

The Gay 'Marriage' Case Should be Ignored, Just Like Dred Scott: Christian Legal Scholars

In a brief to the Alabama Supreme Court, Liberty Counsel presented legal arguments following the opinion in the marriage case at the U.S. Supreme Court. "When considering the Supreme Court's *Obergefell* opinion, state Supreme Courts should contemplate the decision's substantial assault on the Rule of Law, Democracy, and Natural Law, and its necessary diminishment of the constitutional right to Free Exercise of Religion," Liberty Counsel told the Alabama Supreme Court. Chief Justice John Roberts said it best: "[For] those who believe in a government of laws, not of men, the majority's approach is deeply lawyers have closed the debate and enacted their own vision of marriage as a matter of constitutional law." The *Obergefell* opinion is an assault on democracy. Justice Antonin Scalia warned, "This practice of constitutional revision by an unelected committee of the People of the most important liberty they asserted in the Declaration of Independence and won in the Revolution of 1776: the freedom to govern themselves." The decision from five lawyers ignored the natural order of marriage: the union of a man and a woman who complement each other biologically and socially, which union produces children, creates a family, and builds society. "Aside from undermining the political processes that protect our liberty, the majority's decision threatens the religious liberty our Nation has long sought to protect," Justice Clarence Thomas put forth in his dissent. The brief by Liberty Counsel points out that the Wisconsin Supreme Court refused to follow the U.S. Supreme Court opinion in the *Dred Scott* case, which said that blacks were not

entitled to full protection as citizens. The Liberty Counsel brief also urged the Alabama Supreme Court to protect the religious freedom of its citizens. "There is existing precedent for a state's highest court to reject an unlawful mandate from the U.S. Supreme Court," said Mat Staver, the founder and chairman of Liberty Counsel. Staver continued, "The hope of our constitutional republic rests upon state officials and American citizens who will refuse to allow five, black-robed judges to rob us of our free, representative form of government. A judicial opinion without constitutional basis is not law and should not be followed by any state or citizen." Liberty Counsel also asked Alabama's High Court to ensure protection of the constitutional rights of Alabama probate judges and other Christian business owners. "Never before in America has a religious requirement been required to hold office or own a business, and it cannot begin now," Staver cautioned. "To require Christians to pull out pages of their Bible in order to hold office or own a business is anti-American and it is unconstitutional, despite what any judge may say otherwise."