



Written by [Alex Newman](#) on October 1, 2016

Alabama Justice Suspended for Defending Marriage, Constitution

Alabama Supreme Court Chief Justice Roy Moore, who stood firm in defense of marriage and the Constitution despite a blatantly illegal U.S. Supreme Court ruling pretending to create a “right” to “homosexual marriage,” was suspended from his elected post this week by rogue judicial officials. The removal was obtained without the required unanimous support. According to Justice Moore’s attorneys, that means the outcome of the legal assault was itself an “unbelievable violation of the law.”



Despite the lawless attack on Justice Moore, however, the fact remains that neither the U.S. Supreme Court nor the federal government have any legitimate authority over marriage — much less the authority to redefine or even undefine it and then impose their radical view on the entire nation.

Moore has vowed to appeal the illegal decision against him. He also blasted the lawless attack on him and the voters who elected him.

“This was a politically motivated effort by radical homosexual and transgender groups to remove me as chief justice of the Supreme Court because of outspoken opposition to their immoral agenda,” Moore [told](#) WND, noting that the case was flawed from the start and that consequently, the attorney general refused to prosecute. “This opinion violates not only the legal standards of evidence but also the rule of law which states that no judge can be removed from office except by unanimous vote.”

Justice Moore became a national hero to advocates of marriage, religious freedom, the U.S. Constitution, state nullification of unconstitutional federal overreach, proper judicial behavior, and self-government when, last year, in response to illegal edicts by federal courts, he stood firm. More than 80 percent of Alabama voters decided to uphold the biblical definition of marriage as a “sacred covenant, solemnized between a man and a woman.” Justice Moore, who was elected by the people of Alabama despite a previous attack on him for defying rogue federal edicts, told lower-court judges that they should obey Alabama law.

Of course, the people and the states of the union never delegated any authority over marriage to the federal government. In fact, by ratifying the Tenth Amendment to the U.S. Constitution, the people and the states explicitly *prohibited* the federal government from getting involved in marriage (and many other matters), reserving those powers to the states. In keeping with that, states and voters overwhelmingly voted to protect marriage, even in liberal California. In violation of every constitutional principle, however, rogue federal judges defied the people and the Constitution, culminating in the ludicrous *Obergefell* ruling by the U.S. Supreme Court purporting to invent a “right” to a “homosexual marriage.”

Recognizing the farce and relying on sound legal principles that have underpinned American jurisprudence for centuries, Justice Moore pointed out that the illegal federal rulings were not binding



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on Alabama. What is binding on state judges are the U.S. and Alabama constitutions, neither of which could be remotely construed to create or even allow so-called “homosexual marriage” except by radical anti-Constitution zealots willing to ignore plain English and defy their oath of office.

So, for upholding the law and defending marriage, far-left extremists filed a complaint with the Alabama Court of the Judiciary (COJ) seeking to remove Moore from his post — for the second time. Moore was actually removed from office by rogue federal supremacists once before, in 2003, for upholding his oath and refusing an illegal federal order to remove the Ten Commandments from the state judicial building. Yet, he was re-elected again by the people of Alabama, more than 80 percent of whom also voted to protect marriage in the state Constitution.

The scheme to oust Moore involved “suspending” him from his post until the end of his term under, ironically enough, the guise of “judicial ethics.” The reason he was “suspended” rather than removed is because the nine-member COJ could not get the unanimous support necessary to actually remove him from office, as required by the COJ’s own rules. So, they pulled a fast one, removing him illegally instead.

After receiving a hero’s welcome and loud applause, Moore told his “inquisitors” that the ethics charges against him were “ridiculous,” the Associated Press reported. In his own testimony, Moore denied that his personal or religious beliefs played a role in his statement to lower-court judges. “I gave them a status in the case, a status of the facts that these orders exist,” Moore explained. “That is all I did.”

The rogue COJ, though, while unwilling to openly support the Supreme Court’s ruling or the idea of a “homosexual marriage,” disagreed with Moore. In what Moore’s attorneys called an “unbelievable violation of the law,” the kangaroo court removed Moore for the remainder of his term, which runs through 2019. Because of his age, he will be unable to run again, meaning the “suspension” is a de facto permanent removal from the bench, his attorneys said.

“To suspend Chief Justice Moore for the rest of his term is the same as removal,” [explained](#) Mat Staver, founder and chairman of Liberty Counsel, the Christian legal group that represented Moore in the case. “The COJ lacked the unanimous votes to remove the Chief, so the majority instead chose to ignore the law and the rules.... The rule of law should trump political agendas. Sadly, today that is not the case. What this decision tells us today is that Montgomery has a long way to go to weed out abuse of political power and restore the rule of law.”

Staver also said the outrageous decision showed that the system needed to change to stop the abuse of power. “In August, when both sides asked for summary judgment, I was shocked that the COJ chose not to rule,” Staver continued. “I surmised then that the COJ lacked a unanimous vote to remove the Chief and so the can was kicked down the road to keep the Chief off the bench for two more months. The evidence and the arguments presented Wednesday showed that Chief Justice Moore should be reinstated. He did nothing wrong. The JIC presented no live testimony or affidavits. The charges should be dismissed. Today’s decision by the COJ to suspend the Chief for the rest of his term throws the rule of law out the window. This system must be changed.”

However, the case is not over, Staver said, promising to appeal to the Alabama Supreme Court. “The 2016 Administrative Order was merely a status report of the pending case before the Alabama Supreme Court. The order did not change the status quo. It did not create any new obligation or duty,” Staver said. “To suspend Chief Justice Moore for the duration of his term is a miscarriage of justice and we will appeal this case to the Alabama Supreme Court. This case is far from over.”



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In its ruling, the COJ was careful not to endorse homosexual “marriage” or the widely ridiculed Supreme Court decision purporting to invent it. Instead, the outfit claimed Moore did not mean what he said when he told probate judges in Alabama that he was “not at liberty to provide any guidance ... of the effect of Obergefell on the existing orders of the Alabama Supreme Court.”

In a [letter to the governor](#) after the first illegal federal court ruling pretending to impose homosexual “marriage” on Alabama, though, Moore was clear on the facts. “As you know, nothing in the United States Constitution grants the federal government the authority to redefine the institution of marriage,” Moore wrote, adding that the people of Alabama had specifically recognized in the state Constitution that a marriage is a “sacred covenant” between a man and a woman. The laws of Alabama have “always recognized the Biblical admonition stated by our Lord,” the chief justice added in the letter, citing Mark 10:6-9 from the Bible.

“As Chief Justice of the Alabama Supreme Court, I will continue to recognize the Alabama Constitution and the will of the people overwhelmingly expressed in the Sanctity of Marriage Amendment,” Moore concluded in his letter to Republican Governor Robert Bentley. “I ask you to continue to uphold and support the Alabama Constitution with respect to marriage, both for the welfare of this state and for our posterity. Be advised that I stand with you to stop judicial tyranny and any unlawful opinions issued without constitutional authority.” That was before the Supreme Court’s illegal ruling.

The latest assault on Moore was launched by the extremist Southern Poverty Law Center (SPLC), [widely condemned as a hate group](#). Beyond being blasted even by left-wing activists as a money-making scam for a “con man” (who was accused in court of sexually molesting his step daughter), the SPLC has a troubled history of promoting hate, bigotry, and extremism. Among other concerns, the outfit has a website that to this day proudly promotes as a “highly respected figure” an [unrepentant terrorist leader \(Bill Ayers\)](#) backed by the murderous Castro regime — despite the fact that the group the terrorist founded murdered police officers and bombed the U.S. Capitol, the Pentagon, and the U.S. State Department. The SPLC also was [in the headlines in 2012 after it and its hate propaganda were cited by a domestic terrorist](#) who tried to massacre employees of a Christian group in Washington, D.C. To understand just how extreme and detached from reality the SPLC has become, consider that it now regularly denounces as [dangerous members of the “radical right” supporters of marriage who express identical sentiments to those expressed \(dishonestly\) by Obama when he ran for president](#) in the 2008 election.

Regardless of the efforts of extreme political activists such as the SPLC to subvert the Constitution and destroy Christians and drive them out of public life, Moore’s career may not be over regardless of what happens on appeal. Indeed, media reports have suggested that the popular figure may run for governor. According to [recent polls](#), he is currently at the top of the list among GOP primary voters. Ironically, the persecution appears to be turning him into a martyr.

In the meantime, it is past time for [state governments to nullify unconstitutional Supreme Court decisions and federal actions](#). The U.S. Constitution does not delegate any power over marriage to the feds. That means the outlandish *Obergefell* “ruling” is null and void. While even they could never have imagined that the court would invent “homosexual marriage” or a “right” to slaughter unborn children, America’s Founders and the authors of the Constitution promoted nullification as the “rightful remedy” to stop federal usurpation of power. It is a constitutional and biblical duty, [according to scholars and theologians](#).

Even the late U.S. Supreme Court Justice Antonin Scalia [hinted at it in his dissent](#) to the illegal



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homosexual decree, where he warned that, with “each decision ... unabashedly based not on law,” the high court moves “one step closer to being reminded of [its] impotence.” States should remind the court of its impotence starting *now* by nullifying its illegal edicts on marriage, abortion, and other areas outside its jurisdiction. Congress [could also step in and effortlessly slap down the lawless court](#).

Americans must rediscover the power to say NO to anti-constitutional edicts from D.C. — or they will find themselves terrorized by a lawless, unlimited, all-powerful regime that will eventually crush them and their descendants. The choice should be easy.

Photo of Alabama Chief Justice Roy Moore: AP Images

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