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September 12, 2020: Mark Tooley on George Weigel/Judge Pryor on the Court of History

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Title: Mark Tooley on George Weigel/Judge Pryor on the Court of History

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9/12/2020--I have this unfortunate tendency to lecture Christians on the meaning of the Gospel. As a self-professed non-believer, as a hallowed secularist, this must irritate believers. I don't blame them. It's just that I don't hear the Gospel preached.

Two recent examples.

Mark Tooley, the very thoughtful President of the Institute of Religion & Democracy, interviewed the Catholic thinker George Weigel on the theme Will America Choose Liberty or Anarchy? This drove me crazy. As if Trump represents liberty. Trump represents tyranny--ask any business owner he pushes around. As if the protests of people getting America to finally confront its racial sins represent anarchy.

Justice looks like anarchy when you are in power. A man who enters by pushing on an infirm door gets an unjustified reputation for violence. What about the state of the door. (And a man who at 68 can still endorse his high school yearbook quote has obviously not learned very much in a lifetime).

Anyway, I complained to Mark, whom I don't know personally and who took the time to gently remind me that Weigel did not support Trump, which is true. In 2016, Weigel urged people to vote for neither Trump nor Clinton.

But this was incredibly bad theology. Trump represents a spiritual harm to the Church in a way Clinton never could--I don't care how pro-choice she is. In a Clinton presidency, the church, or much of it, would have confronted what it viewed as evil. It would have been wrong in many ways in my view, but it would have borne witness. In a Trump presidency, the church--its leadership and many of its congregations--have aligned themselves with the evils of power and in this way have shamed the Gospel. That is by far a greater harm.

Say what you will about Hillary. She would never use a Bible as a photo op.

The second example is 11th Circuit Chief Judge Bill Pryor, who wrote a separate concurrence in a case upholding Florida's requirement that fines be paid before felons could reclaim voting rights.

The dissenters wrote that prior cases upholding voting rights "will be viewed as kindly by history." Pryor could not stand that. He wrote, There is no court of human history.

South Texas Law Professor wrote favorably about this in [Reason](#).

Here is a fuller quote. *Our duty is not to reach the outcomes we think will please whoever comes to sit on the court of human history. The Constitution instead tasks us*

with "administering the rule of law in courts of limited jurisdiction," id. at 1343, which means that we must respect the political decisions made by the people of Florida and their officials within the bounds of our Supreme Law, regardless of whether we agree with those decisions. And in the end, as our judicial oath acknowledges, we will answer for our work to the Judge who sits outside of human history.

Professor Blackman writes that appeals to history "no longer have any meaning for me." They represent "mythology."

This is the same nihilism that AG William Barr demonstrated when he was asked how history would view his decisions: "I am at the end of my career. Everyone dies, and I am not, you know, I don't believe in the Homeric idea that, you know, immortality comes by, you know, having odes sung about you over the centuries."

Conservatives have now abandoned Martin Luther King, Jr.: the arc of the moral universe is long but it bends toward justice. Oh, and I should add that in the Judeo/Christian tradition, God does not sit outside human history. When you abandon justice, you abandon religion too. I have no problem with a judge saying his role is to follow the law and sometimes not follow justice. But don't tell me there is no such thing.