

Notes: October 26, 2019 (Simcha Torah)

Start: 10 AM

Order of service:

1. Meet and Greet
2. Introduction (if new people)
3. Ma Tov
4. Open in Prayer for service
5. Liturgy – Sh'ma +
6. Announcements
7. Praise and Worship Songs
8. Message
9. Aaronic Blessing
10. Kiddush
11. Oneg

Children's Blessing:

Transliteration: *Ye'simcha Elohim ke-Ephraim ve hee-Menashe*

English: *May God make you like Ephraim and Menashe*

Transliteration: *Ye'simech Elohim ke-Sarah, Rivka, Rachel ve-Leah.*

English: *May God make you like Sarah, Rebecca, Rachel and Leah.*

Introduction: Simcha Torah 2019 – An Attack Against Adonai

A narrative is framed with the intention to convince an audience of a specific position. Much of a narrative may be considered to be hyperbole - exaggerated statements or claims not meant to be taken literally. When in reality these statements are taken literally and are actually believed.

In many instances what we are actually talking about is not just hyperbole, but rather a false narrative being presented as fact and truth. Lies framed with a modicum of truth that further perpetuates the false narrative. Thus, convincingly persuading a contingent of people. Then this contingent spreads this false narrative further, penetrating sectors of the population that can be persuaded with lies wrapped in a modicum of truth.

This battle began decades ago, yet is only reaching its apex today.

Before we go any further I want to reiterate this truth. It is not hyperbole. It is not opinion, it is not a subjective narrative. It is the truth that comes from Adonai...

Eph 6:11 Use all the armor and weaponry that God provides, so that you will be able to stand against the deceptive tactics of the Adversary.

Eph 6:12 For we are not struggling against human beings, but against the rulers, authorities and cosmic powers governing this darkness, against the spiritual forces of evil in the heavenly realm.

This battle has been brought near to us and therefore puts us on the front line.

Case in point...

Attorney General William Barr gave a speech at Notre Dame University on October 11th.

It garnered some attention.

Within this speech AG Barr conveyed the following:

In his renowned 1785 pamphlet, “Memorial and Remonstrance Against Religious Assessments,” James Madison described religious liberty as “a right towards men” but “a duty towards the Creator,” and a “duty ...precedent both in order of time and degree of obligation, to the claims of Civil Society.”

A right towards man and a duty to Adonai our creator...

In the 20 century, our form of free society faced a severe test. There had always been the question whether a democracy so solicitous of individual freedom could stand up against a regimented totalitarian state. That question was answered with a resounding “yes” as the United States stood up against and defeated, first fascism, and then communism.

But in the 21 century, we face an entirely different kind of challenge. The challenge we face is precisely what the Founding Fathers foresaw would be our supreme test as a free society. They never thought the main danger to the Republic came from external foes. The central question was whether, over the long haul, we could handle freedom. The question was whether the citizens in such a free society could maintain the moral discipline and virtue necessary for the survival of free institutions.

No society can exist without some means for restraining individual rapacity. But, if you rely on the coercive power of government to impose restraints, this will inevitably lead to a government that is too controlling, and you will end up with no liberty, just tyranny.

On the other hand, unless you have some effective restraint, you end up with something equally dangerous – licentiousness – the unbridled pursuit of personal appetites at the expense of the common good. This is just another form of tyranny – where the individual is enslaved by his appetites, and the possibility of any healthy community life crumbles.

“In fact, Judeo-Christian moral standards are the ultimate utilitarian rules for human conduct. They reflect the rules that are best for man, not in the by and by, but in the here and now. They are like God’s instruction manual for the best running of man and human society.”

Complete transcript below...

When the AG of the United States speaks, it makes news. You don't hear from him all too often. Typically he will only speak to the media or in public when he has something to say. This speech was not given in his official capacity as Attorney General of the United States, but was given as a citizen and devout Catholic who happens to be the AG of the U.S.A.

There is a difference, yet this was lost to those in the media.

The New York Times’ Paul Krugman [warned](#) that Barr “is sounding remarkably like America’s most unhinged religious zealots, the kind of people who insist that we keep experiencing mass murder because schools teach the theory of evolution. Guns don’t kill people — Darwin kills people!” He argued that the speech reflects a broader effort among Trump’s closest allies in the evangelical community “to use the specter of secularism to distract people from their boss’s sins,” especially as the House’s impeachment inquiry gathers public support.

<https://www.nytimes.com/2019/10/14/opinion/trump-william-barr-speech.html>

The New Yorker – Jeffrey Toobin: [William P. Barr](#) just gave the [worst speech](#) by an Attorney General of the United States in modern history. Speaking at the University of Notre Dame last Friday, Barr took “religious liberty” as his subject, and he portrayed his fellow-believers as a beleaguered and oppressed minority. He was addressing, he said,

“the force, fervor, and comprehensiveness of the assault on religion we are experiencing today. This is not decay; this is organized destruction.”

Historically illiterate, morally obtuse, and willfully misleading, the speech portrays religious people in the United States as beset by a hostile band of “secularists.”

<https://www.newyorker.com/news/daily-comment/william-barrs-wild-misreading-of-the-first-amendment>

These are just a couple. I have provided links to others should you require more than two witnesses of negative coverage.

<https://lawandcrime.com/high-profile/ag-barr-secularists-and-pop-culture-are-waging-unremitting-assault-on-religion-and-traditional-values/>

You even have a piece from the “American Atheist” a publication name that speaks for itself.

<https://www.atheists.org/2019/10/barr-blaming-secularism/>

<https://www.lifesitenews.com/news/leftists-attack-attorney-general-barr-for-denouncing-militant-secularists-in-notre-dame-speech>

“The secularisation of America is not decay”

Yet there was some actual reality reporting...

The New Republic – Matt Ford: The truth lies elsewhere. Barr’s speech was not a political ploy to defend the president. It’s an honest recitation of his personal beliefs.

Barr’s central argument is that American democracy can only survive if the people it represents are guided by a higher moral authority that constrain their individual passions. Religion, particularly the Christian faith, provides the civic virtue and ethical restraint that makes self-government possible. “Modern secularists dismiss this idea of morality as other-worldly superstition imposed by a kill-joy clergy,” Barr said. “In fact, Judeo-Christian moral standards are the ultimate utilitarian rules for human conduct. They reflect the rules that are best for man, not in the by and by, but in the here and now. They are like God’s instruction manual for the best running of man and human society.”

<https://newrepublic.com/article/155463/bill-barrs-first-epistle-heathens>

The American Thinker – Chuck Donovan: “What could the serene, almost sedate General Barr have said that drove certain left-of-center pundits into the rhetorical ditch? The primary themes of Barr's speech were social decline and the attack on religious liberty by certain progressive forces in American life.”

https://www.americanthinker.com/blog/2019/10/hysterical_reaction_to_ag_barrs_landmark_speech_at_notre_dame.html

So you have here the premise...a speech given by AG Barr on the spiritual state of our nation. Was he far off? If you base your perspective on a non-scientific observation of counting the responses – there were far more negative responses than positive. Yet there have been times a minority that was on the right side and in this case, the right side or should I say the right hand of Adonai.

A recent poll of 1004 people surveyed revealed the following...

<https://www.freedomforuminstitute.org/first-amendment-center/state-of-the-first-amendment/>

51% of Americans think the First Amendment is outdated and should be rewritten. The First Amendment protects your right to free speech, free assembly, and freedom of religion, among other things.

48% believe “hate speech” should be illegal. (“Hate speech” is not defined—we left it up to the individual

participant.) Of those, about half think the punishment for “hate speech” should include possible jail time, while the rest think it should just be a ticket and a fine.

80% don't actually know what the First Amendment really protects. Those polled believed this statement is true: “The First Amendment allows anyone to say their opinion no matter what, and they are protected by law from any consequences of saying those thoughts or opinions.”

<https://bearingarms.com/cam-e/2019/10/24/poll-majority-americans-want-scrap-first-amendment/>

Another Survey...

<https://www.freedomforuminstitute.org/first-amendment-center/state-of-the-first-amendment/>

How does this survey relate to AG Barr's speech?

Go back to the last observation...

80% don't actually know what the First Amendment really protects. Those polled believed this statement is true: “The First Amendment allows anyone to say their opinion no matter what, and they are protected by law from any consequences of saying those thoughts or opinions.”

Amendment I

Congress shall make no law **respecting an establishment of religion, or prohibiting the free exercise** thereof; or **abridging the freedom of speech, or of the press;** or the **right of the people peaceably to assemble, and to petition the Government for a redress of grievances.**

- **respecting an establishment of religion, or prohibiting the free exercise**
- **abridging the freedom of speech**
- **the press**
- **right of the people peaceably to assemble**
- **petition the Government for a redress of grievances.**

What AG Barr's speech at Notre Dame did is further expose the battle we are facing. This is not just about the survival of American democracy, yet it is an attack of the very essence of what you believe. Your faith.

An Attack – (verb) take aggressive action against (a place or enemy forces) with weapons or armed force, typically in a battle or war.

Let's break this down further...

Aggressive action – To attack or confront. This can take to form of physical or verbal confrontation.

Weapons – The very right we have in this nation, afforded to us by the Constitution and ultimately defined as a Right provided to us by our creator is being weaponized against us – SPEECH and the freedom we have to speak. This weaponised approach is extremely powerful, for which Adonai is not oblivious to...

Jas 3:5 So too the tongue is a tiny part of the body, yet it boasts great things. See how a little fire sets a

whole forest ablaze!

Jas 3:6 Yes, the tongue is a fire, a world of wickedness. The tongue is so placed in our body that it defiles every part of it, setting ablaze the whole of our life; and it is set on fire by Gei-Hinnom itself.

Jas 3:7 For people have tamed and continue to tame all kinds of animals, birds, reptiles and sea creatures;

Jas 3:8 but the tongue no one can tame — it is an unstable and evil thing, full of death-dealing poison!

Jas 3:9 With it we bless Adonai, the Father; and with it we curse people, who were made in the image of God.

Jas 3:10 Out of the same mouth come blessing and cursing! Brothers, it isn't right for things to be this way.

Psa 10:1 Why, Adonai, do you stand at a distance? Why do you hide yourself in times of trouble?

Psa 10:2 The wicked in their arrogance hunt down the poor, who get caught in the schemes they think up.

Psa 10:3 For the wicked boasts about his lusts; he blesses greed and despises Adonai.

Psa 10:4 Every scheme of the wicked in his arrogance [*says*], "There is no God, [*so*] it won't be held against me."

This attack began long ago, yet in this nation today we can see the roots of this most recent attack of the Adversary,

Two fronts specifically...the family and the education system.

By attacking the family and the structure it provides, makes those who come from broken homes more susceptible to other avenues of support. For single parents this means another role model in place of the parent who is not always present in the home. While attempts are made to maintain a family unit, even though the family unit has been broken, there are still aspects that are sought as a result of this division.

The education system has been under attack for the better part of 60 years. A slow and subtle softening of standards where at one time the origins of the free speech movement, the college campus in general and Berkley specifically, desiring more openness, more speech, is now restricting speech, that is speech that doesn't align with the dominant position, Dominant doesn't always mean majority, but rather predominant. This attack is waged by the very people we entrust our children to, the educators.

Today, "free spaces" doesn't mean what you think they do. They do not offer a space to speak freely, quite the contrary, they restrict speech by advocating this is a free or safe space from thoughts and ideas that are not supported.

Thoughts and ideas are powerful, so much so many are attempting to deny our voice being heard.

Hostile environments that you would think should be safe and a bastion for expression of thoughts and ideas have become home to the thought police. This perspective suppresses one opposing perspective while conveying a different set of standards for other perspectives...

One of the [religious](#) liberty cases the [Supreme Court](#) Justices won't be hearing this term is the issue of [Maryland High School student Caleigh Wood](#), who refused to take part in a school assignment to write the [Islamic conversion prayer](#) that states "... there is no god but Allah," because she believed it directly contradicted her [Christian faith](#).

The High Court denied a petition filed on behalf of the 11th grader, angering one conservative commentator who saw it as caving in to the indoctrination in schools and on college campuses.

Richard Thompson, president and chief counsel of Thomas More Law Center, which filed the petition on Wood's behalf said, "The schools are promoting Islam over Christianity or any other religion, and you have a double standard, which we think is a violation of the establishment clause."

<https://www.foxnews.com/faith-values/supreme-court-rejects-case-of-christian-teen-forced-to-write-islamic-conversion-prayer>

This attack may be focused at us but in reality it is directed at Adonai. Yet we are His soldiers, his warriors, called to stand up.

Consider Stephen in Acts 7, towards the end of his breathtaking attack against those who denied Yeshua.

Act 7:52 Which of the prophets did your fathers not persecute? They killed those who told in advance about the coming of the Tzaddik, and now you have become his betrayers and murderers! —

Act 7:53 you! — who receive the Torah as having been delivered by angels — but do not keep it!"

Act 7:54 On hearing these things, they were cut to their hearts and ground their teeth at him.

His response was not the sword that rips flesh, but the sword of Adonai...

Eph 6:17 And take the helmet of deliverance; **along with the sword given by the Spirit, that is, the Word of God;**

Act 7:55 But he, full of the Ruach HaKodesh, looked up to heaven and saw God's Sh'khinah, with Yeshua standing at the right hand of God.

Act 7:56 "Look!" he exclaimed, "I see heaven opened and the Son of Man standing at the right hand of God!"

But pierced the heart, thus revealing the venom that resided in them...

Act 7:57 At this, they began yelling at the top of their voices, so that they wouldn't have to hear him; and with one accord, they rushed at him,

Act 7:58 threw him outside the city and began stoning him. And the witnesses laid down their coats at the feet of a young man named Sha'ul.

Act 7:59 As they were stoning him, Stephen called out to God, "Lord Yeshua! Receive my spirit!"

Act 7:60 Then he kneeled down and shouted out, "Lord! Don't hold this sin against them!" With that, he died;

Yet, what are we doing today, on this day we are recognising Simcha Torah – the rejoicing in Torah that has been given to us by our Creator. but expressing our Joy through our first amendment rights...

The right to assemble...

The right to freely express our religion – our expression to

Don't be fooled or complacent. These attacks are real and increasing in intensity.

The battle is in our government.

The battle is in our justice system

The battle is in our educational system

The battle is in our family

Do not let the battle infiltrate our synagogue, our congregation.

You are on the front line of this battle...

Be prepared and be armed with your Sword from Adonai

Attorney General William P. Barr Delivers Remarks to the Law School and the de Nicola Center for Ethics and Culture at the University of Notre Dame

South Bend, IN ~ Friday, October 11, 2019

Remarks as prepared for delivery

Thank you, Tom, for your kind introduction. Bill and Roger, it's great to be with you.

Thank you to the Notre Dame Law School and the de Nicola Center for Ethics and Culture for graciously extending an invitation to address you today. I'd also like to express gratitude to Tony de Nicola, whose generous support has shaped – and continues to shape – countless minds through examination of the Catholic moral and intellectual tradition. Today, I would like to share some thoughts with you about religious liberty in America. It's an important priority in this Administration and for this Department of Justice.

We have set up a task force within the Department in which different components that have equities in this area including the Solicitor General's Office, the Civil Division, the Office of Legal Counsel, and other offices. We have regular meetings. We keep an eye out for cases or events around the country where states are misapplying the Establishment Clause in a way that discriminates against people of faith, or cases where states adopt laws that impinge upon the free exercise of religion.

From the Founding Era onward, there was strong consensus about the centrality of religious liberty in the United States. The imperative of protecting religious freedom was not just a nod in the direction of piety. It reflects the Framers' belief that religion was indispensable to sustaining our free system of government.

In his renowned 1785 pamphlet, "Memorial and Remonstrance Against Religious Assessments," James Madison described religious liberty as "a right towards men" but "a duty towards the Creator," and a "duty ...precedent both in order of time and degree of obligation, to the claims of Civil Society."

It has been over 230 years since that small group of colonial lawyers led a Revolution and launched what they viewed as a great experiment, establishing a society fundamentally different than those that had gone before. They crafted a magnificent Charter of Freedom – the United States Constitution – which provides for limited government, while leaving "the People" broadly at liberty to pursue our lives both as individuals and through free associations. This quantum leap in liberty has been the mainspring of unprecedented human progress, not only for Americans, but for people around the world.

In the 20th century, our form of free society faced a severe test. There had always been the question whether a democracy so solicitous of individual freedom could stand up against a regimented totalitarian state. That question was answered with a resounding "yes" as the United States stood up against and defeated, first fascism, and then communism.

But in the 21st century, we face an entirely different kind of challenge. The challenge we face is precisely what the Founding Fathers foresaw would be our supreme test as a free society. They never thought the main danger to the Republic came from external foes. The central question was whether, over the long haul, we could handle freedom. The question was whether the citizens in such a free society could maintain the moral discipline and virtue necessary for the survival of free institutions.

By and large, the Founding generation's view of human nature was drawn from the Classical Christian tradition. These practical Statesmen understood that individuals, while having the potential for great good, also had the capacity for great evil. Men are subject to powerful passions and appetites, and, if unrestrained, are capable of ruthlessly riding roughshod over their neighbors and the community at large.

No society can exist without some means for restraining individual rapacity. But, if you rely on the coercive power of government to impose restraints, this will inevitably lead to a government that is too controlling, and you will end up with no liberty, just tyranny.

On the other hand, unless you have some effective restraint, you end up with something equally dangerous – licentiousness – the unbridled pursuit of personal appetites at the expense of the common good. This is just another form of tyranny – where the individual is enslaved by his appetites, and the possibility of any healthy community life crumbles. Edmund Burke summed up this point in his typically colorful language:

“Men are qualified for civil liberty, in exact proportion to their disposition to put chains upon their appetites....Society cannot exist unless a controlling power be placed somewhere; and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things that men intemperate minds cannot be free. Their passions forge their fetters.”

So the Founders decided to take a gamble. They called it a great experiment. They would leave “the People” broad liberty, limit the coercive power of the government, and place their trust in self-discipline and virtue of the American people. In the words of Madison, “We have staked our future on the ability of each of us to govern ourselves...”

This is really what was meant by “self-government.” It did not mean primarily the mechanics by which we select a representative legislative body. It referred to the capacity of each individual to restrain and govern themselves. But what was the source of this internal controlling power? In a free Republic those restraints could not be handed down from above by philosopher kings.

Instead, social order must flow up from the people themselves – freely obeying the dictates of inwardly-possessed and commonly-shared moral values. And to control willful human beings, with and infinite capacity to rationalize, those moral values must rest on authority independent of men’s will – they must flow from a transcendent Supreme Being. In short, in the Framers’ view, free government was only suitable and sustainable for a religious people – a people who recognized that there was a transcendent moral order antecedent to both the state and manmade law and who had the discipline to control themselves according to those enduring principles.

As John Adams put it: “We have no government armed with the power which is capable of contending with human passions unbridled by morality and religion. Our Constitution was made only for a moral and religious people. It is wholly inadequate for the government of any other.”

As Father John Courtney Murray observed, the American tenet was *not* that: “Free government is inevitable, only that it is possible, and that its possibility can be realized only when the people as a whole are inwardly governed by the recognized imperatives of the universal moral order.”

How does religion promote the moral discipline and virtue needed to support free government?

First, it gives us the right rules to live by. The Founding generation were Christians. They believed that the Judeo-Christian moral system corresponds to the true nature of man. Those moral precepts start with the Two Great Commandments – to Love God with your whole heart, soul and mind; and to Love Thy Neighbor as Thyself. But they also include the guidance of Natural Law – a real, transcendent moral order which flows from God’s eternal law – the Divine wisdom by which the whole Creation is ordered. The eternal law is impressed upon, and reflected in, all created things.

From the nature of things we can, through reason, experience, discern standards of right and wrong that exist independent of human will. Modern secularists dismiss this idea of morality as other worldly-superstition imposed by a kill-joy clergy. In fact, Judeo-Christian moral standards are the ultimate utilitarian rules for human conduct.

They reflect the rules that are best for man, not in the by and by, but in the here and now. They are like God’s instruction manual for the best running of man and human society. By the same token, violations of these moral laws have bad, real-world consequences for man and society. We may not pay the price immediately, but over time the harm is real.

Religion helps promote moral discipline within society. Because man is fallen, we don't automatically conform ourselves to moral rules even when we know they are good for us. But religion helps teach, train, and habituate people to want what is good. It does not do this primarily by formal laws – that is, through coercion. It does this through moral education and by informing society's informal rules – its customs and traditions which reflect the wisdom and experience of the ages.

In other words, religion helps frame moral culture within society that instills and reinforces moral discipline.

I think we all recognize that over the past 50 years religion has been under increasing attack.

On the one hand, we have seen the steady erosion of our traditional Judeo-Christian moral system and a comprehensive effort to drive it from the public square. On the other hand, we see the growing ascendancy of secularism and the doctrine of moral relativism. By any honest assessment, the consequences of this moral upheaval have been grim.

Virtually every measure of social pathology continues to gain ground.

In 1965, the illegitimacy rate was eight percent. In 1992, when I was last Attorney General, it was 25 percent. Today it is over 40 percent. In many of our large urban areas, it is around 70 percent. Along with the wreckage of the family, we are seeing record levels of depression and mental illness, dispirited young people, soaring suicide rates, increasing numbers of angry and alienated young males, an increase in senseless violence, and a deadly drug epidemic.

As you all know, over 70,000 people die a year from drug overdoses. That is more casualties in a year than we experienced during the entire Vietnam War. I will not dwell on all the bitter results of new secular age. Suffice it to say that the campaign to destroy the traditional moral order has brought with it immense suffering, wreckage, and misery. And yet, the forces of secularism, ignoring these tragic results, press on with even greater militancy. Among these militant secularists are many so-called "progressives." But where is the progress?

We are told we are living in a post-Christian era. But what has replaced the Judeo-Christian moral system? What is it that can fill the spiritual void in the hearts of the individual person? And, what is a system of values that can sustain human social life? The fact is that no secular creed has emerged capable of performing the role of religion. Scholarship suggests that religion has been integral to the development and thriving of homo sapiens since we emerged roughly 50,000 years ago. It is just for the past few hundred years we have experimented in living without religion. We hear much today about our humane values. But, in the final analysis, what undergirds these values? What commands our adherence to them?

What we call values today is really nothing more than mere sentimentality, still drawing on the vapor trails of Christianity. Now, there have been times and places where the traditional moral order has been shaken.

In the past, societies – like the human body – seem to have a self-healing mechanism – a self-correcting mechanism that gets things back on course if things go too far. The consequences of moral chaos become too pressing. The opinion of decent people rebels. They coalesce and rally against obvious excess. Periods of moral entrenchment follow periods of excess. This is the idea of the pendulum. We have all thought that after a while the "pendulum will swing back."

But today we face something different that may mean that we cannot count on the pendulum swinging back.

First is the force, fervor, and comprehensiveness of the assault on religion we are experiencing today. This is not decay; it is organized destruction. Secularists, and their allies among the "progressives," have marshalled all the force of mass communications, popular culture, the entertainment industry, and academia in an unremitting assault on religion and traditional values. These instruments are used not only to affirmatively promote secular orthodoxy, but also drown out and silence opposing voices, and to attack viciously and hold up to ridicule any dissenters. One of the ironies, as some have observed, is that the secular project has itself become a religion, pursued with religious fervor. It is taking on all the trappings of a religion – including inquisitions and excommunication.

Those who defy the creed risk a figurative burning at the stake – social, educational, and professional ostracism and exclusion waged through lawsuits and savage social-media campaigns. The pervasiveness and power of our high-tech popular culture fuels apostasy in another way. It provides an unprecedented degree of distraction.

Part of the human condition is that there are big questions that should stare us in the face. Are we created or are we purely material accidents?

Does our life have any meaning or purpose? But, as Blaise Pascal observed, instead of grappling with these questions, humans can be easily distracted from thinking about the “final things.” Indeed, we now live in the age of distraction where we can envelop ourselves in a world of digital stimulation and universal connectivity. And we have almost limitless ways of indulging all our physical appetites.

There is another modern phenomenon that suppresses society’s self-corrective mechanisms – that make it harder for society to restore itself. In the past, when societies are threatened by moral chaos, the overall social costs of licentiousness and irresponsible personal conduct becomes so high that society ultimately recoils and reevaluates the path they are on.

But today – in the face of all the increasing pathologies – instead of addressing the underlying cause, we have the State in the role of Alleviator of Bad Consequences. We call on the State to mitigate the social costs of personal misconduct and irresponsibility. So the reaction to growing illegitimacy is not sexual responsibility, but abortion.

The reaction to drug addiction is safe injection sites. The solution to the breakdown of the family is for the State to set itself up as the ersatz husband for single mothers and the ersatz father to their children. The call comes for more and more social programs to deal with the wreckage. While we think we are solving problems, we are underwriting them. We start with an untrammelled freedom and we end up as dependents of a coercive state on whom we depend.

Interestingly, this idea of the State as the alleviator of bad consequences has given rise to a new moral system that goes hand-in-hand with the secularization of society. It can be called the system of “macro-morality.” It is in some ways an inversion of Christian morality. Christianity teaches a micro-morality. We transform the world by focusing on our own personal morality and transformation.

The new secular religion teaches macro-morality. One’s morality is not gauged by their private conduct, but rather on their commitment to political causes and collective action – to address social problems. This system allows us to not worry so much about the strictures on our private lives, while we find salvation on the picket line. We can signal our finely tuned moral sensibilities by demonstrating for this cause or that.

Something happened recently that crystalized the difference between these moral systems. I was attending Mass at parish I did not usually go to in Washington, D.C. At the end of Mass, the Chairman of the Social Justice Committee got up to give his report to the parish. He pointed to the growing homeless problem in D.C. and explained that more mobile soup kitchens were needed to feed them. This being a Catholic church I expected him to call for volunteers to go out and provide this need. Instead, he recounted all the visits that the Committee had made to the D.C. government to lobby for higher taxes and more spending to fund mobile soup kitchen.

A third phenomenon which makes it difficult for the pendulum to swing back is the way law is being used as a battering ram to break down traditional moral values and to establish moral relativism as a new orthodoxy. Law is being used as weapon in a couple of ways. First, either through legislation but more frequently through judicial interpretation, secularists have been continually seeking to eliminate laws that reflect traditional moral norms.

At first, this involved rolling back laws that prohibited certain kinds of conduct. Thus, the watershed decision legalizing abortion. And since then, the legalization of euthanasia. The list goes on. More recently, we have seen the law used aggressively to force religious people and entities to subscribe to practices and policies that are antithetical to their faith. The problem is not that religion is being forced on others. The problem is that irreligion and secular values are being forced on people of faith.

This reminds me of how some Roman emperors could not leave their loyal Christian subjects in peace but would mandate that they violate their conscience by offering religious sacrifice to the Emperor as a God. Similarly, militant secularists today do not have a live and let live spirit -- they are not content to leave religious people alone to practice their faith. Instead they seem to take a delight in compelling people to violate their conscience.

For example, the last Administration sought to force religious employers, including Catholic religious orders, to violate their sincerely held religious views by funding contraceptive and abortifacient coverage in their health plans. Similarly,

California has sought to require pro-life pregnancy centers to provide notices of abortion rights. This refusal to accommodate the free exercise of religion is relatively recent. Just 25 years ago, there was broad consensus in our society that our laws should accommodate religious belief.

In 1993 Congress passed the Religious Freedom Restoration Act – RFRA. The purpose of the statute was to promote maximum accommodation to religion when the government adopted broad policies that could impinge on religious practice. At the time, RFRA was not controversial: it was introduced by Chuck Schumer with 170 cosponsors in the House, and was introduced by Ted Kennedy and Orrin Hatch with 59 additional cosponsors in the Senate. It passed by voice vote in the House and by a vote of 97-3 in the Senate.

Recently, as the process of secularization has accelerated, RFRA has come under assault, and the idea of religious accommodation has fallen out of favor. Because this Administration firmly supports accommodation of religion, the battleground has shifted to the states. Some state governments are now attempting to compel religious individuals and entities to subscribe to practices, or to espouse viewpoints, that are incompatible with their religion.

Ground zero for these attacks on religion are the schools. To me, this is the most serious challenge to religious liberty. For anyone who has a religious faith, by far the most important part of exercising that faith is the teaching of that religion to our children. The passing on of the faith. There is no greater gift we can give our children and no greater expression of love. For the government to interfere in that process is a monstrous invasion of religious liberty. Yet here is where the battle is being joined, and I see the secularists are attacking on three fronts.

The first front relates to the content of public school curriculum. Many states are adopting curriculum that is incompatible with traditional religious principles according to which parents are attempting to raise their children. They often do so without any opt out for religious families. Thus, for example, New Jersey, recently passed a law requiring public schools to adopt an LGBT curriculum that many feel is inconsistent with traditional Christian teaching. Similar laws have been passed in California and Illinois. And the Orange County Board of Education in California issued an opinion that “parents who disagree with the instructional materials related to gender, gender identity, gender expression and sexual orientation may not excuse their children from this instruction.”

Indeed, in some cases, the schools may not even warn parents about lessons they plan to teach on controversial subjects relating to sexual behavior and relationships. This puts parents who dissent from the secular orthodoxy to a difficult choice: Try to scrape together the money for private school or home schooling, or allow their children to be inculcated with messages that they fundamentally reject.

A second axis of attack in the realm of education are state policies designed to starve religious schools of generally available funds and encouraging students to choose secular options. Montana, for example, created a program that provided tax credits to those who donated to a scholarship program that underprivileged students could use to attend private school. The point of the program was to provide greater parental and student choice in education and to provide better educations to needy youth.

But Montana expressly excluded religiously-affiliated private schools from the program. And when that exclusion was challenged in court by parents who wanted to use the scholarships to attend a nondenominational Christian school, the Montana Supreme Court required the State to eliminate the program rather than allow parents to use scholarships for religious schools. It justified this action by pointing to a provision in Montana’s State Constitution commonly referred to as a “Blaine Amendment.” Blaine Amendments were passed at a time of rampant anti-Catholic animus in this country, and typically disqualify religious institutions from receiving any direct or indirect payments from a State’s funds.

The case is now in the Supreme Court, and we filed a brief explaining why Montana’s Blaine Amendment violates the First Amendment. A third kind of assault on religious freedom in education have been recent efforts to use state laws to force religious schools to adhere to secular orthodoxy. For example, right here in Indiana, a teacher sued the Catholic Archbishop of Indianapolis for directing the Catholic schools within his diocese that they could not employ teachers in same-sex marriages because the example of those same-sex marriages would undermine the schools’ teaching on the Catholic view of marriage and complementarity between the sexes.

This lawsuit clearly infringes the First Amendment rights of the Archdiocese, by interfering both with its expressive association and with its church autonomy. The Department of Justice filed a statement of interest in the state court making these points, and we hope that the state court will soon dismiss the case.

Taken together, these cases paint a disturbing picture. We see the state requiring local public schools to insert themselves into contentious social debates, without regard for the religious views of their students or parents. In effect, these states are requiring local communities to make their public schools inhospitable to families with traditional religious values; those families are implicitly told that they should conform or leave.

At the same time, pressure is placed on religious schools to abandon their religious convictions. Simply because of their religious character, they are starved of funds – students who would otherwise choose to attend them are told they may only receive scholarships if they turn their sights elsewhere. Simultaneously, they are threatened in tort – and, eventually, will undoubtedly be threatened with denial of accreditation – if they adhere to their religious character. If these measures are successful, those with religious convictions will become still more marginalized.

I do not mean to suggest that there is no hope for moral renewal in our country. But we cannot sit back and just hope the pendulum is going to swing back toward sanity. As Catholics, we are committed to the Judeo-Christian values that have made this country great. And we know that the first thing we have to do to promote renewal is to ensure that we are putting our principles into practice in our own personal private lives.

We understand that only by transforming ourselves can we transform the world beyond ourselves. This is tough work. It is hard to resist the constant seductions of our contemporary society. This is where we need grace, prayer, and the help of our church. Beyond this, we must place greater emphasis on the moral education of our children.

Education is not vocational training. It is leading our children to the recognition that there is truth and helping them develop the faculties to discern and love the truth and the discipline to live by it. We cannot have a moral renaissance unless we succeed in passing to the next generation our faith and values in full vigor. The times are hostile to this. Public agencies – including public schools – are becoming secularized and increasingly are actively promoting moral relativism. If ever there was a need for a resurgence of Catholic education – and more generally religiously affiliated schools – it is today.

I think we should do all we can to promote and support authentic Catholic education at all levels.

Finally, as lawyers, we should be particularly active in the struggle that is being waged against religion on the legal plane. We must be vigilant to resist efforts by the forces of secularization to drive religious viewpoints from the public square and to impinge upon the free exercise of our faith. I can assure you that, as long as I am Attorney General, the Department of Justice will be at the forefront of this effort– ready to fight for the most cherished of our liberties – the freedom to live according to our faith. Thank you for the opportunity to talk with you today. And God bless you and Notre Dame.

Component(s): Office of the Attorney General

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