

The Troubling Record of the Judge Who Jailed Kim Davis

Kentucky's Rowan County Clerk Kim Davis—a Democrat—was ordered released from jail today by the federal judge who locked her up for refusing to issue marriage licenses to same-sex couples.

Judge David Bunning—a Republican—ordered her jailed last week, although no law was passed by Congress and signed by the President of the United States that would force her to issue marriage licenses to individuals and proponents of same-sex intercourse and marriage. Mrs. Davis has broken no law.

Basic civics: the Supreme Court cannot make law, only the legislative branch of a constitutional republic makes law. Apparently the House and Senate long ago capitulated and abandoned the Constitutional duty required in the “checks and balances” system created by the Founders: a fundamental principle to prevent any of the three branches of government from amassing excessive power. Furthermore, the principle of “checks and balances” was to ensure comprehensive debate on controversial policy issues affecting the nation, i.e., abortion and same-sex marriage rulings.

“Former Republican President George W. Bush nominated David Bunning for a lifetime position as a federal judge in 2001 when he was just 35 years old, halfway through his dad's [Jim Bunning, the Hall of Fame pitcher who served two terms as Kentucky's junior U.S. Senator] first term in the Senate. But Bunning has been anything but a sure thing for conservative causes” ().

“I myself have genuinely held religious beliefs,” the judge said, but “I took an oath.” Judge Bunning holds “genuinely held religious beliefs” such as:

- In 2003, Judge Banning ruled to impose Gay-Strait Alliance (GSA). According to that gay activist group's website: "GSA clubs are powerful tools that can transform schools—making them safer and more welcoming for LGBTQ youth, youth with LGBTQ parents, and straight allies. GSA Network helps GSA clubs become activist clubs that can educate teachers and students to improve the school climate. GSA Network teaches GSA clubs how to work with the school administration to implement school policies that prevent harassment and violence";
- In 2007, Judge Banning ruled to overturn a partial-birth abortion ban; and
- In 2015, Judge Banning illegally jailed Kim Davis

It seems that Judge Banning's social liberalism undermines the Republican National Committee's annual call to arms for evangelical and Pro-Life Catholic Christian conservatives to vote, saying, "We cannot overstate the importance of Christians voting in 2016 because the Supreme Court and Judiciary weigh in the balance."

Secularist lawyers are cagey. As one example, the U.S. Supreme Court decided in 1963 that theology is bloodily divisive and then concluded that the only way to restore comparative harmony was to expunge theology (read: the Bible) from public schools and the public square. The courts thereby forced theological debate and Biblical principles into the recesses of the conscience or, at best, safely behind the four walls of the church.[1]

Christian capitulation to Secularism, in the words of one great Christian writer, "is nothing less that apostasy, the denial of the Gospel that announces Jesus as Lord." [2]

America is devoid of the religious engine that propelled America's Founders. Indeed, it is beginning to bear an uncanny resemblance to the French in the Age of Enlightenment: just another mediocre nation among others.

If the Church refuses to engage the culture in the public square, what is the Church's purpose for being? If we are to survive, the renewal of America must begin with moral reformation, a spiritual resurrection. We must bring Biblical values to the public square.

We simply need a Gideon or Rahab the Harlot to stand.

ENDNOTES:

1. Peter J. Leithart. 1 & 2 Kings Commentary.
2. Ibid.