Profaning the Sacred: The Disruption of Military Funerals

Kenneth J. Doka

College of New Rochelle, kdoka@cnr.edu

Follow this and additional works at: http://digitalcommons.cnr.edu/facpubs

Part of the Gerontology Commons

Recommended Citation

Even in times of contentious conflicts, the sacrifices made by military personnel were generally acknowledged by those who might protest the war. In most recent wars, even enemies showed respect for the fallen on both sides. Historically, armies often called a truce to respectfully remove the bodies of fallen comrades.

This respect, historically extended to fallen soldiers, was challenged in 2005 when Fred Phelps and members of his Westboro Baptist Church, a small fringe group of inter-related families in Topeka, KS, began to conduct protests at the funerals of soldiers who had died in Afghanistan and Iraq. Phelps' underlying rationale behind these protests was that these deaths were God's punishment to America for tolerating homosexuality. Prior to picketing military deaths, members of the Westboro Baptist Church picketed the funerals of gay individuals and those who had died of AIDS-related illnesses, as well as politicians and celebrities known to be sympathetic to the lesbian, gay, bisexual, and transgender (LGBT) community. At military funerals, Phelps' band of protestors would display signs that read "God hates fags" and "Thank God for dead soldiers," even though none of the deceased had ever identified as gay.

The actions of the Westboro Baptist Church have generated considerable reactions. A number of states have passed laws prohibiting picketing within certain distance from funeral homes or funeral services. The U.S. Congress passed, and President G.W. Bush signed, the Respect for American Fallen Heroes Act that prohibits picketing within 300 feet of a national cemetery within an hour prior to or after a funeral. In addition to these legal endeavors, individuals have found a number of ways to respond to the disruption of military funerals by the Westboro Baptist Church. A motorcycle group called the Patriot Guard...
Riders, consisting primarily of veterans, will attend the funerals of veterans at the request of the deceased family. Their attendance both shows support and drowns out the comments of the protestors by the roaring of their engines. In other cases, members of the community create human walls to shield mourners from the signs and taunts of church members.

Albert Snyder, the parent of a deceased veteran, sued Phelps and the group for intentional infliction of emotional distress along with other issues. Snyder won a significant judgment of close to 11 million dollars in a lower court. The decision was overturned by the U.S. Supreme Court in 2011 on the basis that, however odious, the actions of the Westboro Baptist Church were protected by the First Amendment.

Westboro’s actions probably have had mixed impact on the funerals of veterans. On one hand, opposition to the stance of this church from all ends of the political spectrum has often led to an outpouring of community support. On the other hand, the anxiety generated by the protest as the disruption of somber ceremony no doubt complicates the grief of survivors. Certainly even with the support of a wide spectrum of the community, families had to endure public conflict and controversy in what should be a private opportunity for family and friends to come together to grieve their loss.

Editor’s Note: In the interest of full disclosure, Dr. Kenneth J. Doka (author) was called as an expert witness in Snyder v. Phelps to address the deleterious effects of the disruption of funerals on the grief of survivors.