# Next We Should Starve The Courts

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The courts so purposely humiliated Congress in the Terri Schiavo case that some Representatives are finally beginning to talk back. Unelected judges have flagrantly abused the legislative and executive functions of government for so many years that we wonder why a reaction has taken this long.

With the whole world watching, a mere probate judge in Florida thumbed his nose at a congressional subpoena and refused to comply. Then the federal judiciary closed ranks behind him, asserting its independence from and supremacy over not only an act of Congress but even over the life of an innocent and defenseless woman.

Eleventh Circuit Judge Stanley Birch stuck in the knife, asserting that Congress unconstitutionally "invades the province of the judiciary and violates the separation of powers principle." We marvel at the chutzpah of a federal judge charging Congress with violating the separation of powers after we've endured years of judges legislating from the bench, rewriting our Constitution, distorting our history, assaulting our morals, saving vicious criminals from their just punishment, raising taxes, and inflicting us with foreign laws.

When a man's honor is impugned, he can pretend he didn't hear the insult or he can come out fighting. Congress can't pretend it didn't hear Judge Birch's insult, so Congress must take action to curb the imperial action of supremacist judges.

Rep. Patrick McHenry (R-NC) responded that we saw "a state judge completely ignore a congressional committee's subpoena and insult its intent" and "a federal court not only reject, but deride the very law that Congress passed." House Judiciary Committee Chairman Rep. James Sensenbrenner (R-WI), who has likewise had enough, said, "Terri's will to live should serve as an inspiration and impetus for action."

Majority Leader Tom DeLay (R-TX) spoke for Americans who believe in the U.S. Constitution when he said, "The Congress of the United States for many, many years has shirked its responsibility to hold the judiciary accountable. No longer."

Even some Democrats in Congress are dismayed by the arrogance of the judges. Adam Schiff (D-CA) observed that "once they get on the bench, they seem to think the importance of having a relationship with the House and Senate no longer exists."

But Senator Ted Kennedy (D-MA), like most liberals who can't achieve their radical goals legislatively, supports judicial supremacy over Congress, the President, the Florida Governor and legislature. Kennedy even tried to silence complaints by absurdly suggesting that public criticism incites violence against judges.

The Constitution expressly limits the power of federal judges to what our elected representatives give them. After all, what is the point of having representative government if unelected and unaccountable judges decide everything of significance?

Congress and the President should not pass the buck to judges in black robes and hide behind their skirts when they make outrageous decisions. Here are some ways Congress can start to restore representative government.

Congress should withdraw jurisdiction from the federal courts over the Pledge of Allegiance, the Ten Commandments, and the Defense of Marriage Act. Two bills to do this (the Akin bill and the Hostettler bill) easily passed the House last fall but were ignored by the Senate, and now it is time to make them law.

Congress should withdraw jurisdiction over court challenges to the Boy Scouts of America, a federally chartered organization, which the ACLU is currently trying to ban from public schools. The ACLU is seeking activist judges who will rule it a violation of the First Amendment for the Boy Scouts to pledge allegiance to God and country and commit to keeping themselves "morally straight."

Congress should repeal the 1976 law that permits activist judges to grant lavish attorney's fees to the ACLU when it succeeds in banning the Boy Scouts, the Ten Commandments, or a cross that has existed on public property for decades.

Both Houses of Congress should hold hearings about remedies for supremacist decisions. Congress should bring defiant judges before the American people to answer questions about their worst rulings.

Any judge who allows an adulterer with a live-in girlfriend to terminate the life of his wife should be impeached. Victims of such judges should have the right to demand a different judge (as is currently granted by Illinois courts).

Now that judges embrace forcibly starving someone to death, Congress should use its appropriation power to starve the judicial budget. Let's cut out judges' perks such as travel to international conferences where they pick up bad ideas about conforming our laws to foreign opinions and United Nations treaties.

On April 1, Justice Ruth Bader Ginsburg criticized congressional resolutions to curb the out-of-control judges, saying, "it is disquieting that they have attracted sizable support." She endorsed the practice of consulting foreign and international law.

But Chief Justice William Rehnquist included this statement in his annual report without any criticism or comment: "There were several bills introduced in the last Congress that would limit the jurisdiction of the federal courts to decide constitutional challenges to certain kinds of government action." Maybe Rehnquist was reminding Congress of its constitutional powers to constrain the judiciary.