

## AMERICA'S CHRISTIAN HERITAGE

4/16/2017

As the Righteous Judge of all the earth, God has much to say about judges and the judiciary. In today's lesson we want to look at this great truth which is trivial to so many people.

## I. THE BIBLE AND THE JUDICIARY.

- A. The Psalmist addressed the issue—"Be wise now therefore, O ye kings: be instructed, ye judges of the earth. Serve the Lord with fear and rejoice with trembling." (Psalm 2:10-11)
- B. God instructs judges; "And said to the judges, Take heed what ye do: for ye judge not for man, but for the Lord, who is with you in the judgment. Wherefore now let the fear of the Lord be upon you; take heed and do it: for there is no iniquity with the Lord our God, nor respect of persons, nor taking of gifts." (II Chronicles 19:6-7)
- C. In Isaiah 1 Israel is in a period of rebellion and decline.
  - 1. God attributes their decline in part to their ungodly judges. (1:26)
  - 2. God calls for a change of their judges. (1:26)
  - 3. God is saying that if they will restore judges like at the beginning their land can be healed again. (1:26-27)
  - 4. The Biblical righteousness of a land is directly affected by its judges.
  - 5. God invites Isaiah to approach the Heavenly Bench for wisdom. (Isaiah 1:18-20)
- D. Note what unrighteous judges have brought upon America.
  - 1. Abortion---Nearly 6 million individual human beings have been murdered.

- a. There was no previous ruling they could have pointed to.
- b. The court had to strike down anti-abortion laws in 46 states in order to come to this conclusion.

## 2. Same sex marriage

- a. They asked state legislatures to set aside four centuries of American laws defining marriage as the union of a man and a woman.
- b. They thumbed their nose at Biblical interpretation.

## 3. Prayer in the classroom

## 4. Bible reading in the classroom

## 5. Coach participation in prayers before athletic events

## 6. Prayer before graduations

## 7. The exclusion of the Ten Commandments in the classroom

## 8. Manager scenes in city squares.

## 9. Limited prayer at Governmental meetings.

# II. THE FOUNDING FATHERS AND THE JUDICIARY

## A. The Founding Fathers stated that the three branches of Government are not coequal.

1. When the Constitution was finalized the Federalist Papers were written to explain its clauses and concepts.
2. James Madison said; "The Federalist may fairly enough be regarded as the most authentic exposition of the heart of the federal Constitution as understood by the body which prepared and the authority which accepted it."

3. The Federalist Papers in establishing the relative weight assigned to each branch declared that "The Legislative authority necessarily predominates and that the Judiciary is beyond comparison the weakest of the three departments of power."
  4. The Federalist Papers again stated that; "The general liberty of the people can never be endangered from that quarter-- because the Judiciary-- has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society, and can take no active resolution whatever. It may truly be said to have neither force nor will."
  5. It is obvious that the Constitution makes the Legislative Branch the most powerful one and the Judiciary Branch the weakest one.
  6. The word "coequal" appears nowhere in the Constitution!
- B. The Founding Fathers determined that judges do not have lifetime appointments.
1. Our forefathers were aware of the abuse of judges in the British system
    - a. Their judges were independent of the people
    - b. Their judges had lifetime appointments
    - c. Our forefathers determined that these two clauses of corruption would be precluded.
  2. The Constitution declares that; "The Judges, both of the Supreme and inferior Courts, shall hold their offices during good behavior. (Art. III, Sec. 3)
  3. John Colhoun, a U. S. Senator under President Thomas Jefferson explained what "good behavior" means; "We all fully and at once understand what is "good behavior" in a judge...if he acts contrary, it would be misbehavior; and the Constitution in that case has given a remedy by impeachment."

4. Today we have been told that impeachment can only be undertaken in the most extreme circumstances.
  - a. The Founding Fathers made the threshold for impeachment very low.
  - b. They believe impeachment necessary to control judges.
  - c. They placed six separate clauses in the Constitution either directly or indirectly addressing impeachment.
5. Historic causes for the impeachment of federal judges have included things such as;
  - a. Issuing an order that contradicted an act of Congress
  - b. Judicial high-handedness
  - c. Drunkenness
  - d. Blasphemy
  - e. Excluding evidence from a trial
  - f. Profanity
6. Founding Father Justice James Iredell placed on the U. S. Supreme Court by President George Washington strongly avowed that the use of impeachment was necessary to ensure good government when he said; "Every government requires it (impeachment). Every man ought to be amenable for his conduct...It will be not only the means of punishing misconduct but it will prevent misconduct. A man in public office who knows that there is no tribunal to punish him may be ready to deviate from his duty; but if he knows there is a tribunal for that purpose, although he may be a man of no principle, the very terror of punishment will perhaps deter him"
7. The above mention facts are unheard of today because we live in a climate of sin like the days of the Book of Judges.