

The Real Ruth Bader Ginsberg



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This last week a major event that will affect the election happened. Ruth Bader Ginsberg passed away. It is always a sad time when a life has run its course. A person's legacy is how that person is remembered. RBG was known for her support of sexual rights, women's rights, and for paving the way for women to attain greater things than they had been able to achieve in the past. These can be good things but only if they can be classified as moral.

As a Supreme Court Justice RBG swore to uphold the Constitution of the United States. That means when a case came before the Supreme Court they would judge that case according to the Constitution and what it allows and what it doesn't allow. This is the only document that is allowed in adjudicating a case. RBG did not agree with that precept even though she swore to do just that. She believed that a lot of international laws were better than what she called the restrictions found in our Constitution. ***Justice Ginsburg has fired the latest salvo in the ongoing debate about the Court's use of foreign and international law sources in constitutional adjudication. On Friday, she gave a speech to the International Academy of Comparative Law at American University, entitled ["A decent respect to the Opinions of \[Human\]kind": The Value of a Comparative Perspective in Constitutional Adjudication](#). Not surprisingly given her earlier opinions, Justice Ginsburg comes out strongly in favor of the Court's use of foreign and international law materials to interpret U.S. law, including the Constitution. She begins***

with an historical defense:

From the birth of the United States as a nation, foreign and international law influenced legal reasoning and judicial decision making. Founding fathers, most notably, Alexander Hamilton and John Adams, were familiar with leading international law treatises, the law merchant, and English constitutional law. And they used that learning as advocates in legal contests The law of nations, Chief Justice Marshall famously said in 1815, is part of the law of our land. Decisions of the courts of other countries, Marshall explained, show how the law of nations is understood elsewhere, and will be considered in determining the rule which is to prevail here. Those decisions, he clarified, while not binding authority for U. S. courts, merit respectful attention for their potential persuasive value.

After quoting from Paquete Habana, Ginsburg turns her attention to the hostility to both foreign and international law on display in the U.S. Senate during Elena Kagan's recent confirmation hearings (e.g., including the Senator who indicated he was "troubled" that Kagan "believes we can turn to foreign law to get good ideas"). She contrasts these exchanges with The Federalist's use of the law of nations and both positive and negative examples from abroad to defend the Constitution.[1]

I'm not saying that other nations may not have a better perspective on some situations but that doesn't change the fact that it is only our Constitution that should be used. We can change our Constitution if needed but until it is changed, it remains the law of the land. She even went as far as to encourage other jurists to entertain international laws when adjudicating a case. *Endorsing a principle that she called the "international perspective," Ginsburg encouraged American judges to base their legal decisions in part on precedents that have been set overseas, especially in European courts.*

Describing herself as part of the “dynamic school of thought” in constitutional law, Ginsburg spoke during the 2003 Women in Law Conference, hosted by the Oklahoma Bar Association at the Tulsa Renaissance Hotel.

The “dynamic school” views the Constitution as a living document, subject to continuous reinterpretation by successive generations, Ginsburg explained.

That contrasts with the “static” school of thought, which believes that the Constitution should be interpreted according to the original intent of its framers.

“Such jurists sometimes prevail in our courts,” she said, referring to judges who hold the static point of view.[2]

She even proudly stated that the majority decision to strike down Texas’ anti-sodomy law was heavily influenced by cases in the European Union. As an example, she pointed to the Supreme Court’s recent decision in Lawrence v. Texas, which struck down that state’s law against gay sex.

Among the precedents the majority justices used to justify their decision were recent rulings by European Union courts that affirmed a person’s right to engage in consensual intimate behavior, she said.

Past Supreme Court decisions have upheld the constitutionality of anti-sodomy laws. But the European decisions helped show a global shift in thinking about human rights, which are now thought to include sexual privacy, Ginsburg said.

“Time can blind us,” she said. “Later generations could see that laws once thought necessary and proper only served to oppress.”[3]

I have a major problem with her train of thought about ‘laws once thought necessary and proper only serve to oppress.’ That law is based on the biblical point of view concerning

homosexuality. Leviticus 18:22 states: When a man lies with a man in the manner that a man lies with a woman, it's an abomination in the eyes of God. Our laws are based on biblical laws and she acted like it was her right to re-write that precept handed down by God. That's not a legacy that I would want to be associated with.

As another slap in the face to a moral society she has advocated for the lowering of the age of consent for sexual activity to 12. Many liberal websites deny that she has taken that stand but there is too much information out there.

An [article from CNS News](#) reports "Given that homosexual advocates are in a full court press to lower the age of consent as low as it can go, and pro-pedophile sitting Supreme Court Justice Ruth Bader Ginsburg's documented advocacy of lowering the age of consent to 12 years old, parents should be horrified..."

Ginsburg may have "changed" her opinion on this (or pretended to) by the time of her Supreme Court confirmation hearing. Several liberal websites of course deny that she supports pedophilia, but there's a [PDF file](#) with quotes from some of her earlier writings, which you can see for yourself.

Our Congress is so fearful of appearing the tiniest bit anti-Semitic that they could probably have gotten John Podesta's satanist friend, Marina Abramovic on the Supreme Court if this were the pre-Internet age.

Clearly politicians in Congress were afraid to point out Ginsburg's past (because she was Jewish), which would have doomed a White candidate for the Supreme Court if he had an equally sleazy record.[4]

I am sure that RBG was involved in some very important and beneficial decisions, but advocating pedophilia and homosexuality are not part of them. Any time anyone takes a position that solidly opposes the principles of God,

especially for one that is in a position of authority, it can become a stumbling block for the nation they are representing. Ask Sodom and Gomorrah.

We must be careful who we place in high esteem. Our moral foundation depends on it.

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Foot Notes

1. [Justice Ginsburg on using foreign and international law in constitutional adjudication](#)
2. [Throwback Tulsa Justice Ruth Bader Ginsburg touts international perspective](#)
3. [Throwback Tulsa Justice Ruth Bader Ginsburg touts international perspective](#)
4. [Ruth Bader Ginsburg advocated lowering the age of consent to 12-2](#)
5. Defining America's Exceptionalism, Roger Anghis (Westbow Press, Bloomington, IN) pp. 154-155