

The Southern Poverty Law Center Persecutes Orthodox Jews

An Interview with Arthur Goldberg

By JOHN ZMIRAK *Published on September 9, 2020, 17 Comments*

In July 2019, The Stream reported on the legal persecution of Arthur Goldberg and his associates by the smear-mongering Southern Poverty Law Center (SPLC). Goldberg is a faithful Orthodox Jew, who stands up for the natural law and those who support it. So the SPLC decided to destroy his life. To drive him out of the public square, prevent him from making a living, and take his family home. What was his thought crime? Read on.



John Zmirak: *The Stream* has covered the **legal persecution** you and your associates are enduring at the hands of the **Southern Poverty Law Center**. Can you briefly sum it up in laymen's terms for our readers?

Arthur Goldberg: I helped found JONAH (Jews Offering New Alternatives to Healing). It provided resources for those who with unwanted same-sex attractions, pornography, and sex addiction.

In 2012 the left-wing Southern Poverty Law Center (SPLC) sued JONAH as well as several individuals under the N.J. Consumer Fraud Act (CFA). After four years of litigation, the SPLC was able to successfully argue that our referrals to independent counselors involved a form of fraudulent commerce. This was based on the erroneous theory that **no one is capable** of changing his sexual behaviors. This was the first case to ever apply the CFA law to a duly constituted not for profit religious organization. This holding is antithetical to the very concept of consumer fraud. Neither co-director ever received compensation for our multi-year volunteer work.

The SPLC and their legal allies shut down three religious initiatives with which I was involved. Those were JONAH, the Jewish Institute for Global Awareness (JIFGA), and Funding Morality. The trial judge also crushed my own individual liberties. He ordered me to pay a multi-million-dollar penalty. He also barred me from participating in any not-for-profit organization operating in New Jersey. He further denied me First Amendment rights such as freedom of speech and association.



Please be aware that in order to attempt to cover some of the costs, I mortgaged my family home in Jersey City, where my family has lived for some 45 years. This is something that a person nearly 80 years old should not be forced to do. I have

been married to my wife Jane for 51 years, have four children, and six grandchildren.

As individuals my co-director and I have been hunted for close to 8 years by the left-wing Southern Poverty Law Center (SPLC) and their allied attorneys. We are now personally obligated for literally millions of dollars we need to raise to cover the fees and costs involved.

During the trial the judge denied us the opportunity to present expert witnesses.

In addition, the judge ignored documents executed by the plaintiffs in which they acknowledged that no guarantees were offered in the treatments offered by the independent counselors to whom JONAH referred them. Most egregiously, during that trial that the judge denied us the opportunity to present expert witnesses. These people had actually successfully counseled people with unwanted same-sex attraction (SSA). He stated in a written opinion that the theory that unwanted SSA can be changed “is not novel but — like the notion that the earth is flat and the sun revolves around it — instead is outdated and refuted.” Thus, by disallowing any testimony from expert witnesses about the ability to change sexual preference (as well as several other adverse rulings), he made the outcome inevitable.

The Court Declared Goldberg an Un-Person

Your enemies weren't satisfied with closing down JONAH. They asked for and got an injunction forbidding you from ever being involved with any effort to help LGBT people who sought spiritual and psychological counsel. They pursued your every attempt to engage in the public square.

After the forced dissolution of JONAH, I created a new faith-based not for profit think tank: the Jewish Institute for Global Awareness (JIFGA). JIFGA advocated in favor of the laws given by G-d to Noah after the Biblical flood (i.e., the Noahide Code). The same N.J. judge decided a follow up lawsuit filed by SPLC and its allied attorneys against JIFGA and us as the two co-directors.

This second case held that JIFGA was an “alter-ego” of JONAH and applied the injunctions of the former case to the 2019 case. It ordered all its activities to be shut down. This was so in spite of the vastly different mission statements and activities between JONAH and JIFGA. The SPLC and their legal allies accessed 70,000 emails in their effort to prove what they characterized as defiance of the 2016 court's order by allegedly continuing to carry out the work of JONAH. We are appealing the trial court's decisions.

This second court ruling went far beyond the initial abridgment of the first case's denying religious rights. The Court also denied the constitutional right to speak about beliefs. This included, according to the Court, any promotion of therapy for unwanted same-sex attractions even though the previous case documents permitted advocacy. The court also asserted that a judgement under the CFA by a state court extends beyond New Jersey's state borders. In addition, many of the court's “findings” were based on hearsay and assumptions and were contrary to the facts.

Outlawing Alternatives to Left-Wing GoFundMe

The judge further used the previous rulings to close down your crowd-sourcing site, Funding Morality. Stream readers will remember that, perhaps: It was the means by which Brett Kavanaugh hearings drive-by victim Mark Judge rebuilt his life. How did the court justify closing it?

The Funding Morality website provided online fundraising tools to individuals and nonprofit organizations enabling them to raise money consistent with the moral ethical values of the Noahide laws. Like other individuals, Mark Judge used the website. In his case, to rebuild his life after being dragged into the Kavanaugh hearings. Those caused him to lose his housing, his job, and to be liable for substantial legal fees. Several pro-life charitable projects used the site to raise funds.

The platform was also used by a third party to raise money for some planned videos to honor the legacy of Dr. Joseph Nicolosi who had suddenly passed away. Citing only the planned Nicolosi videos, the trial court concluded that the operation of Funding Morality participated in so-called “conversion therapy” related commerce in violation of the permanent injunction.

We believe that conclusion is wrong for three reasons:

- (a) Under the Federal Communications Decency Act, sec. 230, JIFGA is immune from liability for third-party fundraising activities.
- (b) The trial court's decision ignores the fact that Funding Morality was an internet platform that others used for fund-raising. JIFGA itself did not raise funds and had no control over funds raised via funding morality.
- (c) The fundraising for the Nicolosi videos is constitutionally protected speech. This was the type of advocacy that was excluded from the permanent injunction.

Banning Charity for the Persecuted and Sex Abuse Victims

Who were some of the other worthy causes you'd helped through Funding Morality? Had they been shut down by GoFundMe and other better-known crowd-funding sites, as Kyle Rittenhouse was shut out?

There are many examples. One client raised funds to overcome the prejudice of the caste system for sewer and gutter sweepers in Pakistan. Another helped pay for experimental medical treatment for a woman who was advised by her insurance company to take suicide pills after they denied her the funds for such treatment. Still another raised funding for scholarships to educate for pro-life healthcare professionals and pro-life academic studies.

One raised funds for a police whistle-blower who was initially denied his pension for campaigning against human trafficking and child sex abuse. Another raised funds for a not for profit organization in Kenya that sought to provide vocational training for victims of child sex abuse. One client raised funds for priests so they could pursue legal actions in the canonical court system to clear their names. Another offered scholarships for young men and women seeking assistance to pay tuition in traditional Catholic educational programs, etc. I believe several of these causes had been turned down by the better known crowd-funding sites.

The Law Writ on the Human Heart

You described your mission in Funding Morality as working with people of faith in support of the natural law, that part of God's law which written on our hearts, and knowable by reason. Can you point to some of the biblical basis for asserting natural law? Maybe link it to the Covenant of Noah?

Yes. The Noahide Code are seven laws which are biblically binding on all humanity. These laws emanate from our understanding of the meaning of Lev. 19:1. It states that the human being is created in the image of G-d, that is to say, fitted to imitate G-d. This imitation takes place through the performance of the Divinely given Noahide commandments (the [natural law](#)). The seven laws, a precursor to the Ten Commandments, are the manual for moral instruction.

Listen to the former chief rabbi of the United Kingdom, Rabbi J.H. Hertz. He said: "The words 'you shall be holy' are the keynote of the whole chapter of Leviticus 19 and should be read in connection with its various precepts: reverence for parents, consideration for the needy, prompt wages for reasonable hours, honorable dealing, no tale-bearing or malice, love for one's neighbor and cordiality to the alien, equal justice to rich and poor, just measures and balances — together with abhorrence of everything unclean, irrational, or heathen."

A Lawless Land Is Headed for Ruination

America's founders talked almost constantly about [natural law](#). They made it the basis for asserting the whole scheme of human rights and freedoms the American regime was meant to guarantee. Can ordered liberty survive if we abandon the idea that there are moral truths which we can know reliably, and use as the foundation of society? What has replaced that foundation in American courts?

If we abandon the moral truths of the Noahide Laws (Natural Law), our society will be seriously imperiled. Once we degrade and remove the Divine image from humanity (see question 4), we will continue our moral decline.

The universality of these principles and global import was recognized in 1982 by President Ronald Reagan when he spoke of “the eternal validity of the Seven Noahide Laws [as] a moral code for all of us regardless of religious faith.” (Proclamation on the National Day of Reflection, April 4, 1982).

Seven years later, in 1989, President George H.W. Bush proclaimed that these “Biblical values are the foundation for civilized society.” He also recognized that “A society that fails to recognize or adhere to them cannot endure.”

He understood how these “principles of moral and ethical conduct that have formed the basis for all civilizations comes to us, in part, from the centuries old Seven Noahide Laws.” And, in doing so, he noted their origins: “The Noahide Laws are actually seven commandments given to man by G-d, as recorded in the Old Testament. ...” (Proclamation 5956-Education Day, USA 1989 and 1990, 102 Stat. 3016, April 14, 1989.)

Both the Senate and the House of Representatives of the United States Congress in 1991, on a [unanimous] bipartisan basis, further recognized how this “historical tradition of ethical values and principles...upon which our great Nation was founded ... have been the bedrock of society from the dawn of civilization, when they were known as the Seven Noahide Laws.” The Congress understood how “the most recent weakening of these principles ... has resulted in crises that beleaguer and threaten the fabric of civilized society.” It warned that “without these ethical values and principles the edifice of civilization stands in serious peril of returning to chaos.” (Public Law 102-14, 102d Congress, 1st session, H.J. Res. 104.)

World leaders have joined the call for further observance and knowledge of these laws. For example, Herman Van Rompuy, President of the European Union. He wrote in July, 2014 that he seeks greater “dissemination of the universal values known as the Noahide Laws.” Major General Michael Jeffery, Governor General of Australia, lamenting family breakdowns and drug and alcohol abuse in modern society in a 2008 letter, wrote that he believed that observing the fundamental values of the Noahide Laws can be an antidote to such ills of society.

We only need to look at the havoc in which we find ourselves living today in order to recognize the validity of these truthful assertions.

How You Can Help

Editor's note: Mr. Goldberg's case has been taken up by the [Natural Law Defense Fund \(NLDF\)](https://naturallawdefense.org/), a non-profit organization dedicated to protecting natural rights, particularly as enumerated in the First Amendment and Constitution. You can read more about his case [here on their site](#). Please consider helping “push back against the growing tide of religious persecution as it relates to one's right to live by and share our biblical values, practices, and beliefs.” Checks may be sent to NLDF, PO Box 313, Jersey City NJ 07303 or through the NLDF website. <https://naturallawdefense.org/the-legal-defense-fund-for-former-jifga-and-funding-morality/>

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