

THE CONSTITUTIONALIST MANIFESTO

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PREAMBLE

America is engulfed in the fires of a Culture War, and federal judges for fifty years have been whipping the flames to a white-hot heat. Federal courts have usurped the power to define whether we and our loved ones are truly "persons" deserving of constitutional protections, and whether our religious beliefs are "acceptable" to the I.R.S., thus being constitutionally sheltered from destructive taxation. This "imperial judiciary" has also approved the exclusive teaching that all of us are nothing more than animals and has ruled that when we oppose gay rights activism, our only possible motive is hatred for homosexuals.

These "Reconstructionist" judges (popularly labeled "liberals" and "judicial activists") and their postmodernist allies throughout American culture must be repelled. The responsibility for such a counter-attack falls on us Constitutionalists (popularly known as "conservatives" and "judicial restraintists").

This "Manifesto" is a declaration of the fundamental Constitutionalist principles which made America great and for which we must fight in today's Culture War. These are the standards by which we must evaluate judicial decisions, select federal judges, elect other officials, and promulgate all other constitutional/judicial policy.

All the principles set forth below are inseparably related to one another and are indispensable to a comprehensive and consistent body of Constitutionalist theory. The "Father of the Constitution," James Madison, asserted that "knowledge is power." Understanding clearly and supporting completely this body of principles will unite and empower us as Constitutionalists to fight effectively to reclaim our Constitution, our culture, and our courts.

PRINCIPLES

1. The American legal system must, by definition of a "legal system," be anchored in a supreme, fundamental permanent law to give it stability and direction.
2. The Constitution is, and must, by its very nature be, the supreme, fundamental, permanent law of the American legal system. No court decision, statutory law, or other form of "law" is either equal to, or superior to, the Constitution.
3. The Constitution, properly interpreted, is the ultimate "precedent" in American law and is the standard against which "precedents" (previous court decisions) in constitutional law (decisions of the courts interpreting the document) must be evaluated. No "precedent," regardless of its age, is "settled law" deserving of enforcement if it violates the Constitution, properly interpreted.
4. "Autonomous judicial restraint" is a recently created perversion of "judicial restraint" which must be rejected. "Autonomous judicial restraint" attempts to separate "judicial restraint" from the main body of Constitutionalist theory and places excessive emphasis on prior court decisions, not the Constitution, as the precedent to be followed. This approach leaves standing such egregious decisions as those described above in the "Preamble." Since such decisions are themselves extremely activist and anti-Constitutional, adherence to them actually renders a judge, not a genuine restraintist, but a judicial activist and a liberal. "Authentic judicial restraint," the correct—and original—form of judicial restraint, must be perpetuated, as it correctly subordinates court decisions to the Constitution, evaluating decisions according to the document.
5. The Constitution is controlling in all areas of law about which it speaks and should be effectively enforced within those limits. The Constitution does not control every area of life, as much authority and responsibility are reserved to the control of other agents such as individuals, private institutions, and the states.
6. The words of the Constitution have a fixed meaning which can, and must, be determined by careful, objective study of the express language of the text, the context of the provision being interpreted as well as the entire document, the intent of the Framers, and the world view surrounding the various provisions of the document as they were written. The meanings of the Constitution's provisions are not indeterminate, conflicting, and obsolete, constantly needing

change through an “evolutionary process.” The meaning of the Constitution’s words cannot, and should not, be derived from the cultural/political environment of a particular time and/or a particular power group, such as federal judges.

7. The Constitution is embedded in an all-encompassing world view and, properly interpreted, can express the values of only one world view. The Constitution, properly interpreted, is not, and cannot be, an eclectic document reflecting more than one world view. A “pluralism” or “diversity” of world views cannot provide a solid, workable foundation for our Constitution
8. Religious/theological views and values are foundational to any world view. Therefore, religious/theological views are inseparably related to legal/constitutional/judicial values and actions. There is not, and cannot be, a complete “wall of separation” between religious/theological/philosophical values and legal/constitutional/political values.
9. The world view in which the Constitution is moored is the Judeo-Christian world view. Therefore, the ultimate foundation of the Constitution is Judeo-Christian religious/theological values and views, revolving around a theistic God. The ultimate foundation of the Constitution is not the Humanistic world view, demanding that a human agent or group of human agents (i.e., judicial elite) ravage the Constitution with Humanistic perspectives, purposes, and values. Indeed, our constitutional republic will increasingly malfunction and eventually collapse if severed from its Judeo-Christian foundation.
10. The basic meaning of the Constitution’s provisions can be altered only by the people, who are the ultimate HUMAN source of the Constitution. There are, however, limits to the people’s power. We must follow the formal amendment process specified in Article V. of the Constitution, and we can alter the document only within the limits allowed by the Judeo-Christian value system.
11. Federal judges have neither the authority nor the competence to rewrite the Constitution by changing its basic meaning—even when such rewriting is justified as “expressing the will of the people” or by some other euphemistic falsehood.
12. The APPLICATION of the Constitution’s provisions (as distinguished from their basic MEANING) can be altered by properly authorized human agents employing legitimate procedures.
13. The federal judiciary must recognize fully the validity of the principle of separation of powers—that the national courts are only one branch among three branches of the national government and are not superior to either of the other two branches. There is to be a balance of both power and responsibility among the three branches, with the judiciary confined to interpreting existing law, not making or executing law.
14. The federal judiciary must recognize fully the validity of the principle of federalism—that there are two levels of government (national and state) each with its own powers and responsibilities under the Constitution. Neither level of government can legitimately over-run the other.
15. Federal judges must recognize fully that civil law/government is only one societal institution among several (the other primary institutions being the family and the church). A balance of power and responsibility, undisturbed by federal judges, must be maintained among these institutions.
16. The national courts are empowered and equipped to handle only cases involving clearly identifiable parties who are arguing over specific issues and rights which are recognized by the Constitution, and for which the Constitution provides narrow and direct relief. Once a national court has resolved such a dispute, the court is neither empowered nor equipped to try enforcing its decision through unconstitutional actions such as forcing local governments to raise their taxes.

PROCLAMATION

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