

Constitutional Amendment

A Turning Point for America

For the past twelve months this *EndTime Issues ...* has been watching and reporting on significant operational changes within the United States. Judicial activism is usurping the legislative process. The politics of hate has entangled the electoral process. Cries for constitutional changes have been repeated. Polarization over moral issues has become distinct. Finally, religious activism now threatens to enter the legislative arena.

A volley of legislative shots was fired over the bow of Congress May 8, 1997, when Ernest Istook of Oklahoma proposed a constitutional amendment:

"To secure the people's right to acknowledge God according to the dictates of conscience: The people's right to pray and to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed. The Government shall not require any person to join in prayer or other religious activity, initiate or designate school prayers, discriminate against religion, or deny access to a benefit on account of religion."

This proposal planned to open the door for organized student-led prayers, public funding for church-run social programs, provide school vouchers and give freedom to recognize religious beliefs on public property, such as displaying the Ten Commandments.

Istook's plan never got far but had widespread "religious right" support. Since President Bush has been in office, he has implemented many of those ideas through *executive order*, including funding of faith-based initiatives. Interest in what was in that 1997 document continues to deepen. Now, added to that, are calls to make major changes to the Constitution to restrain judicial activism, force schools to teach creationism, bring back prayer into the classroom, preserve "under God" in the pledge of allegiance, protect the sanctity of the flag, force "right to life" in all sectors of society, open the door to churches to be a medium for political thought and federally define what marriage must be.

President Bush, in his State of the Union speech on January 20, 2004, said:

"I believe we should respect individuals as we take a principled stand for one of the most fundamental, enduring institutions of our civilization,' he said. Congress has already taken a stand on this issue by passing the Defense of Marriage Act, signed in 1996 by President Clinton. That statute protects marriage under federal law as the union of a man and a woman, and declares that one state may not redefine marriage for other states. Activist judges, however, have begun redefining marriage by court order, without regard for the will of the people and their elected representatives. On an issue of such great consequence, the peoples voice must be heard. If judges insist on forcing their arbitrary will upon the people, *the only alternative left to the people would be the constitutional process*. Our nation must defend the sanctity of marriage. The outcome of this debate is important, and so is the way we conduct it. The same moral tradition that defines marriage also teaches that each individual has dignity and value in God's sight."

This proposal is not new. When the U.S. Supreme Court this past June (2003) held unconstitutional the States banning of sodomy (Lawrence v. Texas) and radical legislatures in Vermont and California legalized same sex marriage (following Canada's lead), an outcry in newspapers, Christian activist organizations and churches crescendoed. Over 75% of the electorate is in favor of what President Bush proposed. It was a calculated declaration on his part and serves notice to all that battle lines this election year will be partly drawn over moral issues. Several thought leaders are privately saying Bush will push for a constitutional amendment over moral issues.

During the past twelve-month period the Vatican has been applying growing pressure on Catholic politicians to vote along Catholic lines or else (most of these proposed amendments have the sympathetic ear of the papacy).

In the past three months Catholic legislators have been threatened by archbishops that they will be blocked from communion at mass unless they come into greater sympathy with Catholic policy.

If the Constitution is amended it would be the 28th amendment. However, without that amendment, the defining issues *will continue to be short-circuited* by the courts. One way or another the Constitution is going to change. That is an issue all Christians must be alerted to! If it is the courts that prevail, as it was in 1973 over abortion, unlimited license will eventually occur in "legal unions," including polygamy and pedophilia "marriage."

The issue that Bush raised in his speech goes even deeper and gets right to the heart of what this country stands for and how it is to be governed. He declared a cultural war on January 20, 2004, and the battle is going to become ugly. The very meaning of "by the people" and representative deliberations on law is judicially threatened. The constitution must be changed.

The moral, legal and social order of America has entered national debate. The righteous fiber of America must be defined. The President took on not only Congress and the Courts, he challenged America to decide what its future will be like.

We will see in the next few months battle lines drawn between philosophies of a *social order* as this country has never seen. The meaning of "*common good*" will come to the front. Activists, representing the moral extremes, will strain every fiber of political will. Hatred will threaten democratic institutions. Terrorism will enter the national arena of thought. Religious activism will reach its highest pitch.

The volley that our President shot over America will become shots heard around the world. More than marriage, right to life, patriotism and family will be debated – the right to have God in the foundation of this society is soon to come front center. That will be questioned – debated – and inserted into any amendment. A turning point has come into this country.

One way or another everyone will be asked to exercise a moral choice. It is possible and even probable that for some no choice offered will be the right choice. The freedom of some will be curtailed – and that could ultimately become the greater issue.

As this issue goes to press, the following items came across our desk: Christian Coalition of America Press Release Wednesday, January 21, 2004; President Roberta Combs:

President of the Christian Coalition of America Roberta Combs said, "Christian Coalition particularly commends President Bush for his strong support for marriage only between a man and a woman. It was an abomination that 3 left-wing Massachusetts judges – acting as super legislators in robes – in their decision last year are attempting to force Massachusetts legislators into approving homosexual marriages. Christian Coalition was the only major organization in America that strongly supported the *Federal Marriage Amendment when it was introduced by Congresswoman Marilyn Musgrave last May. We urge the House of Representatives to pass this critical piece of legislation before this November's election.*"
<http://www.cc.org/>

Phyllis Schlafly Reports Vol. 37, No. 5, December 2003: We should pass an amendment to the United States Constitution to establish once and for all that marriage is defined as the union of a man and a woman as husband and wife, and that no court has any power to rule otherwise." <http://www.eagleforum.org>

National Review; July 28, 2003 Gerard V. Bradley, Notre Dame law professor: "The only way to rein in this runaway Court is to change the supreme positive law: the Constitution. The Federal Marriage Amendment (FMA) would do that."

Focus on the Family; James C. Dobson, Ph.D. January 20, 2004: "The key strength of the FMA is that it will ensure that the constitutional status of marriage is determined by the American people.... This effort to save the family is our D-Day. Our Gettysburg. Our Stalingrad. This is the big one.... I want to implore you to commit yourselves to an unprecedented degree of social activism in defense of marriage." <http://www.family.org>

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