Judges Who Want to be Supremacists

by Phyllis Schlafly

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Redefining the First Amendment is a core aim of Barack Obama's plan to "fundamentally transform the United States." He is steadily changing the First Amendment's words, "free exercise" of religion, to the much more restricted notion of freedom of worship.

That means he will still accord us our right to go inside our churches, lock the doors and worship as we please. But with the help of atheist organizations and supremacist judges, Obama is steadily chipping away at our constitutional right of "free exercise" in public places, public events, and public schools.

Obama wants to force employers to provide contraception and abortion-inducing drugs to employees not only of churches, but also to employees of religious institutions such as schools, colleges and hospitals, and even to force this mandate on Christian employers who find it contrary to their religious belief. Dozens of lawsuits are now climbing through the judiciary to challenge this mandate.

Obama not only has the help of the ACLU and similar organizations to pursue anti-religion litigation, but he is determined to appoint many like-minded judges to the federal courts. He recently nominated a scary feminist named Nina Pillard to the important D.C. Circuit Court of Appeals.

Her extremist views include the wild allegation that abortion is necessary to help "free women from historically routine conscription into maternity." She says that those who oppose ObamaCare's contraception-abortion mandate are really reinforcing "broader patterns of discrimination against women as a class of presumptive breeders."

Obama would surely like to get supremacist judges to carry out his goals to rewrite the meaning of the First Amendment. We hope there are enough Republicans in the Senate to expose Pillard's paper trail of extremist feminist writings.

Unfortunately, there are already too many judges who consider themselves "supremacists" with the power to resolve questions that should be resolved by the American people, either directly by ballot or through our elected representatives. The Supreme Court's marriage decision in June proves that supremacy is really how the justices look upon their own vast power to rule us.

The Supreme Court didn't make same-sex marriage a constitutional right as the liberal media had hoped. But the Court did give the homosexuals what many believe is their number-one goal: the hammer to silence their critics.

Justice Anthony Kennedy, writing for the majority in U.S. v. Windsor, which declared the Defense of Marriage Act (DOMA) unconstitutional, based the decision on what he claimed was

in the minds of those who oppose same-sex marriage: their bigotry, their "animus" against gays. Kennedy tried to brand those who oppose same-sex marriage as a hate group, putting them in a category similar to those who irrationally discriminate against various minorities.

Justice Antonin Scalia, joined in his dissent by Justice Clarence Thomas, made clear that the Supreme Court had "no power to decide this case," that "this case is about the power of our people to govern themselves," and that the Court's errors come from "the same diseased root: an exalted conception of the role of this institution in America."

Scalia wrote that Kennedy's marriage decision was a "jaw-dropping … assertion of judicial supremacy over the people's Representatives in Congress and the Executive. It envisions a Supreme Court standing (or rather enthroned) at the apex of government, empowered to decide all constitutional questions, always and everywhere 'primary' in its role."

Since Kennedy couldn't show any authority for deciding this case, Justice Scalia wrote that Justice Kennedy resorted to "nonspecific hand-waving" and the accusations that the congressional authors of DOMA were motivated by a "bare … desire to harm a politically unpopular group," and that "only those with hateful hearts could have voted 'aye' on this Act."

Kennedy's decision launched a torrent of accusations. According to Kennedy, the supporters of DOMA acted with malice — with the "purpose … to disparage and to injure" same-sex couples, to "demean," to "impose inequality," "to impose … a stigma," to deny people "equal dignity," to brand gay people as "unworthy," which supposedly "humiliates" their children.

Scalia and Thomas concluded in their dissent: "We might have let the People decide." But the supremacist justices didn't. "By formally declaring anyone opposed to same-sex marriage an enemy of human decency, the majority arms well every challenger to a state law restricting marriage to its traditional definition."

It is wrong, unprecedented, and insulting to the American people for Supreme Court Justices to accuse those who defend traditional marriage as being motivated by such hate. Americans certainly do not want to be ruled by a Supreme Court that Abraham Lincoln famously denounced as "that eminent tribunal."