

FAITH & JUSTICE

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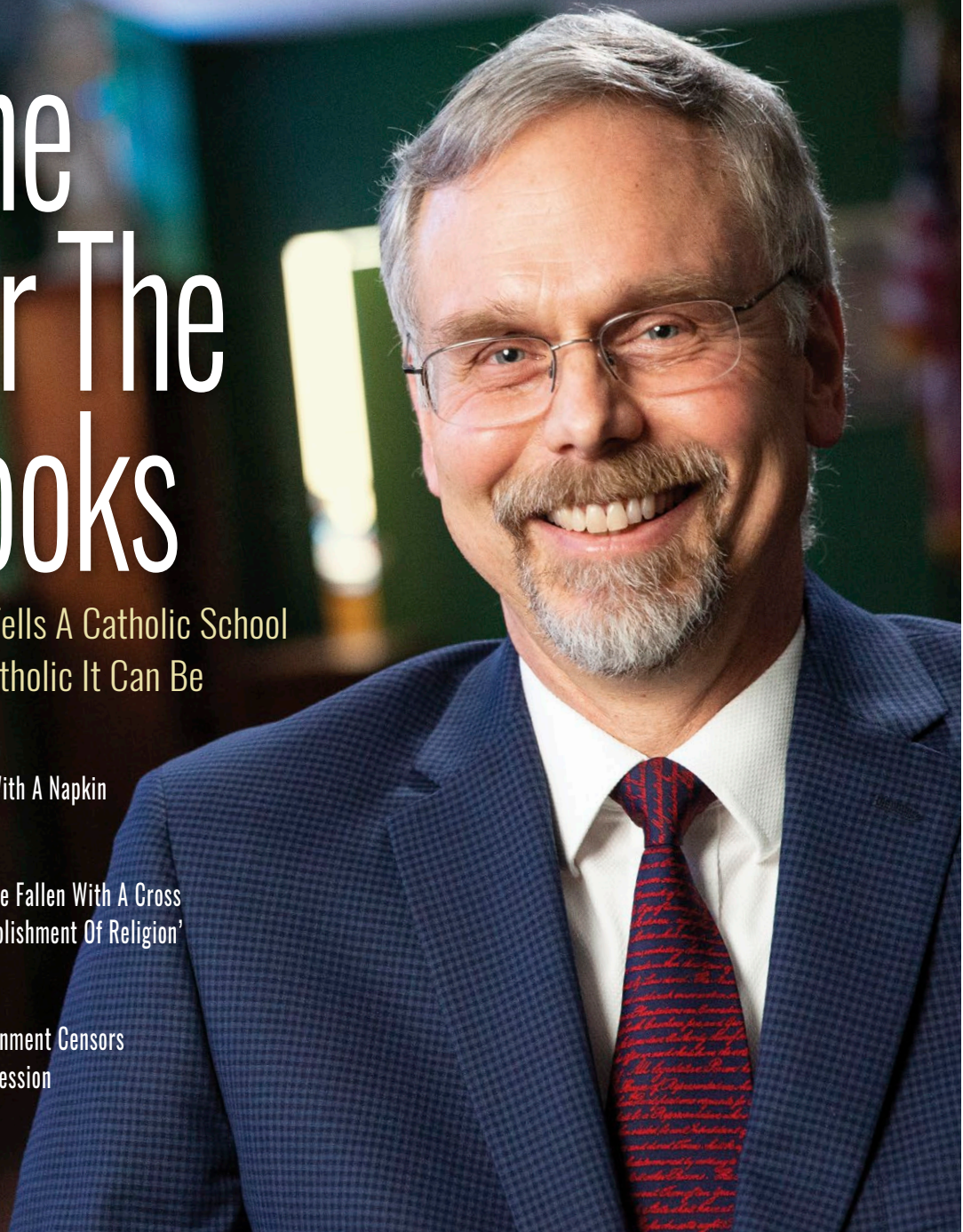
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Join The Celebration

25 Moments. 25 Years.

For 25 years, Alliance Defending Freedom has pursued the calling to be a voice for faith and freedom in the world.


Some said we were too late. Others said it was too big of a calling. But this little organization quickly moved to the frontlines of the battle for religious freedom.

See 25 moments from 25 years, and watch the anniversary video.

VISIT ADFLEGAL.ORG/25YEARS



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Minutes With Michael

Training For The Generational Win

By Michael Farris

Riding a bike for 100 miles doesn't happen all at once. When I took up cycling about eight years ago, I was pretty proud of myself when I was able to ride for seven miles — with a rest at the halfway point. After a while, 20 miles was routine. And when I had time, I could ride for 30 without significant difficulty.

And then a friend challenged me to ride in the Sea Gull Century. The event offered two forms of a Century ride. We could choose the metric Century of 100K, or about 64 miles. Or we could do the real thing and ride 100 miles.

We debated about which to choose up until we started riding. I really thought we were going to do the 100K, but my friend pushed us to go for the longer distance. We made it, and we were rewarded with great satisfaction — accompanied by exhaustion.

The process of seeking to change American law in a dramatic and generation-shaping way is akin to riding a Century. Actually, it is more like riding 500 or 1,000 miles. Such distances are not impossible, but they are not common.

Alliance Defending Freedom has big goals. We seek to reverse *Roe v. Wade* and follow that up with state laws that protect all innocent life from conception until natural death. We also aim to undo the Supreme Court's decision in *Employment Division v. Smith* and return the free exercise of religion to its rightful place as a preeminent right in our constitutional constellation. We have similar goals for marriage and gender issues, freedom of speech, and parental rights.

The everyday work of ADF to defend these freedoms is important for at least two reasons. First, our clients deserve protection for their right to worship God, speak the truth, defend life, and defend marriage in a myriad of circumstances.

But these cases are also important because they are the conditioning rides. These are the 20-, 30-, 50-, and 70-mile rides that help build up the possibility of that big Generational Win that we ultimately are seeking.



When I mounted my bike on that morning of the Sea Gull Century, I didn't know how far we would go that day. 100K or 100 miles? In a similar vein, we probably won't know in advance which of our cases will result in a Generational Win. We can tell that such a victory is possible. We can train for it. Prepare for it. Raise the support for it. And pray for it.

But it will be up to God to choose the path that leads to these great victories.

We have to do our part of preparing and believing that God can enable us to do what the world counts as exceedingly difficult. With His help, I truly believe that over time — and we should expect 10 or 20 years in some cases — we will ride across that finish line. Exhausted. But with enormous satisfaction and humble gratitude that God has allowed us to ride along while He delivered the victory. 🏆

News & Quick Takes

Case Updates From Around The World

Denver, Colorado

The state of Colorado dismissed its most recent charges against cake artist Jack Phillips in March, after new evidence emerged of state officials' anti-religious bias. The state's latest attack came despite a U.S. Supreme Court ruling last June that dismissed earlier charges, chastising members of the Colorado Civil Rights Commission for their clear hostility toward Phillips, owner of Masterpiece Cakeshop.

The newest charges were dismissed after ADF attorneys uncovered statements from a 2018 public meeting in which two commissioners voiced their support for anti-religious comments that a previous commissioner, Diann Rice, made in 2014. **Those comments, which the Supreme Court sternly condemned in its ruling last year, called religious freedom "a despicable piece of rhetoric."** ADF also documented another commissioner calling Phillips a "hater" on Twitter.

The state's dismissal brings to a close 6 ½ years of hostility toward the cake artist.

Lafayette, Indiana

After months of litigation, a pro-life organization's advertisement can now appear on buses operated by a government-run public transportation company. **After previously rejecting the ad educating the public about the humanity of unborn children, CityBus has now agreed to allow Tippecanoe County Right to Life to run its ad.**

Tippecanoe County Right to Life is a non-profit organization dedicated to protecting the right to life. In September 2017, the group contacted CityBus to begin a conversation about advertising on buses, believing that they could educate numerous people — including some who may face unplanned pregnancies and consider abortion — in this way.

Vermont

ADF attorneys representing three students, their parents, and the Roman Catholic Diocese of Burlington filed a federal lawsuit against Vermont officials in January for discriminating against children based on the religious status of the high schools they attend.

Vermont maintains a Dual Enrollment Program, under which high school students take college courses at public expense. **Students at public, secular private, and home schools are eligible, but the state excludes students at private religious high schools**, such as Rice Memorial High School, which the Roman Catholic Diocese of Burlington owns and operates.

"Students should have every opportunity to pursue their educational goals," says ADF Legal Counsel Christen Price. "That's especially true in this case, where the government isn't sending any money to religious high schools. Vermont is discriminating against students purely based on which kind of school they come from."

Vermont is discriminating against students purely based on which kind of school they come from.

“

ADF Legal Counsel Christen Price

Upper Arlington, Ohio

On Jan. 16, ADF filed a petition to the U.S. Supreme Court on behalf of Tree of Life Christian Schools, which is in the midst of an eight-year legal battle with the city of Upper Arlington, Ohio. **The city has denied zoning approval for the school to relocate its growing, three-campus network to a single location.**

In 2010, the school purchased a building that would allow it to double in size and consolidate its overcrowded and outdated campuses. But city officials refused to grant Tree of Life zoning approval to use the facility — even though the same zoning codes would allow day cares and other similar uses within the same building.

Citing the federal Religious Land Use and Institutionalized Persons Act, which prohibits religious discrimination in zoning matters, the lawsuit challenges the city's exclusion of religious schools from the zone while allowing day care facilities and other secular nonprofits.

New York

A former head of the ACLU joined forces with ADF International attorneys to defend freedom of speech, which is increasingly endangered throughout the U.S. and Europe.

During a panel discussion on hate speech, Nadine Strossen, a New York law school professor and former ACLU president, joined Paul Coleman, ADF International executive director, to address the question “Should we be allowed to say what we want freely, even if some deem it ‘hateful?’” *Spiked* Editor Brendan O’Neill also took part in the discussion, held Jan. 29 at New York Law School.

“The ACLU and the ADF have often been on opposite sides of issues that are profoundly important to both of us,” Strossen said. “On the positive side, we agree on this particular issue — freedom of speech, even for the thought that we hate.”

“Free speech and censorship is not something that is a left wing or a right wing issue,” Coleman said. “It’s about those in power versus those who aren’t.”

Belgium

The European Court of Human Rights has agreed to consider the case of Tom Mortier of Belgium, whose mother was euthanized by lethal injection by a doctor who never consulted with — or even informed — her family before killing her. Belgian authorities have refused to pursue the case, meaning the court is now Mortier’s only chance to seek justice. ADF International is representing him.

Euthanasia is legal in Belgium; government reports indicate that approximately six people per day are killed there in this way. “The figures expose the truth that, once these laws are passed, the impact of euthanasia cannot be controlled,” says ADF International Executive Director Paul Coleman. “Belgium has set itself on a trajectory that, at best, implicitly tells its most vulnerable that their lives are not worth living.”

Belgium has set itself on a trajectory that, at best, implicitly tells its most vulnerable that their lives are not worth living.

“

ADF International
Executive Director Paul Coleman

Germany

In January, the European Court of Human Rights (ECtHR) ruled against a German family whose children were removed from their parents because they were being homeschooled. In the case of *Wunderlich v. Germany*, the court ruled that the actions of the German authorities did not violate the family’s rights.

In August 2013, dozens of police officers and social workers stormed the home of Dirk and Petra Wunderlich, forcibly removing their four children. The children were later returned to their parents, but forced into a government-approved education program.

Germany operates a blanket ban on home education. At the ECtHR, ADF International argued that the ban violates international law. The family is now appealing the decision to the Grand Chamber of the European Court of Human Rights.

London

The Court of Appeal of England and Wales will review a High Court decision that upheld a censorship zone around an abortion facility in Ealing, a London borough. **The zone bans pro-life groups from praying and offering help outside an abortion facility.**

The order was challenged by Alina Dulgheriu, a mother who, on her way to an abortion appointment, benefited from the help of a pro-life group. The support she received enabled her to keep her baby.

“The European Court of Human Rights has reiterated the importance of guaranteeing robust freedom of expression,” says Laurence Wilkinson, legal counsel for ADF International. “It is clear that Ealing’s censorship zone undermines this freedom without justification.”

New Delhi, India

In February, Christo Philip, a U.S. doctor of Indian descent, returned to India after almost three years.

In 2016, he was deported by the Ministry of Home Affairs based on allegations of missionary activity, even though his status as an Overseas Citizen of India granted him a lifelong visa. Now, after a legal struggle that led him to the Delhi High Court, his visa has been reinstated.

“This is a landmark judgment protecting the rights of people working in Christian organizations to freely live out their faith in India,” says Tehmina Arora, director of ADF India and one of the attorneys who represented Philip. “It restricts the arbitrary action of the Ministry of Home Affairs targeting foreigners merely because of their faith.”

Special Feature

Blackstone Legal Fellowship

It All Started with a Napkin

By Craig Osten

Blackstone Legal Fellowship began with two men and a napkin.

The idea of starting a law student training program had been in the back of Alan Sears' mind long before the launch of Alliance Defending Freedom in 1994.

Sears, ADF's founder, had experienced the hostility directed toward conservative law students and their values when he attended law school in the 1970s. His professors had mocked the Constitution and praised *Roe v. Wade* as a tremendous ruling while Sears sat silently, grieving for the unborn children who would be killed as a result.

"I didn't know how to deal with those issues, how to debate them," he remembers. "I didn't really know where to go to find out."

He also observed that those who opposed the Gospel and constitutional originalism used law schools to train leaders to advance attacks on faith, life, marriage, and family — leaders who advocated for decisions like *Roe*.

Sears wanted to ensure that future generations would have a law school experience different from his own — one that would prepare Christian law students for careers marked by integrity, excellence, and leadership to defend the liberties the nation was built upon. But the idea had to be placed on the back burner while he focused on getting ADF up and running.

That began to change in 1999, when he met with Jim Townsend, a devoted Ministry Friend who had earned a law degree so he could better understand the issues ADF faced. As they discussed ways that ADF could transform the legal system for Christ, the conversation turned to Sears' idea for a law student training program.



As the two men talked, they outlined the vision for Blackstone Legal Fellowship on a napkin. Seminars and lectures would be taught by outstanding lawyers, historians, and professors. The instructors would enrich the students' knowledge of constitutional originalism, religious liberty, and various legal issues — while teaching them to integrate their personal faith with a dynamic legal career.

Townsend, who helped Sears design some aspects of Blackstone, was so excited about the idea that he and his wife, Johanna, immediately offered a matching grant to underwrite half of the costs to launch the program ... provided the program would launch immediately and he could enroll in the first class as a "guinea pig."

Johanna Townsend also joined in planning the new training program. A nationally recognized leader and educator of youth in the Assemblies of God denomination, she later contributed ideas on how to make Blackstone a lifetime program rather than simply a one-summer experience.

After securing the additional funding from a handful of other Ministry Friends, the "beta test" session of Blackstone Legal Fellowship was held in the summer of 2000 with 24 students.

I didn't know how to deal with those issues, how to debate them.

“

Alan Sears, ADF Founder

One thing I admired about the people I met at Blackstone was the strength of their convictions. I sought to absorb and emulate that.

“

Elizabeth Kim, 2003 Blackstone Fellow

Blackstone Legal Fellowship, which celebrates its 20th anniversary this summer, would grow to train 160 law students each summer.

There are now more than 2,100 Blackstone graduates, representing 227 law schools from 21 countries. These young men and women have become state and federal judges, state solicitors general, law school faculty members, and partners in the nation's most influential law firms.

More than two dozen are now employed as ADF and ADF International attorneys, advocating for religious liberty, the sanctity of life, and marriage and family throughout the world.

With God's grace, and the prayers and support of ADF Ministry Friends, the vision laid out on that napkin is transforming law, government, and academia not just in America but also around the world.

And to think, the Lord started it with two men and a napkin.

John 15:5 — “*Apart from Me, you can do nothing.*”

Below, read how Blackstone Legal Fellowship provided vital training and support for two law students.

Elizabeth Kim

Elizabeth Kim embraced God's leading to attend law school because she wanted “to go to places in need of salt and light.” Her experience at Blackstone, she says, made her “a bit saltier and a bit brighter.”

Kim believes that Christians are called to live their convictions publicly and also “in the dark” — where no one but God sees. It's something she saw in the presenters and other interns she encountered during her Blackstone experience.

“I once heard that the best way to change culture is to create new culture,” she says. “One thing I admired about the people I met at Blackstone was the strength of their convictions. I sought to absorb and emulate that, not just personally, but also in my professional life.”

After graduating from NYU School of Law, Kim joined Kirkland & Ellis and became a litigation partner. Her *pro bono* efforts at the firm resulted in a writ of mandate issued to a school district on behalf of underprivileged parents attempting to convert their failing elementary school into a charter school. Her efforts also secured Combat-Related Special Compensation for an Iraq War veteran.

But Kim came to believe God was preparing her for a new opportunity. During a Bible study on the book of Amos, she was struck by how central to God's identity is His heart for justice and the oppressed.

“It was a jarring moment for me to realize that my career had equipped me to do exactly what was talked about in those verses,” she says. “And so I started thinking about what my next step should be.”

After a period of praying and searching, she learned about Restore NYC, an anti-trafficking organization in New York that seeks to holistically serve foreign-national victims and survivors of sex trafficking. She applied, and in late 2016, she accepted a position as Restore's chief operating officer.

“It's hands-down the best job I've ever had,” Kim says. She laughs and adds, “It's also hands-down the lowest-paying job I've ever had.”



Elizabeth Kim

VISIT:

www.BlackstoneLegalFellowship.org
to learn more

"I know very well the problem of sex trafficking is larger than me or our organization, and that it has to be the Lord that solves the problem of sex trafficking," she says. "But it is a privilege to be joining the Lord's work in this area."

In her Blackstone application, Kim wrote, "[T]he question is not whether to serve God, but how." She professed her heart's desire "to be the one who feeds the hungry ... for food, for justice, and for Jesus."

And God has met her heart's desire.

Jonathan Scruggs

During Jonathan Scruggs' Blackstone experience, one thing that stood out was ADF itself.

"They were committed to excellence, and the people had a heart for Jesus," he says. "It was great to see theology applied to law — and to even know an organization existed that thought about that."

"That made me want to be affiliated with ADF."

So, after earning his J.D. at Harvard Law School in 2006, he joined the ministry as a law clerk. Thirteen years later, he serves as senior counsel and director of the Center for Conscience Initiatives.

"My career is, in many ways, an extension of Blackstone," he says. "I'm working for the same organization, committed to the same issues."

Today Scruggs supports men and women who, regardless of the consequences, choose to follow their conscience. He has been involved with high-profile cases including *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*,



It was great to see theology applied to law — and to even know an organization existed that thought about that.

“

Jonathan Scruggs, 2004 Blackstone Fellow

supporting cake artist Jack Phillips after he declined to use his artistic abilities to promote a same-sex ceremony.

Scruggs calls this area of the law “compelling.”

“It’s a hot topic today,” he says. “There are a lot of disputes about it. [But] these are freedoms that should apply to everybody. If we want to have freedom and tolerance to live out our beliefs, we need to extend it to others.”

Currently, he’s the lead counsel for *Brush & Nib v. City of Phoenix*, supporting two artists who specialize in creating custom artwork celebrating weddings and other events. Under Phoenix criminal law, the artists face jail time and fines if they decline to create artwork expressing messages that violate their core beliefs — namely, creating invitations and other artwork celebrating same-sex wedding ceremonies.

“I love our conscience cases, love the clients that we meet — often people my age or younger, just trying to live out their faith in their business,” Scruggs says. For him, it’s especially satisfying to help men and women who would not have the resources to fight what are often long legal battles without the support of ADF.

“Lawyers have an obligation to general society and to other people to do better,” he says. “It’s kind of like *To Kill a Mockingbird*. That kind of a stereotype seems quaint, or it seems like that’s so long ago. But for me, it’s a cool idea to represent clients for free, and work to protect everyone’s rights.” 🐾

James Gottry and Karen Kurtz also contributed to this story.



Jonathan Scruggs

Alliance Profile

Kevin Clarkson

Kevin Clarkson has represented hundreds of clients in the course of his 34 years as a practicing attorney, but for now, he's representing just two: the state of Alaska and its governor.

Alaska is one of only five states in the U.S. where the attorney general is appointed by the state's chief executive and only two where the attorney general serves at the pleasure of that executive. In December, new Governor Mike Dunleavy gave his nod to Clarkson, who brings to the job a long history of working alongside his predecessors in that role, having spent a great deal of the last three decades standing with attorneys general and their assistants in defense of life, rights of conscience, and the right of the people to vote to amend their constitution.

Many of those battles were fought uphill, to bittersweet conclusions. Clarkson played a key role in protecting the right of Alaskans to vote for a state constitutional amendment defining marriage as the union of a man and a woman. Alaska was the first state in the country to pass such an amendment. That amendment, however, was nullified in the process leading up to the U.S. Supreme Court's 2015 *Obergefell* decision.

He spent more than a decade litigating to secure a consent or notification law that would protect the right of parents to give permission or to receive notice before their minor (age 16 or younger) daughter could obtain an abortion. That marathon effort ended with two disappointing state Supreme Court decisions — leaving Alaska one of only a handful of states in America without such a law.

**We can disagree, but show respect
and love to our opponents.**

“

Kevin Clarkson

“I came into this profession with ideals of protecting people's legal rights — their rights of conscience, their rights of liberty,” Clarkson says. “I still think those are very important.” So, “you continue the fight, no matter how the cases end up. You do the best legal work you can. You be as professional and as gentlemanly as you possibly can. And, of course, you always show people respect whether they agree with you or not.


“Then you let the chips fall where they may, and let God take care of the rest.”

Involvement with Alliance Defending Freedom since 1994, Clarkson is one of the ministry's most honored Allied Attorneys, having contributed several million dollars' worth of *pro bono* service to ADF clients and causes. Though he heard concerns from some during his confirmation hearings because of that relationship, Clarkson remains committed to ADF ideals, particularly to what he calls the attorneys' “Christ-like approach” to litigation.

“We can disagree, but show respect and love to our opponents,” Clarkson says. He's experienced a lot of that love himself, expressing gratitude for not only the legal resources, but the deeply personal kindness extended to him by ADF leaders as he struggled through his wife's death from cancer in 2008. “It's been wonderful to have that kind of support and friendship,” he says.

Clarkson says his chief concern — both as a practicing attorney and now the leading lawyer of the Last Frontier — is less for any given issue than for his fellow citizens to stay alert and informed about their judges at the state and federal level.

“Judges have a tremendous impact on our culture and on our society,” he explains.

“Oftentimes, people forget that they need to pay attention to who the protectors of our constitutions are ... [and] to watch to see that their judges stay grounded in the background of the people who wrote their constitutional documents — what they thought, and what the people at the time wanted.” 



Cover Story

One For The Books

A City Tells A Catholic School How Catholic It Can Be

Meghan admits it isn't always easy, being a student at The Lyceum. First of all, there's the long drive from home — 30 minutes when traffic is light, 45 minutes when it's not.

Then there are the demands of a classical Catholic education. Like her classmates, Meghan immerses herself in Latin and Greek and pores over the works of Homer and Shakespeare.

"Sometimes it's just painful to have all that homework," she says. "But it's so much more of a rounded education than I could get anywhere else. It is a commitment, but the things they offer here versus other schools are just so much more."

The Lyceum is a small college preparatory school in South Euclid, Ohio, a suburb of Cleveland. Named after Aristotle's school in ancient Athens, the school has just under 60 students in grades 6-12. Almost all go on to graduate from college, many attending on full scholarships.

The school teaches the seven traditional liberal arts: grammar, rhetoric, logic, arithmetic, astronomy, geometry, and music. Studies are rigorous, designed to teach students to think logically and discover truth.

"I feel like a lot of schools are kind of shaping people to just fit in a cookie cutter," Meghan says, "sent out into the world with all the same thoughts, all of the same ideas."

"I love The Lyceum, because it's taught me to think for myself."

Perhaps South Euclid's city officials could learn a thing or two from this small school.

WATCH:

Hear from Lyceum students, and find out why the school's case is so important at ADFLegal.org/fj-Lyceum



BELONGING

It was the community of students that lit up Meghan's enthusiasm on her first visit to The Lyceum, in the 6th grade.

"It was such a more welcoming environment than my old school," she says. She recalls her former school's noisy, crowded hallways and the bustle of students — mostly strangers — passing by in school uniforms, looking the same. "You'd never really get to know anybody."

She was just visiting The Lyceum at first, sitting in on classes and meeting a few of the students as she and her parents considered making a switch from another school. A "shy kid," she'd found it hard to connect with her classmates.

"I didn't really get along with a ton of people," she says. "I didn't know how to talk to them."

Everything was different at The Lyceum. "They were so welcoming and so friendly that it felt like the rest of my family," she says. "I remember one girl looked at me and said, 'You're going to fit in great here.' It just clicked with me at that moment. 'OK, I'm not going back to my old school now.' There was no way."

Now a senior, Meghan expects her classmates to be lifelong friends.

"This school is more than just a school to me," she says. "The greatest people I've ever met are here."

In the fall of 2017, school administrators learned that the city was considering an ordinance that would limit The Lyceum's ability to operate according to its religious beliefs about human sexuality.

SOGI ("sexual orientation and gender identity") laws like this one impose penalties on businesses, employers, and schools that operate according to the belief that marriage is between a man and a woman and that biological sex overrides gender identity.

South Euclid's ordinance would force The Lyceum to hire teachers and enroll students who disagree with, or refuse to abide by, biblical beliefs about sexuality and marriage. It would also restrict the school from publishing or otherwise communicating anything related to sexuality that might make an individual feel "unwelcome." For disregarding the law — in other words, for holding to Catholic doctrine in a Catholic school — administrators could face a penalty of up to \$500 in fines and 60 days in jail *per violation*.

Understandably, the ordinance "was a great concern to me," says Lyceum Headmaster Luke Macik. "It meant we couldn't do what the very substance of the school is, the classical Catholic education."

Exactly how the ordinance would apply to the school — and even *whether* it would apply — was not clear. But, since the SOGI ordinance did not include a religious exemption, it seemed likely the proposed law was actually targeting faith-based groups like The Lyceum.

Macik and a number of Lyceum parents attended city council meetings to express their concern. They discovered that the legislation was being herded along by Equality Ohio, an LGBT activist organization. They also learned that council members themselves really didn't understand the ordinance.

"It was clear to me that they didn't know what the ordinance meant," Macik says. "They were relying on the people from Equality Ohio, who were trying to push this through."

"In fact, the then-council president said, 'We ought to pass this ordinance, and we can find out what it means later.'" Macik heard a cry of exasperation from the crowd.

Despite objections from many members of the faith community, the ordinance passed in April 2018. Concerned about the criminal penalties and even its future existence, The Lyceum increased its efforts to gain clarity.

Administrators filed a public records request, asking the city of South Euclid for information about the ordinance. The city, illegally, did not respond. The school followed with a letter to the city's law director, asking whether the law impacted The Lyceum. The city still refused to say.

Surely it can't be discrimination for The Lyceum to live and educate young people according to the principles of our Catholic faith.

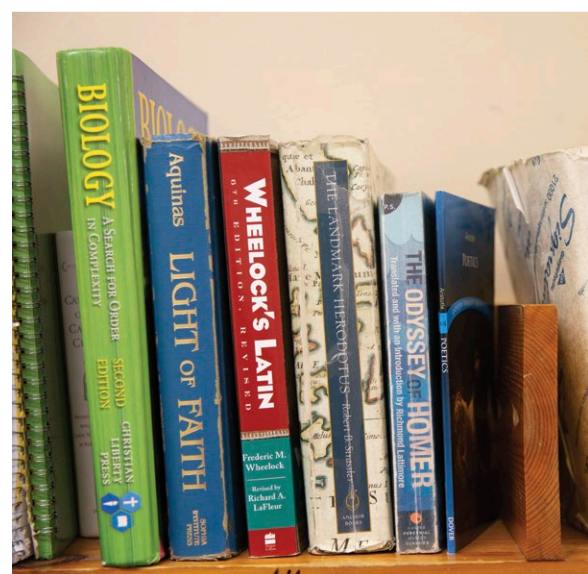
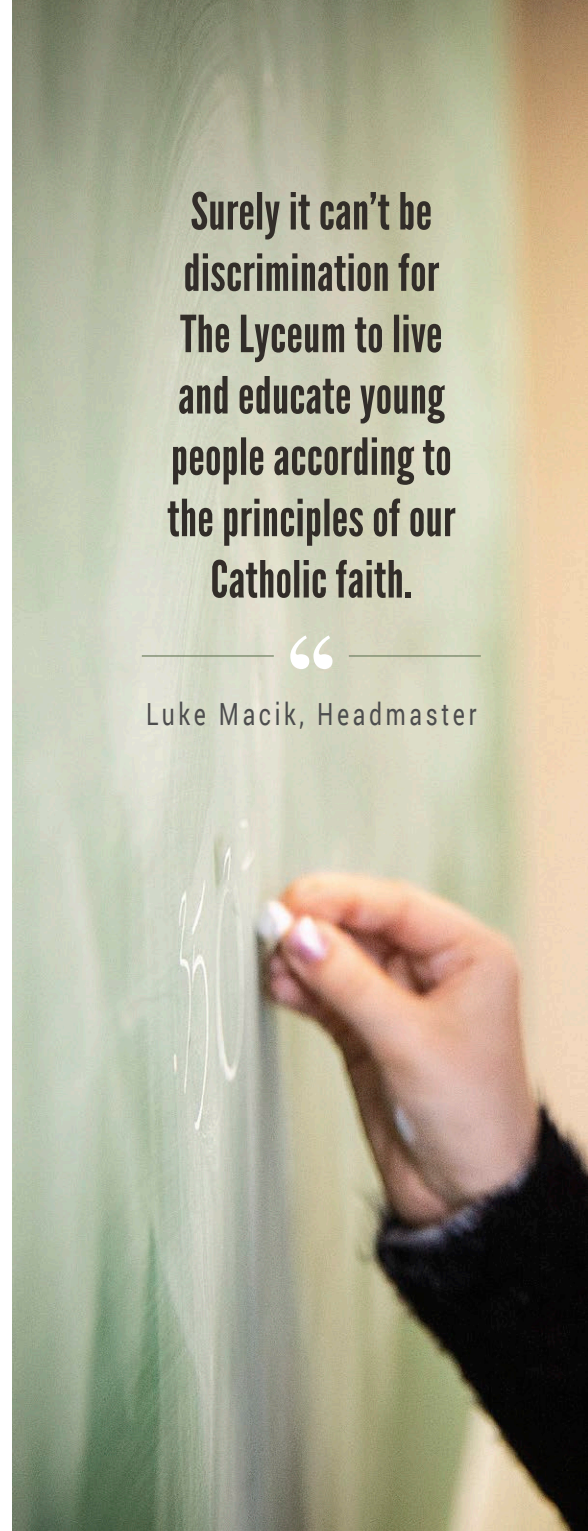
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Luke Macik, Headmaster

I feel like a lot of schools are kind of shaping people to just fit in a cookie cutter, sent out into the world with all the same thoughts, all of the same ideas.

“

Meghan, senior





THE LYCEUM COMMUNITY
A PLACE OF
LEARNING

Mike and Julie Rodriguez knew at once that The Lyceum was for them. This is where they wanted their girls to be.

"It's been wonderful," Mike says. "They are really flourishing here."

The family enjoys lively conversations around the dinner table as the girls recount what they learned during the day, what they debated in class — points they argued for, points they argued against.

"My wife and I are so grateful that they're learning how to think and how to reason instead of just saying, 'Hey, you need to study this, and we're going to test you on it next week,'" Mike says. "It's a much more engaged type of learning there."

Classes are small, he says, and students gather around a table as the teacher facilitates discussion.

"You can't be a slouch and get through; you have to put in the effort," he says. "But the kids, I think, all lift each other up, and they all propel each other to do well."

The camaraderie among students is something he especially appreciates.

"They're supportive of each other, and they're all directed in the same way," he says. "They all want to know their faith, they all want to learn, and they challenge each other to be successful."

At The Lyceum, Mike notes, nobody can hide in the back of the classroom, as some would be apt to do at other schools. And in this lively, welcoming learning environment, it's likely that nobody wants to.

"There's no back of the classroom," he says. "Here, you're at the table."



Mark Langley, academic dean, leads singing during Thursday morning Mass. In addition to the weekly Mass, students gather each morning for prayer.



**You start your day with God.
Start the day with the One who
brought you into existence.
You want to thank Him for that,
and the best way that we can
do that is by spending time
with Him in the church and
praying and singing to Him.**

“

John Paul, senior

In April, Alliance Defending Freedom filed a lawsuit on behalf of The Lyceum to challenge the ordinance. Put in touch with the ministry through an allied organization, school administrators were reluctant at first to pursue litigation. But after exhausting other options, it became clear that legal action would be necessary to protect not only The Lyceum's existence, but the religious freedom of others as well.

"They have, really, no other choice but to walk into a federal court and say, 'Your honor, we need clarity,'" says Christiana Holcomb, legal counsel for the ADF Center for Christian Ministries. "Does the law apply to us, or does it not? Can we operate consistently with our faith, or can we not?"

Macik is concerned not only as the school's headmaster but as the father of three current students — and three others who have already graduated from the school. A former lawyer himself, Macik left the practice of law to pursue a career in education. After serving as vice president of a Catholic college for two years, he



LIVING FAITH

The Lyceum is a faith community. Students pray together. They sing together. (All students participate in the school choir.) And they share their faith experiences with each other.

Claire, a junior loves this.

"Coming to The Lyceum on a daily basis and having the experience of faith in class, outside of class, with students, with teachers ... it's just excellent. It makes the faith grow stronger."

In this close-knit community, she's found that it's common to discuss deep topics with classmates and teachers — more at school, perhaps, than anywhere else.

"Even in church, you're not always discussing, you know, the *theology* behind all the concepts that you encounter," she says. "And here you do. You discuss it on a daily basis."

Faith comes up naturally for Claire and her classmates, she says, as they work through homework assignments or engage in class discussions.

"We try to live through Christ in every moment, whether we're talking about one difficult math problem or the whole concept of the resurrection — whatever it may be, that Christ is always there, every step of the way.

"And that's what living the faith out really means. It's coming into contact with Christ right there, right now."

moved on to become The Lyceum's headmaster — drawn to the classical education the school provides. It was the form of education he wanted for his own children.

"It would be devastating to me as a father, not to be able to provide this education to my own children," says Macik, who also teaches at the school. "And I know it would be devastating to our parents not to be able to provide this kind of education for their children as well."

The Lyceum does not intend to discriminate against anyone, he says. In fact, the school is open to non-Catholic students, as long as they are willing to abide by the school's Catholic standards.

"Surely it can't be discrimination for The Lyceum to live and educate young people according to the principles of our Catholic faith," he says.

"This is a faith-based, very distinctly Catholic classical school," says Holcomb. "Their faith undergirds everything that they do. For the government to come in and say, 'You can't be Catholic' is absurd."

Unfortunately, laws like this one are a growing trend, she says.



Christiana Holcomb announces the lawsuit challenging South Euclid's ordinance in an April 3 news conference.

**Their faith undergirds everything that they do.
For the government to come in and say,
'You can't be Catholic' is absurd.**

“

Christiana Holcomb,
Legal Counsel, ADF Center for Christian Ministries



“These SOGI laws are popping up across the country — particularly in small cities and counties,” Holcomb says. “We’ve got members of the city council who pass these laws without much input from their community, and generally at the urging of activist organizations.”

SOGI laws are affecting churches as well as schools. In 2016, ADF filed lawsuits on behalf of Fort Des Moines Church of Christ in Iowa and Horizon Christian Fellowship in Massachusetts. In each case, the state government said the church must comply with a state law requiring restrooms and other private areas to be open to members of the opposite sex.

“We won,” Holcomb says. “But I think it offers insight into where activist organizations want to apply these laws — faith-based organizations and churches.”

The good news: SOGI laws are “imminently stoppable,” she says — if people are willing to speak up for their constitutional rights.

“When members of the community stand up and push back and testify to the actual human cost and harms, many times those SOGIs can be defeated,” she says. “We have successfully stopped a number of them across the country.”

Nevertheless, these laws point to an underlying problem in American society, she says.


“We’re increasingly at a point in which religion is viewed not as a social good that creates moral and upstanding and excellent citizens,” she says. “It’s now being viewed almost as something that is dangerous, and something that needs to be pushed out of the marketplace.”

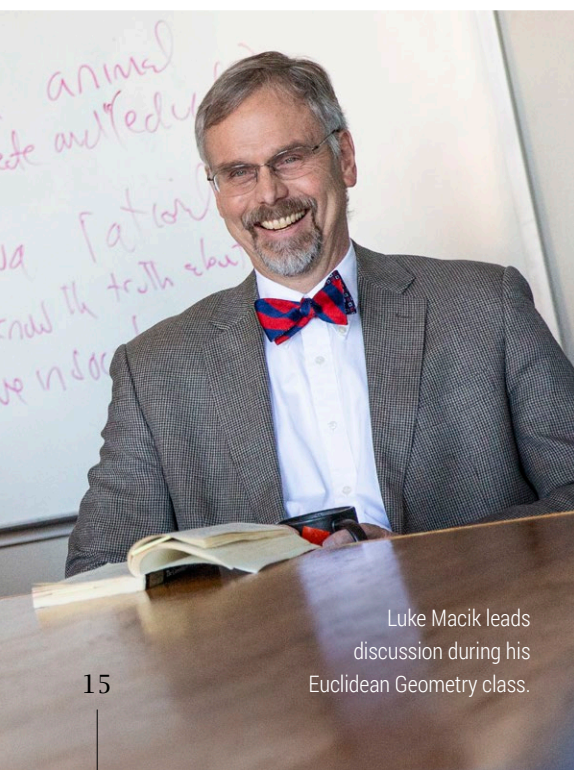
Which is why schools like The Lyceum are so important.

“Our students live in a time where truth is relative, where there is no ‘truth,’” Macik says. “We’re educating them to discover the truth and take joy in the truth.”

The school aims, he says, to evangelize its students — who will, in turn, evangelize a world increasingly darkened by the kind of social changes and legal machinations that have brought this SOGI to South Euclid.

This is why, signing letters like the one on the school’s website, Macik often makes it a point to incorporate a little of the Latin his students are grappling with in their nearby classrooms.

“*Fiat lux*,” he writes. “Let there be light.” 



Luke Macik leads discussion during his Euclidean Geometry class.

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Opinion

Honoring The Fallen With A Cross Is Not ‘Establishment Of Religion’

By Gary McCaleb

Don Mackey died in a maelstrom of fire on a gut-busting hillside in southern Colorado on July 6, 1994. He was a smokejumper — one of the few who are first on scene. And he was among the first to die as, yards from safety, he turned back toward the rising flames to help a lagging crew member. When the fire finally laid down and the blackened hillside was searched, Don’s body was found a few feet from that crew member’s body.

Today, on the rumpled ridges of Storm King Mountain, 14 stone crosses stand in tribute to each man and woman who died. Don’s dad was instrumental in organizing the effort to create and plant those crosses that speak today to say, “Here fell a noble soul; here is the place of sacrifice, remembrance, and honor.”

Yet there are those who will not tolerate such honors — who demand that if there is to be any remembrance, it must be as dictated by their feelings.

Sadly, they have too often forced their will on others through the federal courts. They have claimed

that the government “establishes” a religion when it allows memorials that include religious imagery, and that this causes them psychological injury. And that, they reason, empowers federal judges to order their removal.

Today we see that playing out in Bladensburg, Maryland, where the Peace Cross — memorializing the 49 soldiers from Prince George’s County who died in World War I — has been attacked by the American Humanist Association, which advocates for “humanists, atheists, agnostics, and freethinkers.” That association sued, asserting the shape of the memorial violates the Establishment Clause of the Constitution. Relying on a claim of emotional injury to justify the lawsuit, the association prevailed in the federal appeals court.

The Bladensburg and Storm King Mountain crosses are not unique. Similar memorials dot the Mountain West. It is impossible to quantify how important such memorials are to the family and colleagues of the fallen, to others who similarly serve, and to the community at large.



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Gary McCaleb

I know, because I was a wildland firefighter, too. I had met Don a couple of weeks before his death, late at night on another fire. I was running a medical unit. Around 10 p.m. or so, this crew boss came by asking for supplies for his crew before they shipped out to another fire in a few hours. We chatted a bit as I gathered this and that for him. He struck me as a good leader — a guy who was out cadging supplies for his guys rather than grabbing a precious 30 minutes of sleep.

That was Don, a guy I met and knew for all of 10 minutes.

About 10 days later, I was en route to another fire, driving through the New Mexico night, when the radio spattered out sparse reports of the tragedy at Storm King. As the story became known, we learned about the 14 men and women who had died that bitter day.

So we on the line mourned. Our brothers and sisters had fallen, and whether personally known or not, when someone in your fire family dies, all of us die a little bit with them. There are hearts that still bear the wounds of loss, but those hearts are healed in part by knowing that the fallen are not forgotten.

Fortunately, the U.S. Supreme Court granted review in the Bladensburg cross case, so perhaps it will get its reprieve from the breaker's hammer. In December, ADF filed a friend-of-the-court brief supporting efforts to protect the memorial. Oral arguments were heard in February, and a ruling is expected by late June.

To the American Humanists who are seeking to uproot that cross, I commend you for the ardor of your belief — or lack thereof — and insist that the First Amendment protects your right to advocate for your point of view.

But to the Supreme Court, I say it is time to bring some order to Establishment Clause jurisprudence. It is absurd to claim that a memorial cross is an intentional “establishment of religion” by the government. And it is even more absurd for the courts to act simply because someone claims to be offended.

After all, if emotional injury counts in this equation, I'd respectfully submit that what I — and thousands of others — felt when we sat and wept by 14 granite crosses on a windswept Colorado hillside is a transcendent emotional injury.

Please, atheists and courts, let us honor our fallen as we will. No reasonable person would mistake the purpose of those crosses, and no legal principle should justify toppling them one by one. **A**

**There are hearts that still
bear the wounds of loss,
but those hearts are healed
in part by knowing that the
fallen are not forgotten.**

“

Gary McCaleb

*Alliance Defending Freedom Senior Counsel
Gary McCaleb is a former USDA and USDI wildland
firefighter. This column originally appeared on the
Fox News website on Dec. 28, 2018.*



The Peace Cross
in Bladensburg,
Maryland

My View

To Be, But Not To *Not* Be

When Did Our Government Decide It Could Tell Patients What To Feel?

By Dr. Dovid Schwartz

Everyone's afraid. I've been a licensed psychotherapist now for more than half a century — in hospitals, clinics, and private practice. I know how much so many of us are driven, not just by our dreams and hopes and abilities, but by the things we are afraid of.

My patients come to see me because they are struggling with fears, of one kind or another. Feeling enslaved to something stronger than themselves, they want to be free.

Some struggle with their sexuality, or with same-sex attraction. They want to move past those feelings; they ask for my help. So I listen. I make some suggestions, which they are free to embrace or ignore.

Before 1973, when the American Psychiatric Association removed homosexuality from its list of mental disorders, no one objected if people — of their own volition — asked a therapist to help them overcome feelings they didn't want.

In 1986, for example, the most revered Torah leader of our community, the late Lubavitcher

Rebbe, wrote to a young man struggling with these very issues, encouraging him that *"You surely know that there are doctors and psychiatrists who treat [this], and have been successful in many cases. I know a number of cases of people who had this problem but eventually overcame it, married and raised a family ... the problem is controllable, for if it were beyond human control, HaShem [the Lord] would not have made it a sin."*

But things have changed, with the rise of LGBT activists whose agenda requires not only acceptance of such behavior, but society's full-on endorsement of it. Last year, the New York City Council adopted an ordinance making it illegal for therapists like me to provide our services to people uncomfortable with their same-sex attractions, or confused about their gender identity.

Understand: The law says therapists are perfectly welcome — even encouraged — to help a patient who wants to explore, develop, or come to peace with homosexual or transgender feelings. But if we offer professional assistance, *at their request*, to people who want to reduce same-sex attraction or embrace their biological sex, and if city officials find out about it, we can be fined thousands of dollars.

In other words, it's legal in New York City to help someone who wants to identify as homosexual or transgender. But it's illegal to help someone who *doesn't* want to embrace those desires.

It's legal in New York City to help someone who wants to identify as homosexual or transgender. But it's illegal to help someone who doesn't want to embrace those desires.

“

Dr. Dovid Schwartz

The ordinance is actually calculated to increase fears. Not only among therapists who can't afford the financial penalties (or bad publicity), but also among our patients.





I cannot bring myself to turn away people who ask for my assistance —
even if city officials want me to do so.

“
Dr. Dovid Schwartz

People come to therapists to confide deeply personal things they would never tell anyone else — sometimes, things they’ve never even admitted out loud to themselves. But my patients trust our conversations to be private, and depend on me to keep these discussions in strictest confidence. That trust is absolutely essential to their healing and ability to move through and beyond the issues they’re struggling with.

All of that changes, once they begin to fear that their government might demand to pry into our conversations. That fear could keep them from seeking help at all, even though they’re suffering from real psychological and emotional problems. But New York officials apparently prefer that people live with their fears and confusions, if that’s what it takes for activists to know our city is politically correct.

I trust my patients. People warn me that someone might feign a problem, just to get me in trouble. That’s a risk I’m willing to take, to help my patients. But, sadly, not all of my colleagues feel that way. Some are telling patients who express these homosexual and transgender concerns, “There’s nothing I can do — you’ll just have to live with this.”

What a terrible thing to tell anyone: *There is no hope. No one can help you.*

After 53 years of offering the best help I can to people struggling with everything from crippling addiction to

family problems, I cannot bring myself to turn away people who ask for my assistance — even if city officials want me to do so.

That’s why I am working with Alliance Defending Freedom. They’re helping me file a federal lawsuit against the city of New York for violating my freedom of speech ... and infringing not only on my own religious faith, but on that of my patients as well.

Raised as a secular Jew, I embraced the Orthodox faith as a young man. My faith frames my life. I live in the heart of an Orthodox Jewish community; most of my patients share my religious beliefs and convictions. In discouraging them from seeking help, I’m effectively directing them to live in disobedience to the Torah and its teaching. I will not do that.

All of us are part of a community. For those communities to be healthy and function well, we must be able to trust each other. We can’t simply tell those who are struggling to get over it ... that a changing culture doesn’t allow them to ask questions, or seek answers, or reach out for help.

That’s cruel. It’s intolerant. But more than that, for me — it’s a violation of my profession, my constitutional rights, and my deepest personal beliefs. And of the lifelong responsibility I’ve had to assist those who seek my help. They come to me with their fears. I will not send them away with more. **A**

Q & A

Ryan T. Anderson

Is 'Fairness For All' Really Fair?

By Charles Snow

Ryan T. Anderson is the William E. Simon senior research fellow at The Heritage Foundation, where he researches and writes about marriage, bioethics, religious liberty, and political philosophy.

Anderson is a frequent presenter at Alliance Defending Freedom events, such as the annual Summit on Religious Liberty and Blackstone Legal Fellowship. He is the author of several books, including When Harry Became Sally: Responding to the Transgender Moment.

He has also written extensively about SOGI laws, which add “sexual orientation” and “gender identity” to non-discrimination laws, including the Equality Act and the controversial “Fairness for All” proposal, which would impose SOGI obligations on most of the nation’s businesses, employers, and schools in exchange for limited and likely temporary exemptions for selected religious non-profit organizations.

Anderson spoke with *Faith & Justice* about the potential effects of Fairness for All, which supporters claim would balance the concerns of the LGBT community and the religious community — and why the bill cannot achieve that balance.

F&J: You’ve said that sexual orientation / gender identity (SOGI) laws, including Fairness for All, are not about freedom — but coercion. Can you explain?

RTA: In the United States, people who identify as LGBT already are free to live how they want to live. These laws are about making Jack Phillips design a cake celebrating a same-sex marriage. They’re about making Catholic Charities adoption agencies place children in homes with two moms or two dads. They’re about redoing [school] policies to allow boys who identify as girls into the girls’ bathrooms, locker rooms, and sports teams.

It’s not about freedom. It’s about imposing a new ideology on everyone else.

F&J: What are the limitations of the Fairness for All proposal?

RTA: From what we can tell, its supporters are asking, “How can we protect both LGBT rights and religious

liberty?” They propose making sexual orientation and gender identity protected classes under existing antidiscrimination laws in exchange for limited exemptions for religious non-profits — religious liberty protections that the Constitution should be interpreted to already provide.

But limited religious liberty protections don’t do anything to address the core problems with SOGI laws. They ignore *privacy* and *safety* concerns, when men who identify as women get to enter women-only spaces. They ignore concerns about *equal opportunity* for women, when boys who identify as girls get to compete against girls in athletic competitions. They ignore *liberty* concerns for people who are not religious, but have conscientious or medical convictions against sex-reassignment procedures. If you are a woman who doesn’t want men in your locker room or a secular doctor who thinks this is bad medicine, a religious liberty protection does nothing for you.

Ultimately, they ignore all the ideology concerns. What will be taught at public schools? What will be mandated through various speech codes for hostile workplace laws? Framing it as just a conflict between religious liberty and what they are calling “LGBT rights” fundamentally gets it wrong.



If we are imposing a bad law on our neighbor that we are then trying to exempt ourselves from, we haven't enacted policy that's fair for all.

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Ryan T. Anderson

Ryan T. Anderson takes part in a panel discussion at Blackstone Legal Fellowship.

F&J: You mentioned religious exemptions. What types of exemptions would there be?

RTA: Most likely for faith-based hospitals, faith-based schools, and, in certain contexts, faith-based charities. And possibly, very small businesses. The devil will be in the details.

F&J: Leaders of some Christian organizations have expressed support for Fairness for All. What makes a bill like this so attractive — and so dangerous?

RTA: For some, it seems like they believe this is simply the best political compromise or policy proposal they could hope for. For others, it's a misguided approach of doing the right thing. But if you need an *exemption* from the law, then you have a passed a law that in one way or another is penalizing people who hold to and seek to live out the truth.

F&J: What would real “fairness” look like?

RTA: Fairness would protect the common good. Christians should be thinking about what will actually be fair to all of our neighbors. If we are imposing a bad law on our neighbor that we are then trying to exempt ourselves from, we haven't enacted policy that's fair for all.

F&J: What can Americans do to help turn this around?

RTA: We must express publicly that adding the phrase “sexual orientation and gender identity” to existing nondiscrimination law is a non-starter. Citizens must communicate this to their representatives, leaders of their universities, the places where their kids currently study, their pastors, or even organizations they financially support.

F&J: What do you appreciate about ADF's role in this struggle, and in the broader effort to defend civil rights and religious freedom in America today?

VISIT:

Learn more about the Equality Act and the Fairness for All proposal at AllForFreedom.com

RTA: ADF has been *the best* at defending freedom for all without throwing overboard an understanding of what the truth is. ADF says, “We should be free to disagree about these issues, but we are not going to be relativists. We agree that what Jack Phillips believes about marriage is true, and he should have the freedom to live out the truth.” ADF has been willing to do that in the courtroom, in public policy discussions taking place in state houses and city councils, as well as in the halls of Congress. 🇺🇸



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