



## **Bari Weiss's Olson Lecture: You Are the Last Line of Defense**

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One of the capstones of the Federalist Society National Lawyer's Convention is the Barbara K. Olson Memorial Lecture. The namesake of the lecture was a conservative lawyer and political commentator, and the wife of former Solicitor General Ted Olson. Barbara Olson was tragically murdered on 9/11 onboard American Airlines Flight 77, which was flown into the Pentagon. The first Olson lecture was delivered by Ted Olson in November 2001, barely two months after the horrific terrorist attacks. Later addresses were given by Judge Robert Bork, Justice Scalia, Chief Justice Roberts, Attorney General Mukasey, and many other leading jurists. I have attended every Olson lecture since 2008, and have witnessed many moving tributes to Barbara, and the important causes she believed in.

The Olson lecture at the 2023 Convention will always stand out in my memory. The speech was delivered by Bari Weiss of *The Free Press*. I'll admit, when I first saw her name on the schedule, I was a bit confused. Bari is not a lawyer, not a member of the Federalist Society, and not a conservative. Yet, my confusion quickly dissipated. Bari delivered a rousing, timely, and penetrating speech. Bari spoke to our current moment, including the conflict in Israel and attempts to destroy our own civilization. She formed a common kinship with those she disagrees with—especially a FedSoc crowd. And she connected with everyone in that room. At the end, the room was silent. You could hear a Madison lapel pin drop. When Bari concluded, the standing ovation lasted for nearly ninety seconds. (It was the longest one I could remember following an Olson lecture.)

Bari has posted the text of her remarks, titled "You Are the Last Line of Defense" on *The Free Press*. If you haven't already subscribed you should—I did.

Here is an excerpt, but I encourage you to read—or better yet, listen to—the entire speech:

Over the past two decades, I saw this inverted worldview swallow all of the crucial sense-making institutions of American life. It started with the universities. Then it moved beyond the quad to cultural institutions—including some I knew well, like *The New York Times*—as well as every major museum, philanthropy, and media company. It's taken root at nearly every major corporation. It's inside our high schools and our elementary schools.

And it's come for the law itself. This is something that will not come as a surprise to the Federalist Society. When you see federal judges shouted down at Stanford, you are seeing this ideology. When you see people screaming outside of the homes of certain Supreme Court justices—causing them to need round-the-clock security—you are seeing its logic.

The takeover of American institutions by this ideology is so comprehensive that it's now almost hard for many people to notice it—because it is everywhere.

For Jews, there are obvious and glaring dangers in a worldview that measures fairness by equality of outcome rather than opportunity. If underrepresentation is the inevitable outcome of systemic bias, then overrepresentation—and Jews are 2 percent of the American population—suggests not talent or hard work, but unearned privilege. This conspiratorial conclusion is not that far removed from the hateful portrait of a small group of Jews divvying up the ill-gotten spoils of an exploited world.

But it is not only Jews who suffer from the suggestion that merit and excellence are dirty words. It is every single one of us. It is strivers of every race, ethnicity, and class. That is why Asian American success, for example, is suspicious. The percentages are off. The scores are too high. The starting point, as poor immigrants, is too low. From whom did you steal all that success?

The weeks since October 7 have been a mark to market moment. In other words, we can see how deeply these ideas run. We see that they are not just metaphors.

*Decolonization* isn't just a turn of phrase or a new way to read novels. It is a sincerely held political view that serves as a predicate to violence.

If you want to understand how it could be that the editor of the Harvard Law Review could physically intimidate a Jewish student or how a public defender in Manhattan recently spent her evening tearing down posters of kidnapped children, it is because *they believe it is just*.

Their moral calculus is as crude as you can imagine: they see Israelis and Jews as powerful and successful and "colonizers," so they are bad; Hamas is weak and coded as people of color, so they are good. No, it doesn't matter that most Israelis are "people of color."

That baby? He is a colonizer first and a baby second. That woman raped to death? Shame it had to come to that, but she is a white oppressor.

Ted once said of Barbara that "Barbara was Barbara because America, unlike any place in the world, gave her the space, freedom, oxygen, encouragement, and inspiration to be whatever she wanted to be."

There is no place like this country. And there is no second America to run to if this one fails.

So let's get up. Get up and fight for our future. This is the fight of—and for—our lives.

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