

# Born to Win

## A Legal Christmas

by Ronald L. Dart

I'm beginning to worry that Americans are losing their sense of humor. A law school in Indiana removed a Christmas tree from its atrium because of complaints. Some folks felt that this Christmas tree sitting there made them feel *excluded*. Now, apart from the fact that I don't have a clue what that means, since when did everyone have to feel included in everything that goes on? The *mere sight* of a Christmas tree make you feel excluded?

You know, I'm absolutely amazed at how thin-skinned atheists are. They are offended by the very word "God". In the words of Shakespeare, though, "The lady doth protest too much, methinks." I wouldn't have thought so, but it's beginning to appear that atheists are *insecure* in their beliefs. Otherwise, why are they so offended—why are they so afraid—of God, Christmas, the presence of Christmas, anything having to do with God, the Ten Commandments in the courthouse? Why are they afraid of this? Because they seem to fear, if not God, they fear the *idea* of God.

Now, this law school replaced the Christmas tree with two evergreen-looking trees, fake snow, and a sled. One of the trees has lights in it. Now, there's an idea: we take down the Christmas tree and we put up an evergreen tree; hang lights, tinsel, colored balls on it; and put snow around the base of it; and call it a "tree... for decoration". We just don't call it a "Christmas tree".

Now, what's funny about all this is that the Supreme Court has ruled that Christmas trees *are legal*. (And I didn't know that. I was interested to hear it.) Christmas trees are legal. They ruled that:

The Christmas tree, unlike the menorah, is not itself a religious symbol. Although Christmas trees once carried religious connotations, today they typify the secular celebration of Christmas.

*County of Allegheny v. American Civil Liberties Union, Greater Pittsburgh Chapter*

Oh really, that's interesting. Now, I submit this as exhibit one to demonstrate that we are losing our sense of the ridiculous. One: that the supreme court of the land should be wasting time on issues like whether or not we can have a Christmas tree on public property. Two: did no one notice that "Christmas", the word, is a form of "Christ" and "mass"—Christ being the God of the Christian faith and mass is a *purely religious* ceremony? And yet the "Christmas tree" is not a religious symbol. Well, is can't possible be, because the Supreme Court said it was not. Now, I agree it really isn't, but it's hard to call it a "Christmas" tree and utterly ignore the meaning of the word. And what is the holiday all about, anyhow? Isn't it about the birth of one named Jesus, who is called the Christ?

Now, there's something odd going on here. It's the proverbial "elephant in the living room" that no one wants to talk about, and yet here it is: How is it that the Constitution does not permit the display of the Ten Commandments in the atrium of a courthouse, but *will* permit the display of a Christmas tree? Not only at the court house, we have a national Christmas tree on the grounds of the White House that I presume is paid for by taxpayer dollars (at least the land is that it's sitting on). Now, I know some wag said the reason why the Ten Commandments had to go out of the courthouse was because it includes prohibitions against lying and

bearing false witness and stealing. These would, the wag said, create a hostile work environment for lawyers and judges and it had to go.

But what's the real reason why we can have one and not have the other? And why are government offices closed on Christmas Day? It's not like closing on a President's birthday. Christmas is a *religious* day; it's all religion from the get-go. And why isn't court in session? And why are the kids allowed to skip school on Christmas Day? It's a *religious* holiday. Now, I'm just one voice in all this, but it seems to me we have a *giant* example of hypocrisy in the courts. It also seems to me that I know the reason why. Christmas will be with us for a long time to come for the simplest of reasons: Any person who tries to outlaw Christmas will be burned at the stake by the merchant class who will put the first burning fagots into the sticks at his feet.

The abolition of Christmas would probably destroy our economy. What would be the rationale for giving *billions* of dollars of gifts, that people don't really want anyway, if we take the wise men and their gifts out of the picture? Never mind they gave their gifts to Christ and not to each other. How many retail businesses in this country would survive if they lost all of their Christmas business? Most of them are in the red until they hit the Christmas holiday season, and only then do they go into the black and start making any money. How many people would be out of work in the retail sector alone? And then there's the fallout. Because if all these people who are out of work in the retail section aren't making any money, they don't have money to go out and buy new cars. And so then that hits the auto industry and people will be out of work in the auto industry because nobody's making enough money to buy their cars. And with those people being out of work...well, it's a domino theory that runs back up the line to where the people who buy the yachts can't buy the yachts anymore because *they're* not making any money. Actually, this domino theory is real, and it would *eviscerate* our economy.

So Christmas is safe. Not even the all-powerful Supreme Court would *dare* take it on. It would generate the second American Revolution and the people would burn down the court house. And it wouldn't be so much, I think, from the love of Christmas or of Christ. It would be to save the economy. There's just a whole lot more to this that's important than the smell of evergreens, and the tinkle of bells, and eggnog, and wassail bowls, and mistletoe, and Christmas parties. This is a matter of *economic survival*. So I look for the ACLU to take a pass on any *really big* Christmas issues. I don't think we are going to be playing games with that for a long time to come.

But all this opens up another can of worms. Should anyone really try to put Christ back into Christmas when he was never there in the first place? No, no, I'm sorry, Jesus was not born on December 25<sup>th</sup> or anywhere near it. No one ever really thought he was. And most of the symbolism we connect with Christmas isn't Christian at all. It's pagan, and *nearly everyone* knows it. Can you make it though a Christmas season without seeing a newspaper article, or something somewhere in the press or on television, that reminds us of the pagan origins of all the symbolism around Christmas? Everyone knows it. Is there nothing we can do about this impasse?

So what are we going to do about Christmas? What can we do to keep it legal so we don't have to quit observing it? Well, what the government could do—Congress could change the name of the holiday on December 25<sup>th</sup> to “the Saturnalia”. That's what it was originally. That way there would be no Judeo-Christian overtones to the holiday. We wouldn't have people running down to sue (hopefully) to put a stop to Christmas. There could be no objection based on the *name* any longer. It would not be a “Christmas” tree; it would be a “Saturnalia” tree. George Will, writing last week, said:

That God works in mysterious ways is not news, but it is particularly puzzling that the birth of Jesus occurred when Romans, who then set the tone of the times, were celebrating Saturnalia — think of a Wal-Mart at 6 a.m., plus wine, women wearing less than those little Wal-Mart vests and songs that are not carols.

*George Will - Christmas at Our Throats*

The drunkenness and revelry about Saturnalia need not offend by taking place in connection with a “Christian” event. Does that sound reasonable? Let’s just go ahead and make the whole thing a pagan celebration like it was to start with. But there’s a problem; there’s a fly in the ointment, as it were, as there always is. If we’re going to be a secular society, then we can’t observe the Saturnalia either, because it’s part of an ancient religious observance in honor of Saturn. It’s a given that the pagan feast called “the birthday of the invincible sun” was held on December 25<sup>th</sup>. December, for the Romans, was the month of Saturn. Samuele Bacchiocchi, in his remarkable book *From Sabbath to Sunday* notes that Augustine and Leo the Great *strongly reprimanded* Christians who at Christmas worshiped the sun rather than the birth of Christ. He cites another author, John Ferguson, who concluded:

It appears certain that the commemoration of the nativity was placed on December 25, because on the winter solstice was celebrated the rebirth of the invincible god. By adopting this date [...] the ecclesiastical authorities purified somehow some pagan customs which they could not suppress.

*John Ferguson - The Religions of the Roman Empire*

That’s really interesting. What he’s saying is simply this: that they could not stamp out pagan observances in the church, and so they *purified* them. So, I guess we’re out of luck on this issue. We can’t celebrate the Saturnalia on December 25<sup>th</sup> either, because that’s a religious custom—albeit a religious custom of pagan Rome. (Although the courts don’t seem to have the same bias against pagan religions they display against Christianity, and I’m not entirely sure why that is so.) But not to worry, politics will win in the end, and the merchant class will save Christmas. And the Supreme Court, anyway, is beginning to look overseas for guidance, and they will find no real problem with Christmas over there, either. And that might be easier than looking at the Constitution.

If, as a Christian, you want to step aside from the fight and from the nonsense and all the revelry, let me make a suggestion to you. Let’s accept the fact that Jesus was not born anywhere near December 25<sup>th</sup>. It’s a given; just write it down somewhere and let’s say, “All right, we’ll accept that.” Why not look at the Bible to determine the holidays that one might observe and how the nativity of Jesus might somehow relate to, or fall within, any of *those* days. The fact is there is evidence, right in the pages of the Book, that tell you the season of Jesus’ birth. It’s odd; it takes just a little bit of research to find it, but it is there.

The early church did not have a separate day for celebrating the nativity. If they had, you would have found it plastered through the pages of the New Testament. Think about it. Think about how important Christmas is in the Christian calendar nowadays. Is it possible that you could get through Acts, all of Paul’s Epistles, all of the general Epistles of the Bible, all the gospel accounts written, and *no one* ever says *anything* about Christmas in the process—if they observed it any way like we do?

Now, it seems evident to me that the nativity of Jesus—his birth and all the events surrounding it—were *extremely* important to early Christians, because this is the Word of God becoming flesh and dwelling among us. It is the incarnation of Jesus Christ. It’s an *important* day. And yet the church did not have some separate day for celebrating it. Now, this suggests to me that the nativity of Jesus fell within, or in connection with, one of the great holiday seasons of the Bible. Oh, yeah, there are holidays in the Bible. There are *Christian* holidays in the Bible.

(Now, if you’d like to know which season it fell in, and why it was that I think so, just write for a free copy of the program *Too Late for Christmas*, which will show you the biblical evidence as to where the birth of Jesus Christ fell and why it is that you don’t find any particular mention of it in the Bible. And while you are at it, request a free introductory message for the broadcast series *Christian Holidays*. This series of programs *will* surprise you, I guarantee you, when you understand the degree to which, in the Bible, there were *Christian* holidays. Just ask for that message by name and we’ll send it to you, free of charge, without any obligation.)

Now I know it sounds revolutionary to think about dropping out of the Christian madhouse, but it isn't necessary to *forget* the central event. Christmas may be commercial and pagan, but the birth of our savior is *absolutely not*, and it is the event that introduces us to the savior of the world.

There was a young woman. She was Jewish. We could even call her a girl, because she was really quite young. And her name was Mary. It's in the Book of Luke that we encounter this woman. It says:

**Luke 1**

AKJV

<sup>26</sup> And in the sixth month the angel Gabriel was sent from God to a city of Galilee, named Nazareth,

<sup>27</sup> To a virgin espoused to a man whose name was Joseph, of the house of David; and the virgin's name was Mary.

<sup>28</sup> And the angel came in to her, and said, Hail, you that are highly favored, the Lord is with you: blessed are you among women.

<sup>29</sup> And when she saw him, she was troubled at his saying, and cast in her mind what manner of salutation this should be.

It's hard to imagine. I don't know how this angel appeared to her. I don't know what he looked like. We aren't told any of these things, but this remarkable young woman who hears him casts around in her mind saying, "What in the world is he talking about?"

**Luke 1**

AKJV

<sup>30</sup> And the angel said to her, Fear not, Mary: for you have found favor with God.

<sup>31</sup> And, behold, you shall conceive in your womb, and bring forth a son, and shall call his name JESUS.

The name Jesus means "Jehovah saves". God saves. He is a *savior*.

**Luke 1**

AKJV

<sup>32</sup> He shall be great, and shall be called the Son of the Highest: and the Lord God shall give to him the throne of his father David:

<sup>33</sup> And he shall reign over the house of Jacob for ever; and of his kingdom there shall be no end.

What a stunning thing to say to this young woman. Remember, she was Jewish, and the awareness of a Messiah—that is, one who would be a son of David, who would come to the throne of David, who would rule over Israel, who would liberate them from their enemies, would establish an everlasting kingdom—was something *very much* in her belief system. And the idea that she, of all people, could be the mother of the Messiah... well, it's hard to imagine what an effect it would have on her. And yet she seems calmly enough to have said:

**Luke 1**

AKJV

<sup>34</sup> [...] How shall this be, seeing I know not a man?

<sup>35</sup> And the angel answered and said to her, The Holy Ghost shall come on you, and the power of the Highest shall overshadow you: therefore also that holy thing which shall be born of you shall be called the Son of God.

Not "Joseph's son"; not "the son of your husband"—the Son of God. How in the world this young woman got her mind around this is beyond my understanding. It must have been incredible for her. And yet, at the same time, I think she must have been a *very* remarkable young woman. The angel continued and said:

**Luke 1**

AKJV

<sup>36</sup> And, behold, your cousin Elisabeth, she has also conceived a son in her old age: and this is the sixth month with her, who was called barren.

Now that story is told in the first chapter of Luke, and it's an important part of the dating of the birth of the Messiah. (I talk about it in the program that I'll be sending you on *Too Late For Christmas*, so be sure to ask for that. And this expression "the sixth month of Elizabeth" is the sixth month he was talking about when the angel came to Mary. Mary, having heard this, said:

**Luke 1**

AKJV

<sup>38</sup> [...] Behold the handmaid of the Lord; be it to me according to your word. And the angel departed from her.

It's hard to imagine this young lady—the poise, the strength. This was not some flighty kid who, having had a vision from God, would have gone out screaming in the streets and telling everybody about it. A different kind of woman entirely.

**Luke 1**

ASV

<sup>39</sup> And Mary arose in these days and went into the hill country with haste, into a city of Judah;  
<sup>40</sup> and entered into the house of Zacharias and saluted Elisabeth.

Now, Elizabeth had already had her visitation from God, and she was carrying a boy child herself. His name would be John, and we will come to know him as John the Baptist.

**Luke 1**

AKJV

<sup>41</sup> And it came to pass, that, when Elisabeth heard the salutation of Mary, the babe leaped in her womb; and Elisabeth was filled with the Holy Ghost:  
<sup>42</sup> And she spoke out with a loud voice, and said, Blessed are you among women, and blessed is the fruit of your womb.  
<sup>43</sup> And what is this to me, that the mother of my Lord should come to me?  
<sup>44</sup> For, see, as soon as the voice of your salutation sounded in my ears, the babe leaped in my womb for joy.  
<sup>45</sup> And blessed is she that believed: for there shall be a performance of those things which were told her from the Lord.

My, what a *staggering* thing to consider is happening here! And to realize that this six-month-old fetus that Elizabeth was carrying is a *real, identified person* to God. And this fetus (if you must call it that, instead of where Elizabeth called it: a "babe") recognized the presence of the mother of his Lord, the Messiah, when her voice was heard. Kind of sobering, isn't it, when you think about abortion and whether or not these are *real people* that we are killing in the womb?

The story of the nativity of Jesus is told in the second chapter of Luke:

**Luke 2**

AKJV

<sup>1</sup> And it came to pass in those days, that there went out a decree from Caesar Augustus that all the world should be taxed.

<sup>2</sup> (And this taxing was first made when Cyrenius was governor of Syria.)

<sup>3</sup> And all went to be taxed, every one into his own city.

One wonders why they couldn't be taxed wherever they lived, but never mind. The Romans were in charge; I guess they did it their way.

## Luke 2

AKJV

<sup>4</sup> And Joseph also went up from Galilee, out of the city of Nazareth, into Judaea, to the city of David, which is called Bethlehem; (because he was of the house and lineage of David:)

<sup>5</sup> To be taxed with Mary his espoused wife, being great with child.

And you know, it's funny the things that catch your attention and make you think. And I think of poor Mary, having ridden down here on a donkey all the way from Nazareth down to Bethlehem, and the poor woman getting off, being hugely pregnant, holding her back as pregnant women are often prone to do, and managing to waddle her way into wherever it was they were going to stay. A very uncomfortable woman...who is carrying the savior of all mankind.

## Luke 2

AKJV

<sup>6</sup> And so it was, that, while they were there, the days were accomplished that she should be delivered.

<sup>7</sup> And she brought forth her firstborn son, and wrapped him in swaddling clothes, and laid him in a manger; because there was no room for them in the inn.

Sounds terrible in a way, doesn't it? But I imagine that it was a clean place and a relatively clean stable, and they had clean straw and they laid the baby there.

You know, you have this image of people going to Jerusalem to keep the festivals of God and you begin to ask the question, "Well, why was Bethlehem so crowded that they couldn't even get a room at this time? Why didn't they just come in, pay their taxes, and go home?" Well, what was happening is (it seems quite apparent to me, having studied it) that this is in the autumn season of the year, and the Jews who came to Jerusalem to keep the holy days didn't fly in on *El Al* and fly out after a couple of days. They actually had to come *long* distances. It takes a lot of time to get there and so, when they came, they came oftentimes for a season and stayed awhile. And this autumn season of holy days starts with one called the Feast of Trumpets, or *Rosh Hashanah*, otherwise known as the Jewish New Year. And then, two weeks later, comes the beginning of the Feast of Tabernacles. In between, the Day of Atonement—one of the most solemn days of the entire year, known as *Yom Kippur*. And so, the chances are that they were there for this entire season of Rosh Hashanah, Yom Kippur, and then finally the Feast of Tabernacles, when it was all over.

And when these holy day seasons came, Jerusalem was crowded with people. It's hard to imagine how many of them were there. And you would think, "Well, this is Bethlehem, isn't it?" Yes, but if you get your Bible map out and look at it, Bethlehem is about a half-day walk at a brisk speed from Jerusalem, and I have very little doubt that people spilled over into Bethlehem, observing these festivals when they came. And when you put the whole picture together—you know, the time of Jesus' conception, and the time of his birth, the time of the beginning of his ministry—all of this stuff going together leads one to the conviction that he was born sometime in the autumn, between the Feast of Trumpets and the Feast of Tabernacles, if not perhaps on one of the very days itself.

So here they are, in a crowded time, a time of festival. And that may very well be why the New Testament church shows no sign of an observance of the nativity. It's that it was a *part of and fell on* one of the other major holidays that they observed.

**Luke 2**

AKJV

<sup>6</sup> And so it was, that, while they were there, the days were accomplished that she should be delivered.

<sup>7</sup> And she brought forth her firstborn son, and wrapped him in swaddling clothes, and laid him in a manger; because there was no room for them in the inn.

<sup>8</sup> And there were in the same country shepherds abiding in the field, keeping watch over their flock by night.

Now, these are the fellows in this whole story that I envy the most. A bunch of sheep herders, sitting around at night by a campfire—keeping warm, telling stories, chatting with one another under a beautiful open sky—and then, suddenly, *out of nowhere*, there is an angel standing in front of them. It came upon them, there was the *glory* of God that shone round about them, and they were scared half to death.

**Luke 2**

AKJV

<sup>10</sup> And the angel said to them, Fear not: for, behold, I bring you good tidings of great joy, which shall be to all people.

<sup>11</sup> For to you is born this day in the city of David a Savior, which is Christ the Lord.

Now, this wasn't just Greek to these guys, you know. They *knew* what this angel was talking about. When he said, "there is born to you this day, in the city of *David*", they *knew*...they *knew* that David's son would be a Messiah. They said one who is born who "is Christ"—that is, the Messiah, the Lord—that *the Messiah* is born.

My, what a time that must have been for these men to hear it. And then, *all of a sudden*—they didn't any more than get through telling them, "you're going find this baby in a manger"—then there was an *incredible host* in the heaven, singing and:

**Luke 2**

AKJV

<sup>13</sup> [...] praising God, and saying,

<sup>14</sup> Glory to God in the highest, and on earth peace, good will toward men.

Wow! Just to think about that sound. I mean, it gives me goose-flesh just to *think* about being out there in the open sky, and having a heavenly host appear and sing that song. And it must've been even more impressive than Handel's version of the same thing. So the shepherds, after all of this, got excited and said, "Let's go see."

**Luke 2**

AKJV

<sup>16</sup> And they came with haste, and found Mary, and Joseph, and the babe lying in a manger.

And that baby would grow up to be the one that you and I know as Jesus, the Christ—who died for the sins of all mankind, and who was the Lamb of God, and who was the Word of God become flesh.

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