



HOW ADF IS COMBATTING THE INTERNATIONAL LAW MOVEMENT

ADF plays a leading role in equipping attorneys with the necessary legal strategies to successfully take on the international law movement.

ADF will also continue efforts to train like-minded attorneys through our National Litigation Academy® (NLA) and first-year law students through our Blackstone Fellowship® (BSF) program.

As always, ADF will monitor legal decisions that impact religious freedom, the sanctity of human life, and traditional values to determine if international law was used as the basis for such decisions.

Through our unique strategy of training lawyers, coordinating legal strategy, funding and litigating key cases, we believe it is possible not only to preserve our religious liberty, but to reclaim our judicial system from those who seek to undermine American sovereignty. In the years to come, it is imperative that we do our utmost to embrace and defend the original intent of our Founding Fathers.

¹ Stephen Boltano, "Ginsburg is No Longer 'Lone Ranger' in Decision-Making," *USA Today*, August 3, 2003.

² "O'Connor: U.S. Must Rely on Foreign Law," *WorldNetDaily.com*, October 31, 2003.

³ Majority Opinion by Justice Anthony Kennedy, *Lawrence et al. v. Texas*, No. 02-102. Argued March 26, 2003. Decided June 26, 2003, Item C.

⁴ Majority Opinion, *Hillary Goodridge v. Massachusetts Department of Public Health*, SJC-08860. Argued March 4, 2003. Decided November 18, 2003, Item IV, p. 15.

⁵ Conference: "Human Rights at Home: International Law in U.S. Courts," held October 9-11, 2003, in Atlanta, Georgia.

⁶ See Bill C-250, presently pending before the Canadian Parliament. According to the Canadian Bible Society, the bill would criminalize the teaching and preaching of verses that condemn homosexual behavior.

⁷ Patrick Goodenough, "Australian Court Hears Muslim Complaint Against Christians," *CNSNews.com*, October 15, 2003.

⁸ Ingrid Rousseau, "French Head Scarf Law Allows Some Leeway," *Europe Associated Press*, April 30, 2004.



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The Truth About INTERNATIONAL LAW





Over 225 years ago, our nation's forefathers gathered in Philadelphia to debate and write a unique document. A single page announced the formation of a new country—one that would no longer find itself in the clutches of a foreign state. The document was our Declaration of Independence.

Eleven years later, many of these same men gathered again in Philadelphia to lay the groundwork for how this nation was to be governed. The result was the United States Constitution, a system of government like no other, "by the people, of the people, and for the people."

For the past two centuries, hundreds of thousands of courageous men and women have given their lives to protect America's sovereignty and freedom. But now the noble sacrifice of so many is in jeopardy.

Organizations such as the American Civil Liberties Union (ACLU) and its allies, frustrated by their inability to advance their radical agenda under the U.S. Constitution, are striving to convince the American judiciary to look at "international law" as a means to an end.

BACKGROUND

*"Our island or Lone Ranger mentality is beginning to change. Justices are becoming more open to comparative and international law perspectives."*¹

— Supreme Court Justice Ruth Bader Ginsburg

*"I suspect that with time, we will rely increasingly on international and foreign law in resolving what now appear to be domestic issues..."*²

— Supreme Court Justice Sandra Day O'Connor

A seismic shift in American law occurred on June 26, 2003. On that fateful day, the United States Supreme Court struck down all state laws that banned the practice of same-sex sodomy. As egregious as this decision was for the future moral condition of our nation, what was even more alarming was how the Court came to find such a "right" in our United States Constitution.

The six justices who found this "right" did not look to the United States Constitution as their guide, but instead to international law.

Writing for the majority, Justice Anthony Kennedy pointed out that laws proscribing sodomy have been rejected by the European Court of Human Rights.³ Therefore, the United States must reject such laws as well.

But this was only the first earthquake. The second would come shortly after.

On November 18, 2003, the Massachusetts Supreme Judicial Court found a "right" to same-sex "marriage." This right was not found in the state constitution, but was based on the opinion of a provincial Canadian court.⁴

These decisions are the fruit of well-organized efforts by groups such as the ACLU and its allies to impose an agenda on the American public while circumventing the United States Constitution.

And what agenda is this? To quote the brochure from an ACLU-sponsored conference, the goal is to "advance women's rights, children's rights, and gay, lesbian, bisexual, and transgendered rights." The brochure adds: "The emphasis throughout the conference will be on using international law... in U.S. courts."⁵

THE CONSEQUENCES OF RUNNING ASTRAY

The ramifications of international law on the religious liberty of ordinary American citizens are as profound as they are despairing. The embrace of international law is a violation of the principles on which our nation was founded. Consider, for example, that if a state court looks to a Canadian province to redefine marriage, it could then turn to that same province to criminalize moral disapproval of homosexual behavior.⁶

In Australia, an evangelical Christian was brought up on charges under a "Religious Tolerance Act" for truthfully presenting the Gospel.⁷

In France, public schools have been permitted by law to ban certain forms of religious apparel. Based on this discouraging precedent, the ACLU and its allies could prod American courts to limit and silence our own religious freedom.

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