

GLOBAL LIFE CAMPAIGN™

Ginsburg's Death & Accountability, & U.S. Declaration Principles for Choosing Supreme Court Justices

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The GLC Series (Country Report) this week focuses on the death of Ruth Bader Ginsburg, fixed principles for choosing judges and justices that are contained in the Declaration of Independence –the foundational charter of the United States – and the confirmation process.

1. Ginsburg's Death and Accountability

Ruth Ginsburg (1933-2020) was a justice on the United States Supreme Court from 1993 to her death last week, on 18 September 2020. Ginsburg was Jewish, quoted the Torah on the duty to do justice, was highly respected by some for her legal and judicial capacities, and opposed the legal reasoning in the Roe v. Wade case. But she had an internal contradiction regarding abortion. In contradiction with the Torah, she consistently supported the innocent bloodshed of babies in the womb, violating the justice requirements of the Law of God and the U.S. Constitution.

It was to the people of Israel that God gave the only perfect, righteous, just, unchanging Law of God – and through them to all peoples – which corresponds perfectly with the laws of nature which He also created. In the Law of God and the Bible is the true knowledge that every person is created “in the image of God” (Genesis 1:26-27), that God creates each baby in the womb (Ecclesiastes 11:5), that shedding innocent blood is murder (Exodus 20:13; Numbers 35:30-34; Deuteronomy 19:10), and that sacrificing babies is so horrible to Yahweh that He judged, destroyed or deported entire nations for child sacrifice, including Israel and Judah (2 Kings 21:1-16; 24:1-4; Psalm 106:35-43). Ginsburg, serving as a justice, could have brought the wisdom of God and history of His relations with nations to the court, to inspire them to protect innocent human life. But she did the opposite.

Americans are deeply divided over abortion and other moral issues, but opinions in conflict with those of God have absolutely no standing before His judgment seat. Ginsburg now must stand before the Highest Court, the Court that is above every human court and every nation. “For we must all appear before the judgment seat of Christ, so that each one may be recompensed for his deeds in the body, according to what he has done, whether good or bad” (2 Corinthians 5:10, NASB). The passing of anyone should not be a cause for celebration, but a time of personal humbling and reflection of our standing before this Judge.

As I write this, it occurred to me that she died on the first day of 40 days of prayer and fasting through which Jewish and Christian leaders are calling upon believers to humble themselves before God, repent of our personal and national sins, and return to Him. In God's eyes, our greatest national sin may be the innocent bloodshed of more than 61.3 million babies. Can you imagine standing before the Creator, Lawgiver, and Judge of the world and being held to account in part for that? It is our prayer that she did repent before her death, and received mercy and forgiveness from Jesus Christ.

2. Fixed Principles in U.S. Declaration for Choosing Justices

The Declaration of Independence, which is the national charter that formed the United States of America, contains foundational principles that should guide the President when selecting and nominating judges and justices. Of course, possible appointees must also have integrity, good character, legal training, and the judicial skills necessary. But only appointees who also have the following convictions are qualified to do “Justice, and only justice,” protect all innocent human life, uphold the Constitution, preserve or restore our good foundations, and reverse unjust decisions (Deuteronomy 16:18-20).

- (1) **“The Laws of Nature and of Nature’s God”**: Does the possible appointee know what these Laws are, and where they are evident in the formation of the United States Constitution, and which court decisions or U.S. laws are consistent and which conflict with the universal Laws and the Constitution? Will the nominee uphold the U.S. Constitution according to the original intent of the framers? If the answer is yes to the first question, it will be yes to the second.
- (2) **Human rights come from the Creator**: Does the possible appointee recognize that human rights come from the Creator God, and not from man, government, judges or courts?
- (3) **Life** is the first and foremost human right. Will the possible appointee faithfully protect human life from conception to natural death?
- (4) **Liberty** includes religious liberty, rights of conscience, freedom of speech, property rights, etc. Will the possible appointee faithfully protect the God-given liberties of the people, without inviting or authorizing licentiousness (the misuse or abuse of the right)?
- (5) **Pursuit of Happiness** (or blessedness) means the right to pursue a right relationship with God and people, and to pursue anything good, but does not include anything that would violate the will of God, His Law, or harm people.

3. Senate Confirmation

The U.S. Constitution requires the President to appoint judges and justices to federal courts. “The President . . . shall have Power, by and with the Advice and Consent of the Senate, to . . . appoint . . . Judges of the supreme Court.” The next paragraph shows the urgency of the President’s duty to immediately fill a vacancy: “The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session” (Article 2, Section 2, U.S. Constitution). Thus the constitutional duty of the President is to promptly appoint a qualified individual to fill a vacancy on the court.

There is controversy regarding what occurred in 2016, after the death of Antonin Scalia, justice of the U.S. Supreme Court, when the Senate delayed consideration until after the election. Promptly after Scalia’s death, then President Barak Obama said, “I plan to fulfill my constitutional responsibilities to nominate a successor in due time” (<https://time.com/4220790/president-obama-justice-scalia-replacement/>). He fulfilled his duty by nominating Merrick Garland, whom the Senate never confirmed. There is actually a consistency in the Republican Senate action in 2016, choosing not to consider Obama’s nominee, and their call now in 2020 for immediate nomination before the election this year. Fiduciary duty! A foremost purpose of civil government is to protect human life, and to preserve the national

covenant (U.S. Constitution) and rule of law; and that is precisely what the Republican leaders of the Senate did in 2016 and are doing now.

Conclusion: President Donald J. Trump should promptly nominate a justice to the U.S. Supreme Court who understands and upholds the five Declaration principles mentioned above, and will be faithful to uphold the U.S. Constitution. Then the Senate should immediately undertake the same rigorous test, and fulfill their responsibility of “advice and consent” by conducting the nominee honorably and quickly through the review process, and then hold a vote on the nominee.

SDG and for the sanctity of human life,

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“You shall appoint for yourself judges and officers in all your towns which the LORD your God is giving you, according to your tribes, and they shall judge the people with righteous judgment” (Deuteronomy 16:18, NASB).