

Another Activist Court Calls God a Liar

Once again a federal court has launched a ballistic missile at the Judeo-Christian foundations of our nation that have served as the basis for our freedom for over 400 years. The Fourth U.S. Circuit Court of Appeals ruled this week in favor of a “transgender” female high school student in Gloucester, Virginia who now claims to be a male referred to in the case as “G.G.” (*G.G. v. Gloucester County School Board*).

“G.G.” had been denied access to the boys restrooms and showers by a school board policy that required that students use the facilities of their “*corresponding biological genders, and students with gender identity issues shall be provided an alternative appropriate private facility.*” The board did in its policy make provision for special unisex restrooms—but of course that makes “G.G.” uncomfortable for being so singled out.

The Fourth Circuit’s opinion, written by Justice Henry Floyd, a George W. Bush nominee confirmed in 2003, defends and is largely based on how “*the Department’s (Department of Education or DOE) Office for Civil Rights (OCR) interpreted how this regulation should apply to transgender individuals: ‘When a school elects to separate or treat students differently on the basis of sex ... a school generally must treat transgender students consistent with their gender identity’*” (Pg. 6). The court even acknowledges that, “G.G. has not, however, had sex reassignment surgery” (Pg. 7).

In other words, “G.G.” is still a biological female.

The court even pointed out that at the community meeting before the board adopted their policy, “*Many of the speakers displayed hostility to G.G., including by referring pointedly*

to him as a 'young lady'" (Pg. 8). **It is now "hostile," according to a federal court, to refer to a person according to their birth sex if that person now declares it to be something else!**

The Fourth Circuit disagreed with the district court that had upheld the school's policy. *"The district court reasoned that, because 'on the basis of sex' means, at most, on the basis of sex and gender together, it cannot mean on the basis of gender alone."*

In typical judicial activism fashion, the 4th Circuit declared that *"the regulation is susceptible to more than one plausible reading because it permits both the Board's reading—determining maleness or femaleness with reference exclusively to genitalia—and the Department's (Obama's DOE and Justice Department—TXPC note) interpretation—determining maleness or femaleness with reference to gender identity."*

A former law professor and constitutional scholar who foretold the U.S. Supreme Court's decision legalizing same sex marriage over 10 years ago asserts that this appalling decision *"means that if a 25-year-old biological male self-identifies as a 16-year-old teenage female lesbian, he cannot be prosecuted for statutory rape for having sex with a 15-year-old underage biological female."*

It is very likely that this case will be appealed to the U.S. Supreme Court and subject to what is now a monumental battle for future direction of SCOTUS via the nomination to replace deceased Justice Antonin Scalia. Even a Scalia-type replacement will not assure a Constitutional outcome as long as we have four liberals, four conservatives and one who ricochets back and forth in the person of Justice Kennedy.

The Fourth Circuit essentially ignored the actual language of the actual law in Title IX, relying on a letter from the Obama-appointed bureaucrats in what should be called the

Department of Miseducation and the Department of Injustice to literally legislate from the bench. Note again that the Judge writing the majority opinion is an appointee by a “conservative” Republican president, so our cultural, moral and legal cancer clearly goes much deeper than political affiliations or philosophies.

Underlying this opinion and the tide of cultural movement is the patent rejection of absolute moral truth and now even absolute biological reality of male and female as the only two sexes. “Sex” as in male/female is now dissected from “gender” so we can either simply choose to live as the opposite sex through our gender expression, or use surgical means to attempt to play God and mutilate our body to change our “gender identity.” We are increasingly becoming the United States of Confusion and that is a clear evidence of the failure of American Christianity to be a significant, let alone dominant, influence in our culture.

When a girl born with female genitalia, chromosomes and organs as “G.G.” can take medication that materially alters her body, mind and emotions with the blessing of a parent and the complicity of physicians, schools and courts—and then declare something that is a rejection of reality by asserting she is the same as a boy born with male genitalia, chromosomes and organs, protected in that sickness by federal courts, we have crossed the Rubicon of national decay.

As always, the only hope for America is the complete, uncompromised gospel of Jesus Christ that is grounded in the absolute truth of God’s creation order, moral law, sin nature of man and deliverance only through the life, death and resurrection of Christ. We can, however, no longer surrender the institution of government ordained by God to protect those who “do what is right” by His standards to let it’s lethal power be used to punish those same people and protect those who declare Him either non-existent or irrelevant. {eoa}

Rev. Dave Welch is the founder and executive director of the U.S. Pastor Council, Texas Pastor Council and Houston Area Pastor Council, interdenominational and inter-racial ministries of and for pastors based in Houston, Texas. Over the past twenty-five years he has held numerous leadership positions including founding Executive Director of Christian Coalition of Washington, National Field Director of Christian Coalition and Executive Director of Vision America.

He facilitated the launch of the Houston Area Pastor Council in 2003 that now involves over three hundred pastors. The mission was to develop a grassroots model showing how to build inter-racial, interdenominational teams of pastors in each city mutually committed to promoting biblical righteousness and justice in the home, the church, the community and in our government by restoring godly citizenship as a ministry of the local church. Affiliated councils have also been launched in other cities in Texas leading to formation of the Texas Pastor Council. TXPC has been very involved and effective in mobilizing pastors in support of legislative and legal action in defense of religious freedom, traditional family and marriage, education reform, justice reform and other key issues. Dave has assisted pastors in cities from Sacramento, CA to Virginia Beach, VA in starting Pastor Councils. He has also been a weekly columnist for World Net Daily online news. "Pastor Dave" was one of the pastors whose sermons were subpoenaed by Houston Mayor Annise Parker as one of the "Houston Five" leading the pastor coalition opposing her "bathroom bill" that would allow biological males in women's restrooms and which was resoundingly defeated at the ballot.

Dave is a licensed minister with the Church of God in Christ and also ordained by Grace International. He and his wife, Valerie, have been joyfully married for 33 years and live in Magnolia, Texas. They have been blessed with six children ages 18 to 31, all home schooled and two now married, as well as four granddaughters and two grandsons.