



# Eagle Forum's *Court Watch*

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## Candidate Questionnaire: The Constitution and the Courts

From: Virginia C. Armstrong, Ph.D., National Chairman, Eagle Forum's Court Watch; President, The Blackstone Institute

**INSTRUCTIONS: Each of the items below is a direct quote from an American court opinion, legislative measure, or credentialed legal scholar. Respond to each item in the following manner:**

**1 = Agree; 0 = No Comment; 2 = Disagree**

1. \_\_\_\_\_ " . . . the word 'person,' as used in the Fourteenth Amendment, does not include the unborn."
2. \_\_\_\_\_ " . . . the government creates civil marriage . . . . . civil marriage is, and since pre-colonial days has been, . . . a wholly secular institution."
3. \_\_\_\_\_ "Without religion there can be no morality, and without morality there can be no law."
4. \_\_\_\_\_ "Although creation science is educationally valuable and strictly scientific, it is now being censored from or misrepresented in the public schools."
5. \_\_\_\_\_ "If lawyers hold to their precedents too closely, forgetful of the fundamental principles of truth and justice which they should serve, they may find the whole edifice comes tumbling around them."
6. \_\_\_\_\_ " . . . this country's founding documents support the idea that it is from the people, and not God, that the state draws its powers."
7. \_\_\_\_\_ " . . . this Court is [not] vested with power to invalidate all state laws that it considers to be arbitrary, capricious, unreasonable, or oppressive . . . [or] unwise or unnecessary."
8. \_\_\_\_\_ "No government has the authority to legalize any type of union (e.g., 'civil unions' or 'domestic partnerships') other than traditional marriage."
9. \_\_\_\_\_ "[Government regulation of homosexual conduct] seems inexplicable by anything but animus toward the class [homosexuals and lesbians] that it affects. . . ." "[Such regulation] is rooted in persistent prejudices against persons who are . . . homosexual."
10. \_\_\_\_\_ "[The Constitution] is made for people of fundamentally differing views . . . ."
11. \_\_\_\_\_ "It is . . . clear that requiring schools to teach creation science with evolution does not advance academic freedom."
12. \_\_\_\_\_ "The extent to which a government can be neutral and equally tolerant of all deeply held values, including religious beliefs, has very definite limits. . . . Increasingly, government will be compelled to make choices between conflicting values, including religious values."
13. \_\_\_\_\_ "At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life."
14. \_\_\_\_\_ ". . . [Even] legislation that is largely symbolic and infrequently enforced . . . has significant pedagogical value. Laws teach people what they should and should not do . . . ."
15. \_\_\_\_\_ "[Basing our law] on the history of Western civilization and . . . Judeo-Christian moral and ethical standards does not [but should] take account of other authorities pointing in an opposite direction" [e.g., Irish and Canadian law and the European Court of Human Rights].
16. \_\_\_\_\_ "The institution of rights against the Government is not a gift of God, . . [but] a complex and troublesome practice that makes the Government's job . . . more difficult and more expensive. . ."
17. \_\_\_\_\_ "Marriage is a union of one man and one woman. No government has the authority to alter this definition."
18. \_\_\_\_\_ "The absolute prohibition on any mention of God in our schools creates a bias *against* religion."
19. \_\_\_\_\_ " . . . the term 'child who is in utero' means a member of the species homo sapiens, at any state of development, who is carried in the womb."
20. \_\_\_\_\_ "[The U. S. Supreme Court] owe[s] Congress' findings [upon 'legislative' questions] an additional measure of deference out of respect for its authority to exercise the legislative power."