

ROY MOORE-INSPIRED BILL **LIMITS FEDERAL COURTS**

Act would prohibit judges from ruling on 'acknowledgment of God' cases

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Note from pastor Kevin: I encourage all to contact their representatives to support this legislation.

A bill pending in both houses of Congress, the "Constitution Restoration Act," would prohibit federal courts from ruling in cases involving government officials who acknowledge God "as the sovereign source of law, liberty or government."

The bill, sponsored in the House by Rep Robert Aderholt, R-Ala., and in the Senate by Sen Richard Shelby, R-Ala., was birthed in the aftermath of the ouster of former Alabama Chief Justice Roy Moore, who was sanctioned by the courts for acknowledging God by way of a Ten Commandments monument in the state's judicial building. Moore was on hand in Washington when the bills were introduced last month.



Roy Moore (Photo: WSFA.com)

Supporters of the bill cite Article III, Section 2 of the U.S. Constitution, which authorizes Congress to limit the jurisdiction of the U.S. Supreme Court and other federal courts.

It reads in part: "... the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

The House version, [H.R. 3799](#), and Senate version, [S. 2083](#), are identical companion bills. Touted by some supporters as one of the most important pieces of legislation in U.S. history, the bill states:

The Supreme Court shall not have jurisdiction to review, by appeal, writ of certiorari, or otherwise, any matter to the extent that relief is sought against an element of Federal, State, or local government, or against an officer of Federal, State, or local government (whether or not acting in official personal capacity), by reason of that element's or officer's acknowledgement of God as the sovereign source of law, liberty, or government.

The legislation also addresses what many high-court watchers consider a dangerous trend: Supreme Court justices looking to foreign law and rulings for guidance when deciding cases. States the bill:

In interpreting and applying the Constitution of the United States, a court of the United States may not rely upon any constitution, law, administrative rule, Executive order, directive, policy, judicial decision, or any other action of any foreign state or international organization or agency, other than the constitutional law and English common law.

Under the bill, any judge who violates the proposed rule by making "extrajudicial" decisions will have committed an offense that is grounds for impeachment.

Supporters of the legislation point to the many cases recently that have sought to purge any mention of God from the public square. Along with Moore's case, they cite the Pledge of Allegiance case, which was argued before the high court last week, nativity scenes being banned from public property and schools, and cases limiting prayer at public-school gatherings.

WND columnist Craige McMillan hailed the legislation in a recent column:

"On its surface, [the] bill would merely forbid the federal courts from reviewing state court decisions that end up allowing a public acknowledgment of God. How is that possible? Read Article III of the Constitution – it describes exactly what authority the federal courts have. ... Their area of responsibility is to be regulated and controlled by Congress. Since the federal courts now seem to think they're God,

clearly some trimming of their responsibility is in order."

Columnist James Heflin shudders at the thought of such a bill becoming law.

Wrote Heflin last week: " If [the bill's] backers get their way, Americans will no longer receive the same protections that Washington has carefully insisted that Iraqis have. ... The restricting of Supreme Court jurisdiction is a strange maneuver, but one which the hazy language of the relevant part of the Constitution may allow. The act would disallow the Supreme Court from referencing any source other than the Constitution or English common law in its decisions. It would *retroactively* exempt from Supreme Court jurisdiction cases such as Roy Moore's. A judge who attempted to rule in such cases could be impeached. It is unclear exactly what actions a public servant could get away with under the banner of invoking God as the source of law.

"If the act passes, Iraqis would have stronger protection from religious extremism than Americans. It's a change with dramatic consequences, and our political landscape under Bush is ever more receptive to such ideas. Roy Moore and his fundamentalist brothers and sisters have far more in mind."

The Senate bill has five co-sponsors: Sen. Wayne Allard, R-Colo., Sen. Sam Brownback, R-Kan., Sen. Lindsey Graham, R-S.C., Sen. Jim Inhofe, R-Okla., and Sen. Zell Miller, D-Ga. The House version currently has 14 co-sponsors.

Both bills have been referred to each house's respective Judiciary committees.