

WILLIAM BARR SPEECH AT ADF AWARD  
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I want to take a few moments to speak with you about the greatest threat to religious liberty in America today: the increasingly militant and extreme secular-progressive climate of our state-run education system. Over the past 12 tumultuous months, there has been a great deal of discussion about the radical ideology being promoted in our schools, and what it means for national unity, public safety, and the health of our politics. Much less has been said about an issue of perhaps even greater long-term consequence: what this indoctrination in public schools means for the rights of people of faith.

We are rapidly approaching the point—if we have not already reached the point—at which the heavy-handed enforcement of secular-progressive orthodoxy through government-run schools is totally incompatible with traditional Christianity and other major religious traditions in our country. In light of this development, we must confront the reality that it may no longer be fair, practical, or even Constitutional to provide publicly-funded education solely through the vehicle of state-operated schools. Let me begin with an observation about the purpose and nature of education. Throughout the history of Western Civilization, it has been generally understood that a true education—as opposed to merely the conveyance of technical skills or vocational know-how—is inherently bound up with religion and morality. It necessarily deals with the big questions. Is there truth? How do we arrive at the truth? What is the end of life? How should we live? Civic Virtue, Moral Virtue, Religion, and Knowledge were always regarded as inextricably interlinked. The notion that we can hermetically seal off religion from education is a relatively novel idea—and it is an idea that the experience of the past half century has refuted in rather spectacular fashion. For a time, a culturally homogeneous American society was able to finesse it—but today, the situation as it stands is clearly untenable.

The American approach to public schooling and its relationship to religion has proceeded in three distinct historical phases. The early advocates for public education, particularly Horace Mann and the common school movement, saw public schools as performing at least two missions: (1) inculcating a sense of common identity and common civic and cultural bonds – forging the unum out of the pluribus; (2) the moral formation of America’s youth—the building of moral character.

In this FIRST PHASE, the advocates of public schools agreed that religion was integral to such an education. You could not separate moral education from religion. So the early advocates of public schools explicitly incorporated religion into the schools. It was an anodyne form of Christianity that was composed of all the key articles of faith that Protestant denominations generally agreed upon. This was a generally acceptable “pan-Protestantism.” And the idea was that schools should teach religion that was common to all, or at least all Christians. And so it was up to the second half of the 20th Century. It was the presence of this form of pan-Protestantism in the schools that led to the creation of separate school systems for the Catholics and religious Jews.

The key point is that up until the 1970’s, or so, the instruction received in the public school system openly embraced Judeo-Christian beliefs and values, and most certainly was not hostile to, nor fundamentally in conflict with, traditional religious beliefs. In short, religion and the public school system were compatible because the school system embraced a generally acceptable form of Christianity. The SECOND PHASE of public schooling came in the latter part of the 20th century. This is when the Left embarked on a relentless campaign of secularization intent on driving every vestige of traditional religion from the public square. Public schools quickly became the central battleground. This was the period where it was thought you could completely isolate education from religion. The idea was that education should be completely secularized by stripping away all vestiges of religion or religious belief systems. It was secularization by subtraction. Yet even as the schools were forcibly secularized, the notion of moral instruction did not simply go away. The rich Judeo-Christian tradition was replaced with trite talk of liberal values—be a good

person, be caring. But there was no underpinning for these values. What passed for morality had no metaphysical foundation. It is hard to teach that someone *ought* to behave in a certain way unless you can explain *why*.

“Values” in public schools became really nothing more than mere sentimentality, still drawing on the vapor trails of Christianity. They are a vain attempt to retain familiar sounding ethics and mores, but without God. When you take away religion, you have left a moral vacuum. But all of that seems quaint and even benign compared to what we are now witnessing. Just in the last several of years, we have entered PHASE THREE of public education.

This no longer secularization by subtraction. Now we see the affirmative indoctrination of children with a secular belief system and worldview that is a substitute for religion and is antithetical to the beliefs and values of traditional God-centered religion. In other words, purging schools of any trace of religion created a vacuum by eliminating the explanatory belief system undergirding moral values. Now, we are seeing the attempt to push into the schools an alternative explanatory belief system that is inconsistent with, and subversive of, the religious worldview. In many places in the country, the state of our public schools is becoming an absurdity that can scarcely be believed. While an astonishing number of public schools fail to produce students proficient in basic reading and math, they spare no effort or expense in their drive to instill a radical secular belief system that would have been unimaginable to Americans even 20 years ago.

Consider just one example. Earlier this year, an Iowa public school district taught trans-genderism and homosexuality to students at all grade levels—including pre-school. As part of a “Black Lives Matter at School Week of Action,” the school district distributed a children’s coloring book page that teaches: “Everyone gets to choose if they are a girl or a boy or both or neither or someone else, and no one else gets to choose for them.”

Clearly, this is not established “science.” Rather, it is a moral, psychological and metaphysical dogma of the new progressive orthodoxy. In fact, until very recently, virtually no one in America had even heard of these radical notions, yet they are now so thoroughly institutionalized in many public schools that in some states children are permitted to select a new gender without the consent of their parents.

This is not a matter of isolated ideas occasionally popping up that are so discrete and fleeting as to do no great harm. What is taking shape is a full-blown—may I say “systemic”—subversion of the religious worldview. While the secularist may view each lesson, such as transsexualism—as dealing with a discrete subject, those lessons embody broader ideas that are fundamentally incompatible with the religious viewpoint. Telling school children that they get to choose their gender—not just male or female, but anything else—and that no one else has anything to say about it—a does not just contradict particular religious teachings on gender and the authority of parents; it is a broadside attack on the very idea of natural law, which is integral to the moral doctrines of a number of religious denominations.

As of this school year, about one fifth of Americans live in a state that mandates an LGBTQ curriculum in public schools. In the absence of a statewide mandate, curricula are also frequently adopted in particular school districts. These new laws often lack any opt-out for religious families. In Orange County, California, for example, the Board of Education 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.” But the progressive gender and sexuality agenda only begins to scratch the surface of what is now being taught in government-run schools. In recent years, public schools across the country have rushed to embrace so-called “Critical Race Theory.” CRT is nothing more than the materialist philosophy of Marxism substituting racial antagonism for class antagonism. It posits all the same things as traditional Marxism: that there are meta-historical forces at work; that social pathologies are due to societal conventions and power structures which have to be destroyed; that conflict between the oppressed

and the oppressors provides the dynamic and progressive movement of history; and that individual morality is determined by where one fits in with the impersonal movement of these historical forces. And just as everyone from the Catholic Church on down has observed about traditional Marxism, this philosophy is fundamentally incompatible with Christianity. It posits a view of man and his relation to society and to other individuals that is antithetical to the Christian view. Now it seems to me that for the government to get into the business through public schools of indoctrination of students into secular beliefs systems that are directly contrary to the traditional religious beliefs of students and their families raises fundamental constitutional problems.

It certainly raises a free exercise problem. As the Supreme Court has recognized nothing is more fundamental than the right of parents to pass religious faith to their children. It is monstrous for the state to interfere in that by indoctrinating children into alternative belief systems that are antithetical to those religious beliefs. So it seems to me that if a school proposes to teach that a child gets to pick their gender and no one else has anything to say about it they are infringing on the free exercise of religion unless they allow parents to opt out.

But I think things have also reached a point where the Establishment Clause is implicated. When we are no longer talking about simply stripping religion out of school curriculum, but now talking about indoctrination into an affirmative belief and value system—a new credo—resting on materialist metaphysics and taking the place of religion, then the question is whether this involves establishment of a religion. I am not the first to observe that the tenets of progressive orthodoxy have become a form religion with all the trapping and hallmarks of a religion. It has its notion of original sin, salvation, penance, its clergy, its dogmas, its sensitivity to any whiff of heresy, even its burning at the stake.

Indeed, the decades-long secular project has ended up proving the truth described by the late writer David Foster Wallace when he said, “There is actually no such thing as atheism. There is no such thing as not worshipping. Everybody worships. The only choice we get is what to worship.” Indeed, secular-progressivism has already been recognized as a religion in the courts when it suits the secularist cause. When non-believers sought conscientious-objector status during World War II, the Second Circuit construed the phrase “religious training or belief” to include beliefs that are “the equivalent of what has always been thought a religious impulse.” The Supreme Court followed suit in a similar case during the Vietnam War. Instead of “belief in a Supreme Being,” as the relevant statute required, the Supreme Court held that an objector to military service need only demonstrate a “belief that is sincere and meaningful [and] occupies a place in the life of its possessor parallel to that filled by [traditional religion].” In another case implicating the Free Exercise Clause, the Court referred in passing to secular humanism, Buddhism, and Taoism as examples of “non-theistic” religions.

Many federal, state, and local agencies also recognize “humanism” as a religion. But while secularism has been afforded the *protection* of the Religion Clauses, it has generally not been subject to the *prohibitions* of the Establishment Clause. This creates an often-overlooked constitutional double-standard, particularly when it comes to education. The Courts have in fact foreseen the potential for secularism itself to become established as a state religion. In one of the first cases abolishing school prayer, the Supreme Court acknowledged that “the State MAY NOT establish a ‘religion of secularism’ in the sense of affirmatively opposing or showing hostility to religion, thus ‘preferring those who believe in no religion over those who do believe.’” We have to consider whether our public schools, as currently constituted, are doing exactly that.

If secular-progressivism indeed occupies the same space as a religion--as by all appearances it does—then how is it Constitutional to have a state-run school system fervently devoted to teaching little else? And how on earth can these same institutions be allowed to use the state to punish traditional religious doctrines as hate speech?

The current posture of public schools raises another question. One of the main justifications for the common school movement was that they would be institutions to effectuate the melting pot—to

promote our common identity, to promote a solidarity based on being an American. But now the schools have taken on the opposite mission of separating us, of teaching unbridgeable differences, of dividing us into many different identities destined to be antagonistic. It is all the more alarming and bizarre that the new state-sanctioned ideology challenges the very legitimacy of the nation itself—to the point of explicitly attacking its founding documents, principles, and symbols. If the state-operated schools are now waging war on the nation's moral, historical, philosophical, and religious foundations, then they would seem to have forfeited their legitimacy as the proper vehicle to carry out the mission with which the American People have charged them.

The time has come to admit that the approach of giving militantly secularist government-run schools a monopoly over publicly funded education has become a disaster. It has deformed and impoverished the very nature of the educational enterprise, first by purging it of any moral or spiritual dimension, then by trying to substitute for traditional religion an irreconcilable rival value system. Parents wishing to opt-out from the government's secular-progressive madrassas are subject to a harsh penalty in the form of private school tuition that most cannot afford. As a result, our public schools have inevitably become cockpits for a vicious, winner-take-all culture war over the moral formation of our children.

It does not have to be this way. Public funding of education does NOT require that instruction must be delivered by means of government-run schools. The alternative is to have public funds travel with each student, allowing the student and the parents to choose the school—private, public, sectarian, or non-sectarian—that best fits their needs and the dictates of their conscience. In this environment, vouchers may be the only workable solution. They would also promote all kinds of diversity in our schools—diversity of viewpoints, backgrounds, and ways of thinking. Americans would be free to live according to their beliefs even if their views do not confirm to the dominant culture. Happily, vouchers also tend to provide greater opportunity for less privileged children as well. Kids from poor households would not be relegated to failing government-run schools in the poorest neighborhoods. In this way, a universal voucher system would solve some of our most intractable and contentious social problems.

Confronting this issue is one of the most urgent tasks for concerned legislators, lawyers, and organizations such as this one. To save religious liberty, we must save our families and their children from the extreme secular-progressivism that pervades our current system of public schools.