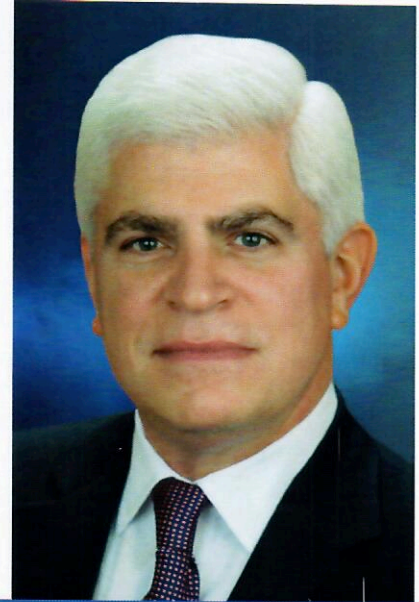


The Times That Try Our Souls . . . and Define Us for History



PRESIDENT'S MESSAGE

MICHAEL MILLER

In a departure from my previous president's messages focusing on broad societal issues, I had drafted a message describing the New York State Bar Association's considerable advocacy activities. However, I awoke this morning to the news of yet another mass murder, this time in Christchurch, New Zealand, where at least 50 people were murdered and scores more injured, some critically, in a massacre at two packed mosques during Friday prayers. To add to the madness, the gunman, who is reportedly in his late 20s, live-streamed the carnage on social media and according to news reports, stated that there were so many people he didn't need to aim. So, instead of my message about NYSBA's advocacy, I feel compelled to share some thoughts in light of the horrific indiscriminate and brutal slaughter of those innocent worshippers.

Hate crimes have become so commonplace that we just say, "How awful," and then, in a short time, go on about our business, without considering the societal implications. There is a dangerous and malignant virus that does not discriminate and appears to be getting worse. Yesterday (March 15), 50 Muslim worshippers were massacred in Christchurch, New Zealand. Not long ago, 11 Jewish worshippers were slaughtered in Pittsburgh. Six Muslim worshippers were murdered in Quebec City. Nine African American worshippers were murdered in Charleston. Six Sikh worshippers were massacred in a Wisconsin temple.

Hate crimes are on the rise everywhere. Despite Justice Department data confirming the rise of white suprema-

cy-fueled hate crimes, President Trump states that white nationalism is not a growing threat. In fact, commenting on the carnage in Charlottesville, our President failed once again to distinguish between hatemongers and those who stood against hate when he stated that there were "very fine people on both sides."

Are we so mesmerized – or turned off by – the psychodrama in American politics that we do not pay sufficient attention to what's happening to our values and the dangerous trends in our society? Is it possible that many are complacent because the economy appears to be strong, unemployment is relatively low, and 401k accounts are doing well? Perhaps as psychological self-defense, have we become hardened to the barrage of hate crimes and senseless violence that plagues us? It certainly seems that we pay little more than passing attention to them, just as we pay little attention to the decline of constitutional democracies around the globe. We ignore the vacuum created by America's retrenchment that began with the end of the Cold War and has accelerated with the current administration in Washington. And we do this all at democracy's peril. I believe that insensitivity to the profound danger of hate crimes, anti-Semitism, Islamophobia, white supremacy and anti-LGBT bias is related to the decline of social and constitutional norms.

It doesn't take a political scientist to recognize the growing threat here in America. Despite our President's assertions to the contrary, the evidence is overwhelming that white nationalism is growing, and that social media has greatly enhanced its viral nature. It also doesn't take a

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President's Message

political scientist to recognize that as white nationalism has gained strength, so too has democracy's greatest enemy, authoritarianism.

As I have searched for answers, I have found myself reading again some of the source material for this great experiment, our constitutional democracy. Thomas Paine's *The American Crisis*, a series of articles written during the Revolutionary War, are relevant today. George Washington found the first article, dated December 23, 1776, so inspiring that he had it read to his troops shortly after a series of retreats by Washington's revolutionary forces. It begins with the oft quoted words:

These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered . . .

These words are as relevant today as they were in 1776; these are indeed the times that try one's soul – these are no ordinary times.

In Paine's fourth article in the series, he begins with the observation that,

Those who expect to reap the blessings of freedom must . . . undergo the fatigue of supporting it.

As I re-read those words recently, I was reminded of Andrew Jackson's *Farewell Address*, in which he admonished:

But you must remember, my fellow-citizens, that eternal vigilance by the people is the price of liberty, and that you must pay the price if you wish to secure the blessing.

Jackson warned of the danger of complacency, that liberty can be lost, that it is neither eternal nor is it inviolable once achieved.

I have previously written about the dangers of irresponsible language and the general decline of civility. I have also discussed the coarsening of the public discourse and noted that many political and thought leaders over the years, including John McCain, Samuel Johnson, William Penn, George Washington, John F. Kennedy, and even Mike Pence, have written or spoken about the value and importance of civility. I have implored you – in your communities, your homes, your workplaces, your places

of worship – to deliver a message of civility. As witnessed by current events, the absence of basic civility and respect is profoundly dangerous.

But what to do? Preaching the gospel of civility isn't enough. As Thomas Paine states in the fourth article in *The American Crisis*:

. . . it is folly to argue against determined hardness; eloquence may strike the ear, and the language of sorrow draw forth the tear of compassion, but nothing can reach the heart that is steeled with prejudice.

Perhaps Paine is correct. However, maybe we can reach the minds of prejudiced people, even if we cannot reach their hearts. How our leaders conduct themselves matters, what they say matters. They can discourage people from acting upon prejudice rather than ignoring or encouraging division and prejudice.

Whether inspired by white supremacy, anti-Semitism, anti-Muslim bigotry, racism, or xenophobia – or a combination – hate crimes are increasing exponentially, both here in America and around the world. Those who argue that there is no relationship between the President's rhetoric and this alarming trend are simply burying their heads in the sand. In the Christchurch murderer's lengthy manifesto, he hailed Trump as “a symbol of renewed white identity and common purpose.”

We members of this great and noble profession have a moral responsibility to advocate effectively and insist upon a commitment to minimum standards of decency. We must demand of all of our elected leaders that when there is intolerance or violations of social norms, they must denounce them in clear and unambiguous terms. From our elected leaders to our friends, neighbors and families, we must set the example by word and deed and accept nothing less than adherence to basic civility, common courtesy and respect.

I urge you to be a part of the solution by leading in your communities and spreading a message of civility and respect for the rule of law, the beating heart of our constitutional democracy. But more importantly, I urge you to use your considerable influence in your communities to demand that our political leaders speak out forcefully against intolerance whenever and wherever it appears, for the future of this constitutional democracy demands it.

MICHAEL MILLER can be reached at mmiller@nysba.org