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NEBRASKA MARRIAGE RULING WILL ENERGIZE CHRISTIANS

The best allies we have in the war to reform a run-away judiciary are activist judges. As their decisions become increasingly bizarre and outrageous (and clearly in defiance of the Constitution), more and more Americans are convinced that something must be done to restore the balance of power and preserve representative government.

The most recent glaring example of judicial abuse is the ruling of U.S. District Court Judge Joseph Bataillon last week overturning the Nebraska marriage amendment. The amendment, passed by a statewide vote of over 70 percent in 2000, prohibits same-sex marriage (so-called), civil unions and domestic partnerships (the latter two, gay marriage in all but name).

A Clinton-appointee, Judge Bataillon held that because voters chose to limit marriage to a man and a woman, homosexuals are “denied access to the legislative process that is afforded to all citizens of the state of Nebraska.” Similarly, one could say that if voters chose to constitutionally limit the age of consent to 17, those who wanted to lower it to 14 or 13 would be “denied access to the legislative process.”

But the judge's rationale is a lame excuse for legislating from the bench. Certain liberal judges are determined to impose homosexual marriage on the nation, over the vehement protests of an overwhelming majority of the American people.

Bataillon's attempt to override the democratic process will give a big boost to proponents of the Federal Marriage Amendment. While the amendment failed to muster two-thirds support in either the House or Senate last year, there's a groundswell of support for constitutional protection of marriage (witness the passage of 14 state marriage amendments last year).

I attended hearings in the U.S. Senate last year. Senators opposed to the FMA repeatedly wrapped themselves in the cloak of states' rights – insisting that citizens of a state should be allowed to determine the definition of marriage for themselves. Well, 70% of Nebraska voters did just that, and one federal judge overturned their decision. If that doesn't prove the need for a Federal Marriage Amendment, I don't know what does.

There's a growing consensus for judicial reform, including impeachment of judges who can't resist the urge to play legislators. Judge Bataillon would be a great place to start.

BIBLE BANNED ON ELEMENTARY-SCHOOL PLAYGROUND

Educational bureaucrats continue to stand the First Amendment on its head, by restricting freedom of religion in the name of church-state-separation (words which appear nowhere in the Constitution.)

The latest offense occurred at the Karns Elementary School in Knox County, Tennessee, where the principal ordered 10-year-old Luke Whitson to stop reading his Bible on the school playground during recess. The principal issued the decree after a parent reportedly complained about Luke and his friends reading Scriptures together during their free time.

The case has been taken up by the Alliance Defense Fund. Senior Counsel Joseph Infranco observed that Luke and his friends "have rights of speech and association during their non-instructional time, and the school may not curtail those rights because of their age."

What happened to young Luke is an absolute outrage! First secularists banned Bible reading in the classroom, then – in 1962 -- nondenominational prayer, then a moment of silent meditation, then graduation invocations and prayers at football games. Now they've decided to stop children from studying God's word outside the classroom, and in their free time. Will thinking about God on public-school grounds be prohibited next?

Every secularist advance encourages the next act of aggression. Our choice is clear – victory in this culture war, or the annihilation of our way of life. People of faith must stand up for what they believe in and hold dear. We will be monitoring this case.

LIBERALS DO HAVE A RELIGIOUS TEST FOR JUDGES

Conservatives have long maintained that Senate liberals have determined to exclude people of faith from serving on the federal bench – in direct violation of the constitutional prohibition against a religious test for public office.

In an article in The Washington Post on May 14th, my good friend Tony Perkins (president of the Family Research Council) notes that when New York Senator Charles Schumer launched an inquiry into the “deeply held personal beliefs” of a Bush judicial nominee, he could mean nothing but the candidate’s religious beliefs. The nominee in question opposed abortion and homosexuality – and is also an outspoken Catholic.

However, as Perkins reminds us, the Democrats’ anti-Biblical litmus test is also applied to evangelicals. Judge Charles Pickering was questioned about a statement he made, as head of the Mississippi Southern Baptist Convention, on the “absolute authority” of the Bible.

Perkins charges, “The pattern that has emerged is that any nominees who hold to traditional tenets of their faith as a guide for life, whether they be Catholic, Protestant or Jewish, fail the litmus test, the liberal loyalty oath, that is being employed by some Senate Democrats.”

Tony’s analysis is right on target. All the more reason for the Senate to end the permanent filibuster of Bush judges (by voting for the Constitutional Option), thus preventing a minority from penalizing decent men and women for adhering to the Judeo-Christian values on which this nation was founded.

The full article can be read on line at:

<http://www.washingtonpost.com/wp-dyn/content/article/2005/05/13/AR2005051301389.html>

MEDIA LIBERALISM’S IMPACT ON THE NEWS

If you’ve ever wondered why news coverage is so incredibly one-sided, consider a poll by The University of Connecticut Department of Public Policy, released on Monday. The survey found that in the last presidential election, journalists picked Kerry over Bush by 68% to 25%. (By contrast, among the general public, it was Bush over Kerry, 52% to 48%).

In other words, the president’s support among journalists was less than half his support among the general public.

This should come as no surprise, in light of the growing scandal over Newsweek’s fallacious reporting about the supposed desecration of a Koran at Guantanamo, leading to tragic consequences.

Americans are even more skeptical of reporters than they are of lawyers! And with good cause. Time and again, we've seen the media push their political agenda in the guise of reporting the news.

The next time you read a story about the gay-marriage debate, abortion, or what's called the religious right, remember who's doing the reporting – and where they're coming from.

TIME MAGAZINE ACKNOWLEDGES OUR ROLE

Since our Confronting the Judicial War on Faith Conference, Vision America and the Judeo-Christian Council for Constitutional Restoration are on the media's radar screen. Hardly a day goes by without a prominent publication or broadcast outlet noting our role in the war to save America from the judges.

The latest is an article in the current issue of Time ("The Pose in the Pulpit" by Daniel Elsenberg). The article begins by discussing my baptism under fire, when I confronted an illicit high-school assembly -- that posed as an AIDS-awareness program, but which, in fact, was nothing more than an attempt to promote fornication. "Since that day in 1992," the article notes, "Scarborough, 55, has believed that 'Christians have a moral responsibility in this country to be involved in politics.'"

The article mentions our work with the Patriot Pastor network, our involvement in the judicial reform effort, and our demand for fairness for conservative judges. (Time: "Thus, Scarborough is spending most of his time these days working to beat back Democrats' attempts to block several of President Bush's judicial nominees. 'It takes two-thirds of Congress and three-fourths of the states to change the Constitution – or one judge,' says Scarborough, sitting beneath the mounted head of a whitetail deer in his East Texas office. 'And believe me, the left learned that a long time ago.'")

I rejoice in the opportunity to bring our message of faith, fairness and common sense to millions of Americans, through the bully pulpit I have been afforded. (The full story can be accessed on our website – <http://www.stopactivistjudges.org> , by clicking on the headline in the top right-hand corner of the page.)

ACTION TODAY

FILIBUSTER FIGHT COMES DOWN TO THE WIRE

Both sides claim they have the votes to win the upcoming showdown over ending the unconstitutional filibuster of Bush judges. Senate Republicans need a simple majority to stop the permanent filibuster. My sources tell me Senator Frist has the

votes. Pray for moderate Senators to do the right thing.

Of course, Democrats are hoping to pick off enough Republicans to defeat the move. That must not be allowed to happen. Liberals are blocking the president's best nominees for the most important judgeships.

This is also a dress rehearsal for the coming battle royal over the president's nominations to the Supreme Court, when vacancies occur.

Christians must be deeply involved in this cause. Please call your Senators through the Capitol switchboard at (202) 224-3121 and urge them to vote for fairness and democracy by supporting the Constitutional Option. You can also E-mail them at the Focus On the Family Citizen Link website – <http://www.family.org/cforum>. And, please, do it now.

CALLING ALL TRUE TEXANS – STATE MARRIAGE AMENDMENT NEEDS YOUR SUPPORT

A Texas marriage amendment, clearly favored by a majority of citizens, is in danger of never making it out of committee, due in large measure to the apathy of Christians.

A crucial hearing has been scheduled before the Texas Senate State Affairs Committee on **Thursday evening or Friday morning**. The Amendment passed the House easily, however an inside source told me that committee members received more than 600 calls and e-mails from gay activists, but pathetically few from our side. We must, and will, do better. Help us to get the word out.

I intend to lead a delegation of pastors and concerned laymen to testify before the committee on whichever day the hearing is held. If you'd like to join us, please call our office at (936) 560-3600. A vociferous minority – along with their liberal allies in the state Senate -- must not be allowed to determine the definition of marriage in the Lone Star state. Don't mess with Texas!

Help us fight the Judicial War on Faith - Get involved by following the action items above and by forwarding this alert to your friends and family. **Your financial involvement is always needed.** [Click here to contribute.](#) Dr. Rick Scarborough is the president for Vision America and interim chairman for the Judeo-Christian Council for Constitutional Restoration.