Judges have told us throughout the years:

- that African slaves were not citizens, but the property of their slave masters, *Dred Scott v. Sandford*, 60 U.S. 393 (1856)

- that a fetus is not a person and therefore does not enjoy the right to life, *Roe v. Wade*, 410 U.S. 113 (1973)

- that student-led, student-initiated prayer before school football games violates the Constitution, *Santa Fe Independent School District v. Doe*, 530 U.S. 290 (2000)

- that the First Amendment protects "virtual" child pornography, *Ashcroft v. Free Speech Coalition*, 122 S. Ct. 1389 (2002)

- that there is a right to homosexual marriage, *Goodridge v. Department of Health*, 440 Mass. 309, 798 N.E.2d 941 (Mass. 2003)

- that sodomy is a constitutional right, *Lawrence v. Texas*, 123 S. Ct. 2472 (2003)

- that a state can discriminate against the Boy Scouts because it will not allow homosexuals to be leaders, employees or members, *Boy Scouts of America v. Wyman*, No. 02-9000 (2d Cir. 2003)

- that posting the Ten Commandments in a courtroom is unconstitutional, *McCreary County v. ACLU of Kentucky*, 545 U.S. 844 (2005), but outside a courthouse is OK. *Van Orden v. Perry*, 545 U.S. 677 (2005).

What can you do about it?

- Pray for God to raise up men and women who fear Him to serve as judges in our state.

- Register to vote.

- Many states elect judges. Stay alert and informed on the people running for state judge.

- If you get a chance to meet a candidate, you can ask questions like:
  -Do you believe in a 'living, breathing' Constitution?
  -What do you believe is the role of a judge?

- Talk to your family and friends about the importance of electing good judges and the dangers of ignoring this problem.

- Vote. One vote can make a difference!

- Continue to monitor elected judges and hold them accountable to the oath they took to uphold the Constitution and the laws of the United States, "So help me God."

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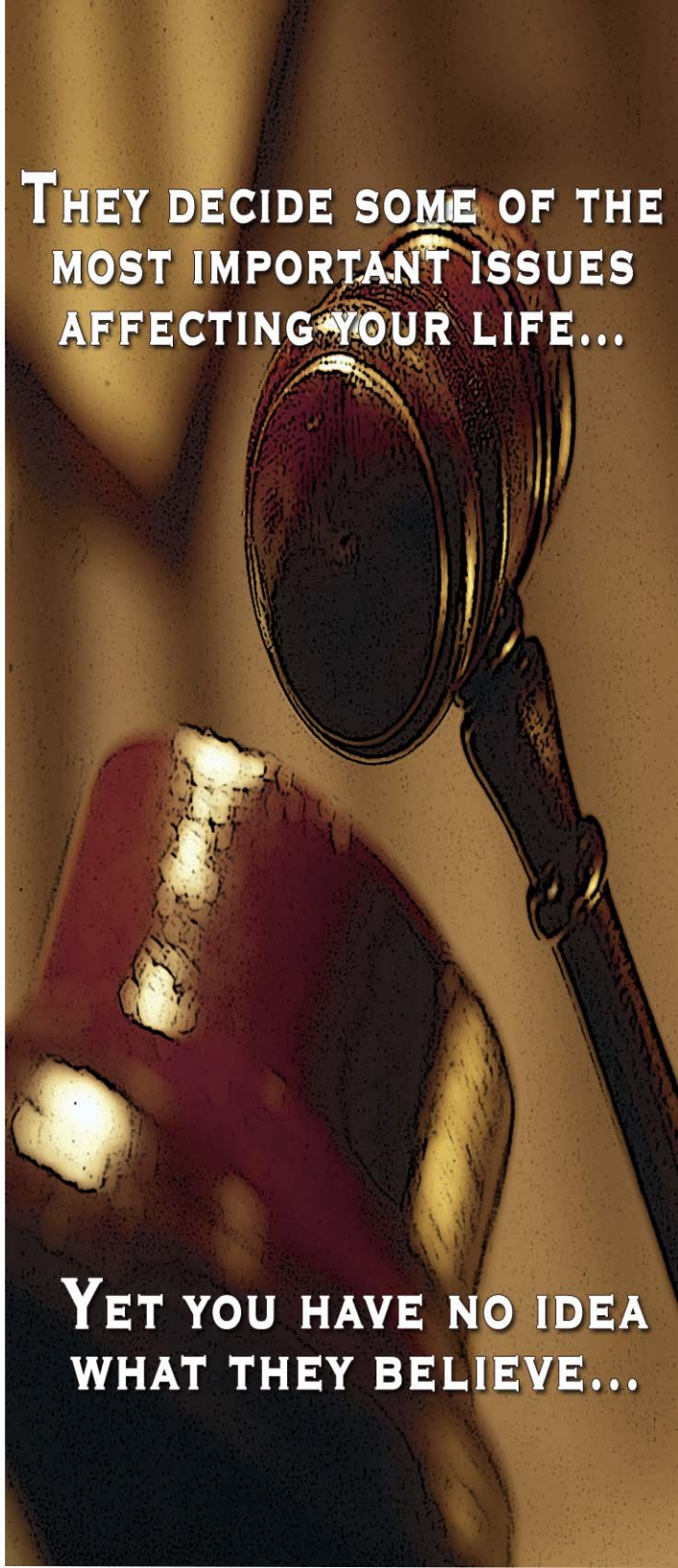

Of course, we're talking about judges

While many of us who care about our country are now actively engaged in electing presidents, governors, and legislators, we have overlooked the increasingly important third branch of government: our judiciary.

As citizens we play a vital role in selecting judges by voting for the president and governors who appoint judges and, in some states, voting directly for state judges. When you consider the impact the judiciary has on how you live your life every day, **shouldn't we pay more attention to the type of judges we elect?**

If we continue to be uneducated, uninvolved and apathetic about who is elected or appointed as a judge, we will continue to see decisions that trample our constitutional freedoms, especially our religious liberties, while advancing corrupt and deadly practices that will destroy our country.

What's the problem?

Judicial activists have plagued our courts for years, rendering more and more decisions that threaten our liberty. A judicial activist is a judge who will ultimately make decisions based on his or her political, philosophical or "expert" views rather than based on the U.S. Constitution, the state Constitution and laws passed by "We the people."

A dangerous philosophy

Judicial activism develops in the fertile ground of a judicial philosophy that believes the United States Constitution is a "living, breathing" document that was written so long ago that it is antiquated and therefore inadequate for today's culture.

If that is the case, of course, the next question is: Who gets to decide what changes to make to the Constitution? Judicial activists say they are the ones best equipped to decide what is best for the country.

Let's take the example of whether your child can pray in public schools. An activist judge will ignore the First Amendment's protection of the freedom of religion, the fact of America's rich history of religious liberty and the fact that children have been praying schools since the founding of the nation. He will instead conclude that, "We have evolved as a people and are now a multicultural society. Prayers may offend a person of another faith or no faith. Since there is a 'wall of separation between church and state.' Judeo-Christian prayers must be banned."

In doing so, this judge not only reaches the wrong conclusion in that case, but he is also slowly **destroying the fabric of our nation**

So what makes a good judge

America's Founding Fathers envisioned – and established – a judiciary that would not make laws (that is the role of the legislature), but would apply the Constitution and laws to the cases before them to arrive at a just judgment.

A good judge will not take on the role of legislator by making new laws. He may not like the law or Constitution, but he should not "reinterpret" or change their clear meaning to fit his own opinion. **A good judge will show restraint, letting the legislators write and pass the laws as needed.**

But what about a "changing" or "evolving" society? The Framers knew that change was inevitable (as some of them hoped for a day that slavery would be abolished) and they wisely provided for us the proper way to make changes. We can pass new laws, revoke or amend laws, and even amend the Constitution. In fact, the Bill of Rights – so crucial to our fundamental liberties and American way of life – is precisely that: Amendments to the Constitution.

Only a person who respects the Constitution, with a strong character to follow the law themselves, and someone who understands the role that our Founding Fathers envisioned for the judiciary can be trusted to guard our most precious liberties as a federal or state judge.