

Judicial Tyranny!

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How many branches of government do we have?

3-Executive, Legislative, Judicial

Which branch of government is responsible for creating law?

Legislative, Article 1, Section 8 gives Congress the power to make laws.

In a republic, the power rests in the hands of the people who are entitled to vote and then elected representatives exercise that power. Our constitution intentionally prevents laws to be created by one person, or by a few appointed judges, but by an adequate representation of the people, elected by the people and accountable to the people. It also prevents laws from being created by the same branch responsible for judging law for this would create a conflict of interest. Our system is designed to create a balance of power between the branches and keep the power in the hands of the people.

Who or What is the ultimate authority in our nation?

The Constitution. Article 6, second paragraph: "This constitution...shall be the supreme Law of the land and the judges in every state shall be bound thereby."

Why is this important? The constitution establishes and protects our form of government and our rights as citizens. We are a nation ruled by law. The highest authority in our nation is the constitution not a person (Empire/Kingdom) or small group of people (Oligarchy) who aren't elected by the people. That law, the constitution puts the power in the hands of the people through the democratic process.

The Constitution of the United States created a nation that in the words of Abraham Lincoln was "a Government of the people, by the people, for the people." This is certainly one of the foundational principals that made the United States Great!

We no longer live in a Republic. We live in an oligarchy. In America our federal judges, who are not elected by the people but they are appointed by the President, have abused their power and are creating law. I believe this is the most important issue in any election. Are we going to be a Republic where Congress creates law or an Oligarchy where federal judges create law?

In order for any bill to become law at the state of national level it goes through a very challenging process; political campaigns, registering voters, getting voters to the polls, voting, swearing in, writing and introducing bills, debating and amending bills, voting on bills, and the passing a potential veto. However, after all that work a single, unelected federal judge can strike down the entire thing by claiming the bill is unconstitutional.

Isn't that what judges are supposed to do? Aren't they supposed to decide if a law is constitutional or not? Yes, and for most of our history this worked fine. However, over time the Supreme Court discovered a weakness. If a case came before the Court and the constitution did not address the issue or if the constitution did not say what the Judges wanted it to say they could simply "discover" a new principle in the constitution and no one would have the power to overrule it. Whenever they thought it was important they could just create a new law and call it an interpretation or some part of the constitution. Sound Familiar?

Abortion: January 22, 1973, The Supreme Court announced its decision on Roe vs. Wade. This decision overturned laws in all 50 states that prohibited abortion. The states passed laws through the legislative process and the Supreme Court struck it down because they said the restriction was unconstitutional. For 200 years no right to abortion existed but in 1973 the Supreme Court discovered, invented one. The decision was a 7-2 decision.

How could the court determine that the constitution guaranteed a woman the right to abortion when the constitution does not say anything about abortion? The justices claimed they found this right contained in a "right to privacy" in the "due process" provision of the 14th amendment. "Nor shall any state deprive any person of life, liberty, or property, without *due process of law*." What does the 14th Amendment have to do with Abortion? Nothing! This amendment was added to the constitution in 1868 to ensure that slaves and their descendants would have all the rights of citizenship and equal protection to all citizens under the law." This has nothing to do with abortion but once the court "discovered" this and ruled on this case it became the law and since 1973 we have aborted 58 million babies, and estimates vary from 1/3 and 1/5 of all the babies conceived in this country. This ruling was an unconstitutional overreach of power; it was tyranny!

What should have happened?

When a law does not contradict the constitution the issue should be given back to the state, back to the people, and the legislative process. The court should not pass a law outlawing abortion nor legalizing it. The issue should have been left to the states.

Freedom of Religion: The First amendment says, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." This Amendment was created in order to prevent the establishment of a national church. It was created to protect the church from the state. It was never intended to protect the state from the church. If you go to Washington, study or history, or just pay attention it is obvious that the founding fathers did not attempt to create a wall of separation that would keep religion from being present or having any influence on public affairs. In fact by today's standards the Declaration of Independence would be unconstitutional.

Remember, only Congress is given the power by our constitution to establish laws. The first amendment says, "*Congress shall make no law*." The constitution prohibits congress from touching this issue. If that is the case, why do we have so many laws today restricting the free exercise of religion? Restricting prayer in school, prayer before or after a game, the ten commandments from

being displayed, creation being taught as a viable explanation for creation, a teacher's or student's ability to talk about his or her faith, the ability of a youth pastor to eat lunch with his students. Where did all these laws come from? Congress did not create these laws, the constitution prohibits that, the Supreme Court created these laws. The phrase "**separation of church and state**" do not appear anywhere in the constitution and yet this phrase is repeatedly used to justify these decisions. In fact this letter written by Jefferson was written in 1802 the constitution was ratified in 1788. Jefferson first used this phrase separation of church and state 14 years after the constitution was ratified and yet it has become as authoritative as the constitution itself. In my opinion a group of liberal judges with a moral and spiritual agenda are attempting to remove God from public life all together to the detriment of us all.

What else does this affect?

- Marriage and family issues
- Freedom of Speech
- Our relationship to Israel
- Pledge of Allegiance
- In God we trust
- Taxes
- Pornography, Judge Robert Bork said "the suffocating vulgarity of our popular culture is in large part the work of the court. The court did not create vulgarity but it defeated attempts by local communities to contain or minimize vulgarity." Today immorality is applauded and morality is condemned. Federal judge ruled as long as state prisoners desire pornography the state is obligated to provide it. Isaiah 5:20, "Woe to those who call evil good and good evil."
- Last week, our state legalized call girls for our state representatives.
- Election laws and reforms
- Religious Freedom: Will we lose the right to teach the entire Bible? Will we lose the right to evangelize? Will we lose tax exempt status, which would close the door to most churches overnight?

No matter how you feel about these issues the real issue here is how is law created in the US? Is it created by the legislative branch like the constitution demands of a runaway judicial system?

The Constitution:

"We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the defense, promote the general welfare, and secure the blessings of liberty to ourselves and our prosperity, do ordain and establish the Constitution for the United States of America."

What can we do?

1. **Politically:** We elect Presidents who will appoint judges who are "constitutionalist" or "originalist". When the next President is inaugurated 4 of our Supreme Court Justices will be 78 years old. They see the constitution as the authority. They see their job to judge not to write law. We get vote for candidates that hold our values.

2. Spiritually:

- **We remember: Daniel 5:21b**, “The most high is sovereign over the kingdoms of men and he gives them to whoever he pleases.”
- **We prepare.** We can live for Christ no matter what happens in the government. We have a mission no matter what that mission cost us. Historically speaking the church has done best when it suffered the most.
 - We need revival! We need a white hot church. Can we get to the place where we wake up thinking about Jesus, live the day thinking about Jesus, go to bed thinking about Jesus.
 - We need to love Jesus , his church, his kingdom more than anything else
 - We believe our best days are in front of us if we will stand up. **Movie: God’s not Dead 2**
- **We need to know the truth.** We need to turn off the TV and read. We need to read the Bible and we need to read books that help us to understand the truth. **Romans 1:18-32**, Rejected God- Exchanged the truth for a lie, relationships failed, anarchy reigned. How can this be reversed? Embrace God, embrace the truth, embrace God and others, experience life and peace!
 - **Row vs. Wade**- lie
 - **Islam is peaceful**- lie
 - **Evolution**- lie
 - **Politics**- lies
 - **Separation of church and state**- lie
 - **Sexual ethics**- lie
 - **Satan is the father of lies!**
 - We live in a culture where the truth is difficult to find. We must be more dependent than ever on God’s word!