia's Constitution Center, the text of the Constitution is etched in 450 feet of illuminated glass encircling the main exhibit hall. At its opening, boosters proclaimed the universal importance of the Constitution in language that makes the rhetoric of the Ten Commandments' movement look modest by comparison. "Through these elements, NCC visitors will discover the history behind the *world's most important document* as well as the depth and breadth to which it affects every single American today" (emphasis mine; for the current, somewhat less hyperbolic publicity, see [NCC](#)).

[25] Thus, since the mid-twentieth century, the U.S. government and various private groups have been raising the iconic status of the Constitution and its associated documents by treating them as visual symbols of the nation's government and ideals. Of course, proponents also hope to encourage greater familiarity with them by having the public read them. The focus on their physical form, however, whether original (in the National Archives rotunda) or in reproduction (in the Constitution Center and in Freedom Shrines), encourages a symbolism and universalistic rhetoric otherwise associated with the sacred texts of various religious traditions.

The Rivalry of Iconic Texts

[26] It is doubtful that the protestors at the Alabama courthouse would have liked these claims about the incomparability of the U.S. Constitution. Not that the Ten Commandments movement is inherently anti-constitutional; far from it. Some Evangelical leaders hold a very high view of the Constitution as "the greatest document ever penned by human hands," an oft-repeated catch-phrase that exempts comparisons with divinely-inspired scripture (used in this way, for example, by the conservative commentators [Cal Thomas](#) and [David Black](#); [Reverend Jerry Falwell](#) prefers to restrict this accolade to the Declaration of Independence). However, they do want the Constitution and the Federal courts that interpret it to acknowledge the higher authority of God and scripture. Some protestors in the Alabama monument incident wore t-shirts that juxtaposed a cross over the American flag and waved their bibles as they

burned copies of the federal court order to remove the monument from the rotunda (AP photo, August 31, 2003). This ritual concisely represented the conflict as one between iconic texts, elevating one while destroying the other. It also illustrated the fact that the texts each side defended represent, and to some degree camouflage, other realities: Evangelicals use the Ten Commandments as a cipher for the entire Christian Bible, an iconic text considered in its entirety to be the literal utterance of God, and which represents for them the sum of Evangelical beliefs about religion and politics. The Federal Courts use the Constitution as a cipher for their own authority over American law, and over every aspect of government and society that law touches. This sets the two texts, as icons, on a collision course for symbolic supremacy.

[27] Some communities have compromised by combining the two movements. They have incorporated the Ten Commandments into a display of significant "historical" documents, since court rulings allow historical, but not religious, displays. An imitator of Roy Moore erected a short-lived monument in North Carolina in front of the Winston-Salem City Hall with the Ten Commandments on one side and the Bill of Rights on the other (AP, [January 20, 2004](#)). More successful examples can be found in Charles County, North Carolina, the Georgia State Capitol, and the Garrard County Courthouse in Lancaster, Kentucky. The Christian Coalition sponsored the installation of such a display in the Alabama State Judicial Building after failing to save Roy Moore's monument ([CNSNews](#)). But Roy Moore rejected this compromise: "To put things around the Ten Commandments and secularize it is to deny the greatness of God," he said (AP, [September 10, 2003](#)). "First, they hid the word of God in a closet; and now they tried to hide it among other historical documents. Neither is an acknowledgment of God" ([CNSNews](#)).

[28] Moore's career exemplifies the fact that we live in a period of iconic struggle in which many of the most contested icons are books or texts. Analysis of this news from the perspective of comparative iconography allows one to see patterns of cultural development that the legal arguments obscure. For example, some Evangelical observers have commented on the irony of advocating stone monuments of commandments that forbid "carved images of anything in heaven, on earth, or under the earth" (see [Christianity Today](#)). Christian opponents of Roy Moore have bluntly labeled his efforts "idolatrous" ([New York Times](#); [ABP](#)). From this perspective, the Federal courts can be viewed as iconoclasts trying to keep their "temples" pure from "foreign" influences. But the iconoclastic controversies between the supporters and opponents of images that have periodically erupted in Jewish, Christian, and Muslim history have generally resulted in replacing one set of images with another, and this case is no exception.

[29] The public display of iconic texts *per se* is not seriously in question in the current debate; what is in question is their appropriate location. Debates over location have been characteristic of iconoclastic controversies, but an even better analogy to the current conflict can be found in ancient struggles for the supremacy of one image over others. Ancient gods were patrons of particular temples and states, and the placement and relative positions of their images in ancient Near Eastern temples reflected the political status of kings and cities. Victorious kings would place the gods of conquered cities in subordinate positions before their own patron deity. (A biblical story about such iconic rivalries can be found in 1 Samuel 5.) The iconic struggle over the Ten Commandments in contemporary America is less about whether to permit iconic texts, and even less so about whether to enshrine the Ten Commandments or the Constitution. It is rather about where to enshrine them and how to symbolize their relative position and status.

[30] Not often reported in the media frenzy over the Alabama case is the fact that the Alabama State Judicial Building already contained an iconic text, a bronze copy of the Bill of Rights ([Religion News Service](#)). Moore and his supporters seem to want the Constitution to bow before the Commandments and the Bible; in their words, they want the courts "to acknowledge God." The Federal Courts refuse to compromise the Constitution's symbolic supremacy over U.S. government and society. Their rulings defend the sanctity of a national icon (the Constitution) and its temples (the courts). Both the courts and religious groups are engaged in a battle for the symbolic supremacy of their iconic texts. In Alabama, the granite commandments have come and gone, but the bronze Bill of Rights remains.

[31] Because Western culture has for so long privileged texts over images, many readers' immediate reaction to this account may be to dismiss the entire conflict as superficial, as masking the "real" battles about how to interpret the important texts, specifically the Bible and the Constitution. This perspective claims that interpretive issues in law and theology are more fundamental than symbolism, which functions simply as inexact shorthand for these underlying issues.

[32] From the perspective of the comparative study of iconic texts, however, such appeals to basic textual reality look like one more invocation of the iconic nature of these books and texts as metaphors for political and religious authority. To claim greater reality or significance for the words of texts than for their physical forms and images paradoxically enhances the unique characteristics of texts that make them

such potent icons in the first place. Books and texts have been invested with iconic status by long and widespread usage. The fact that some become particularly prominent in certain times and places does not mitigate the iconic function of all texts.

[33] Therefore, we cannot avoid the symbolic import of texts, nor the fact that some texts have greater iconic appeal than others. A society can choose which texts to promote and "enshrine," and this is exactly what the conflict over Ten Commandments monuments is about. At stake in its outcome is the fundamental issue of how the United States government will represent its relationship to various religious ideas and the many different religious groups within the American population.

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