United States Senator
Richard Shelby
REPORTS TO ALABAMA

The Ten Commandments

By: Senator Richard Shelby (R-AL)

On Monday, the Supreme Court delivered one of its final rulings for this term. The ruling came on an issue that I have long felt strongly about – the issue of the acknowledgement of God, and in this instance, the display of the Ten Commandments monument.

I was disappointed to learn that the ruling provided little guidance or precedent on the display of the Ten Commandments. While I was not surprised by the decision, my conviction was strengthened on the need to pass legislation that would clarify the role of the judiciary in cases regarding the acknowledgment of God, such as the Constitution Restoration Act, of which I am the principal sponsor.

Upon reading through the opinions authored by the justices, I found that I firmly agreed with Justice Scalia's vigorous and pointed dissenting opinion to the decision. His remarks clearly illustrate the problem with this decision by stating, in part: '*What distinguishes the rule of law from the dictatorship of a shifting Supreme Court majority is the absolutely indispensable requirement that judicial opinions [are] grounded in consistently applied principle. That is what prevents judges from ruling now this way, now that- thumbs up or thumbs down-as their personal preferences dictate.'*

It is unfortunate that the court has left this issue open, such that when similar instances occur in the future, judges will have only their own subjective interpretation upon which to rely.

Also in Justice Scalia's dissent are numerous examples from our Founding Fathers to the present day where the acknowledgment of a higher being continues to be heard. The first President of the United States, George Washington, opened his presidency with a prayer, and President James Madison asked for blessings from the 'Almighty Being' during his inaugural address. These references continue today. Presidents swear to uphold the Constitution or tell the truth, 'so help me God.'" Scalia goes on to say, *'Invocation of the Almighty by our public figures, at all levels of government, remains commonplace. Our coinage bears the motto 'In God We Trust.' And our Pledge of Allegiance contains the acknowledgment that we are a Nation 'under God."*

It is without question that our government and our laws are based on Judeo-Christian values and a recognition of God as our Creator. The Declaration of Independence by which we justify the very foundation of our political system, "*holds these truths to be self-evident: that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness - that to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed.*"

Without a recognition of these basic moral truths, we cannot speak of liberty since it would no longer be an unalienable right, and we cannot speak of justice since our laws would have no moral reasoning and therefore no legitimacy.

At the foundation of this discussion remains a fundamental point: you simply cannot divest God from our country. Sadly, this past Monday, despite a number of examples over the course of our nation's history and despite the present foundation of our legal system, the Supreme Court was unable to make a firm determination on this matter.

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