

Omar Khadr: A Trial

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St. John's United Church

Scripture: Luke 20:27-38

It is Remembrance Day Sunday, a time when we remember the sacrifice of men and women fighting in times of war. War is always a mess, a violent mess. It is hard to tell what is happening in the midst of it. When our troops makes a mistake and kill the wrong people, the defence is always "It is due to the fog of war. It is unavoidable."

Do you remember the story of the boy, about fifteen years old, a German boy named Franz? His father was an SS soldier and his mother was proud enough to insist her son fight on after Father was killed. As the Allies invaded Germany, Franz fought on until the bitter end. This angry teen shot a Canadian airman. For that, he was brought to Canada, kept in our prison system for eight years and then sentenced to another forty; but he could serve only eight more with time off for good behaviour. So, he served a total of sixteen years in jail, one more year than how old he was when he fired that rifle in the middle of Germany at the end of the war.

Remember that story? Of course you don't. It didn't happen. It could not happen during the years following the Second World War. We had some principles then as a western nation around waging war. Principles like, fifteen year old child combatants do not go to jail for war time activities. Principles like you are not punished for the crimes of your family; you are punished for the crimes you commit yourself. Principles like people with real decision making power are the ones you bring to show trials and to justice, hence the Nuremburg trials. There was however, one authority immediately following the Second World War who punished children for the sins of their parents. He and his government also sent child combatants to decades in prison for being on the wrong side of the winners of the war. His name was Stalin.

We live in our day now, where a fifteen year old combatant is held in a cage for eight years and then sentenced to forty more in a trial that the world knows was never really interested in finding out what happened. The people asking the questions in the trial did not want to know the answers. They had their minds made up.

This is what faces Jesus in Jerusalem. He has overturned tables – sending the moneylenders scurrying, ripping open the fabric of institutional greed, revealing the corruption at the highest levels of the Temple political structure. He is a marked man. Jesus has been spending a great deal of time in the temple since then. He has been worshipping, preaching and teaching the good news of the love of God to the people. This too has upset the order of things.

There were two major parties in those days– the Pharisees and the Sadducees. And they fight. The Pharisees argued matters of law, tradition and property using the first five books of the bible, the books of prophets, some other writings and oral traditions. The Chief Priests and their Sadducees were conservative traditionalists, insisting that the only books worth

reading were the Pentateuch, the first five books of the Bible, (otherwise known as the books of Moses). What was really bugging them was Jesus' audacious use of their territory. The Temple was their responsibility, their domain and their source of power and income. They were aristocratic, powerful and irritated.

So, the Pharisees and Sadducees come together this one time against their common opponent, Jesus. They confront him in public in a kind of show trial of the wits. According to the writer of Luke, they ask him three questions 1) by whose authority are you doing all of this, (who do you think you are?) 2) What do you say about the taxes we have to give to Caesar (a tricky question) and 3) do you believe in the resurrection of the dead (a very tricky question).

This last question is the one in our reading today. What happens after you die, Jesus? The Sadducees don't believe in resurrection because it is not, in their opinion, in the first five books of the bible. The Pharisees do believe in resurrection of the dead. No matter. Jesus knows they do not really want to know about resurrection. Their minds are already made up. Their main interest is in putting him on public trial.

The first thing that Jesus does is ignore the motivation behind the question. He knows they are out to get him, that their motives are evil. But he does not let their animosity, their meanness drive him. He begins by pointing out that question is inappropriate. He appeals to reason, in doing so. He says, you have to procreate in order to carry on in this world. You won't need to in the next, so there is no need to marry. You will be like angels.

Then, he goes on to further elaborate by using a second source – scripture. Using passages from Deuteronomy and Exodus (from the first five books in the bible) he points out that God is a God of the living not the dead. Abraham, Isaac and Jacob are all said to be with God and therefore must be living after they have died.

Jesus' opponents leave him after this.

Then, Jesus does a third thing – he keeps on keeping on. He continues to teach and preach the good news of God's love to the masses. He will pay the ultimate sacrifice for this and he knows it.

Jesus' response has these three parts. Refer to reason, refer to scripture, keep on keeping on living out of your God given principles.

What might a response like that look like in Omar Khadr's case? Omar Khadr was captured at fifteen years of age. He and three fellow Afghan insurgents had been surrounded by a combined force of US and Afghan national army troops in a remote village. During the firefight, all of Khadr's companions were killed and he himself suffered a bullet wound so large that according to one eyewitness "You could fit a can of Copenhagen (chewing tobacco) inside his chest." He admitted throwing the grenade and subsequently killing Sergeant Christopher Speer in the process.¹ Did he intend to? Likely. You are the last one alive, what are you going to do when your are fifteen? It is war. But all of this is not really about the rightness or wrongness of the actions of a fifteen year old during war. It is really

¹ Scott Taylor, "Khadr case: This is war, not a war crime," *The Chronicle Herald*, Monday, November 1, 2010

about justifying holding a fifteen year old boy in a cage for eight years. The trial, like the questions of the Pharisees and the Sadducees is *irrelevant*.

Step One: refer to Reason. We have principles that we claim to uphold in the so-called “free” West. These are the principles we say we are fighting for. At least we say we uphold them in Canada. One is that we embrace knowledge. Science, sociology, psychology and common wisdom tell us fifteen year olds, are impressionable and can sometimes even be idiots. Anyone here done something idiotic when you were fifteen? I thought so. If a fifteen year old was a muffin in the oven and you stuck a fork in him – you would say, he is not done yet. You will be different at thirty than you are at fifteen. At least most of us are. Hence the Young Offenders Act. Teens make poor decisions sometimes. Fifteen year olds can make really poor decisions when under stress. If they have messed up parents and they are in a situation of extreme stress, they make even worse decisions.

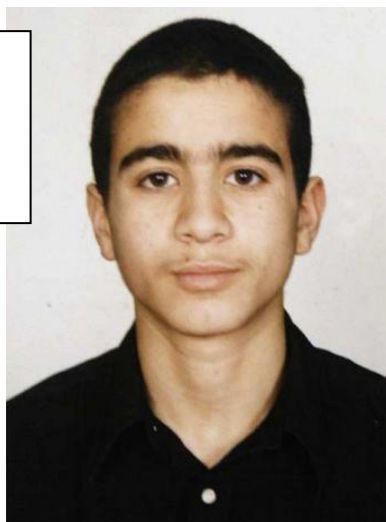
The parents. In our society, one of the things that has been touted as a great improvement over serfdom days, is that we are not to be judged by our class, our tribe or our family history. We are to be judged on our deeds. We hold this up as an essential principle of justice. To judge Omar Khadr on the deeds of his family is a violation of our systems of justice – even war time justice. People like Stalin do that – not governments concerned with justice.

The Second Step: refer to scripture. Think of the teachings of Jesus. Pick one. There are lots of them. Loving your neighbour as yourself. Forgiving. Giving special consideration to children. I could go on. You get the picture.

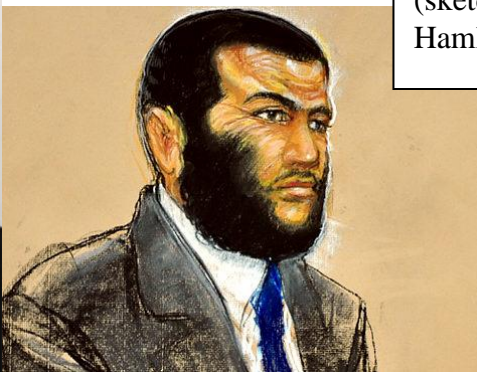
The Third Step: Keep on keeping on. As Canadians, we need to do what we have always done for our citizens, even when they do wrong. We bring them home to sort it out.

Here is the thing about child combatants: they grow up. The US military knows this. Have you seen artist’s renderings of Omar Khadr? They artificially age him. He looks about fifty years old now in those pictures. He looks stereotypically “Muslim,” the image of which we are being trained, as a culture, to fear.

Omar
Khadr
15 years
old



Omar Khadr:
23 years old
(sketch by Janet
Hamlin CP)



The US military just had to wait eight years for him to look like the images of a terrorist. Children grow up. What does it mean to have grown up in Guantanamo Bay?

Keeping on keeping on as followers of Christ means working with UNICEF to remove children as combatants in war. Part of that is our responsibility to not see them as combatants in war or punish them as combatants of war. Most importantly, as Christians, we really, really need to work hard at learning to respond as Jesus does in conversations around this. That means, we do not attack our conversational opponent. We instead respond with reason, we refer to scripture, and we keep on keeping on working toward peace.

Bibliography:

Craddock, Fred, B., *Interpretation: A Bible Commentary for Teaching and Preaching: Luke*, Louisville: John Knox Press, 1990.

Craddock, Fred, B. *Preaching Through the Christian Year C*, Harrisburg, Pennsylvania: Trinity Press International, 1994.

Metzger, Bruce and Roland E. Murphy, ed., *The New Oxford Annotated Bible*, NRSV, New York: Oxford University Press, 1991.

Taylor, Scott, "Khadr case: This is war, not a war crime," *The Chronicle Herald*, Monday, November 1, 2010