



Eagle Forum's *Court Watch*

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The Constitutionalist Manifesto: A Declaration of Independence from Judicial Supremacy

(A Summary)

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America is engulfed in the fires of a Culture War and federal judges have been whipping the flames to a white-hot heat. Their objective? "The crusading and coercing roles of the Supreme Court and the federal judiciary . . . [are] a model for all those whose primary aim is the wholesale reconstruction of American society. . ." (Robert Nisbet, 1982). **Judicial supremacy has replaced Constitutional Supremacy.** The Reconstructionists responsible for this constitutional and cultural tragedy must be repelled. **The responsibility for freeing America from judicial supremacy falls on us Constitutionals,** who revere the Constitution and its foundations. The "Constitutionalist Manifesto" draws our line in the sand and is a Twenty-First Century Declaration of Independence for our constitutional republic. **The principles of the "Manifesto" are summarized below.**

1. **The Constitution is,** and must be, by definition, the "supreme, fundamental, paramount, permanent" law of the land. No court decision, statutory law, or other form of "law" is either equal to, or superior to, the Constitution.
2. **The basic purpose of our Constitution, as of all constitutions, is to provide the stability** necessary for our legal system to survive and prosper. Additionally, the Preamble lists six specific Constitutional purposes, which balance liberty with the common good.
3. **The provisions of our Constitution have a fixed meaning.** This meaning can, and must, be determined by careful, objective study of the express language of the text, the context of the provision being interpreted and of the entire document, the intent of the Framers, and the world view in which the Constitution was embedded by its Framers.
4. **The Constitution, properly interpreted, can express the values of only one world view.** It cannot reflect a "pluralism" or "diversity" of world views.
5. **The world view in which the Constitution is embedded is the Judeo-Christian world view.** The Constitution's principles and purposes are defined and prioritized by the Judeo-Christian value system. The Constitution cannot survive if it is ripped from its Judeo-Christian moorings.
6. **The Constitution embodies a multiplicity of distinct principles to guide our legal system and our culture.** These principles include popular sovereignty with representative government, life, liberty, the rule of law, due process of law, equal protection of the laws, and private property/free enterprise. These principles are to be secured by structural principles including federalism and the separation of powers.
7. **Federal judges have neither the authority nor the competence to rewrite the Constitution** by altering its basic meaning. Federal judges are governed by the Constitution. Judges are required to observe their boundaries and respect fully the legitimate range of powers residing in the individual, the other branches of the national government, the state governments, and the other institutions of society (e.g., the family and the church).

We, America's Twenty-First Century Constitutionals, **affirm these principles** as both our foundation and the objects for which we are fighting in America's Culture War. **We call upon all Americans who love our constitutional republic** to understand clearly, and support completely, these principles. Thus may we fight together **to reclaim our culture, our Constitution, and our courts!**

[The entire Constitutionalist Manifesto can be accessed at http://www.eagleforum.org/court_watch]