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Supreme Lunacy again



DAVID JAGERNAUTH
CRITICAL MASS

Hiibel v. Nevada:

In a series of rulings involving the Fourth Amendment, the Supreme Court showed uncharacteristic consistency by basically allowing cops to do whatever they want. In the most insane of the cases, the justices ruled that any state can pass a law forcing you to give your name to the cops if asked. I guess now our Miranda rights read, "You have the right to remain silent ... that is, after you incriminate yourself."

Pennsylvania State Police v. Suders:

This case involved a woman who was sexually harassed at work. All the justices sided with the woman, except Clarence Thomas. This one is too easy. Come up with your own joke.

Vieth v. Jubelirer:

Not ones for interfering in political contests (ahem), the justices ruled 5-4 that a Democratic challenge to a re-districting plan drawn by Pennsylvania's Republican-controlled legislature was nonjusticiable. Too bad Election 2000 wasn't nonjusticiable. I guess the Supreme Court cannot get involved when it might help Democrats. Then again, maybe nine people who are appointed, rather than elected, and serve for life, rather than four years, are not the best ones to be ruling on electoral issues.

McConnell v. FEC:

Not satisfied with condoning rampant gerrymandering, the Supreme Court found another way to screw up our elections. They upheld most of the McCain-Feingold Act,

which is responsible for the growth in 527s. The path to hell is paved with good intentions, and we are definitely burning in political hell. By the way, did you know that Kerry fought for the Viet Cong? It's true. I just heard it on TV.

Elk Grove Unified School District v. Newdow:

Speaking of unintended consequences, in this case the justices upheld the phrase "under God" in the Pledge of Allegiance ... well, sort of. They ruled that the father bringing the case on behalf of his daughter lacked standing to bring the case at all. They never tackled the Establishment Clause question at the heart of the suit, much to the disappointment of one particular justice who was eager to crush the godless atheist Newdow. (You only get one guess which justice I'm talking about. Here is a hint: His name sounds like a terrible disease.)

In their haste to sidestep and tiptoe around a case that had become a political land mine, they opened a Pandora's Box, according to law and metaphor-mixing expert Marci Hamilton. The ruling could affect the rights of all noncustodial parents like Newdow. I'm no federalist, but even I find it disturbing that the justices would overrule the state on a question of custody rights.

There isn't a joke here. The Supreme Court just royally screwed this one up.

A smile suddenly appears on Pat Robertson's face. "Don't you see?" he says. "It all makes sense. God protected the justices so they could protect the Pledge and the nation from attacks by those lousy Russian atheist commies."

Pat, Newdow was not a communist, nor was he Russian, nor do I think that communists pose a threat to the nation any —

"And if President Bush gets a second term, there will be plenty of time to knock off one of the justices. He must be preordained to win the election, just like in 2000."

Actually Pat, I think human hands were involved in the —

"Clearly, there is a divine purpose to all things."

Sure there is Pat, sure there is.

—
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I don't know Pat Robertson — not biblically anyhow — but I suspect he is going through a crisis of faith. A year ago I wrote about Robertson's "prayer offensive" ("Supreme lunacy," ODE, Oct. 9), where he asked God to — and I'm paraphrasing here — whack one of the Supreme Court justices.

All nine are still alive. This is after the members of the High Court legalized sodomy! You'd think somebody as close to God's ear as Pat Robertson would have little trouble convincing Him to break the Sixth Commandment. But no. Nothing has happened. And now the curtain is closing on President Bush's chance to install a justice that will overturn Roe v. Wade.

I can only imagine what is going on inside Robertson's head:

Why won't God answer my hateful prayers? I thought, at the very least, He would have struck down Justice Ruth Ginsberg by now. She's Jewish. In the scheme of things, what is one justice's life if it means justice for all unborn lives? Like I've said before, God allowed thousands to die during the terrorist attacks of Sept. 11 in order to punish mothers who have abortions, sluts like Justice O'Connor, porno-addicted perverts like that Negro boy and homosexuals like that ruggedly handsome Justice John Paul Stevens. Ahhh, Stevens, with his rock-hard pecks and rock-hard ... no! Evil thoughts! Evil thoughts! Must get rid of the evil thoughts ...

Robertson's lack of pull in Heaven is our gain here on earth, for we have the extremely good fortune of watching the Rehnquist Court preside over yet another presidential election. I wonder how early they will stop the recount this year. My money is on November 1.

But before we discuss the havoc ahead, let us take a quick look back at the 2003-2004 season, which can only be described as yet another year of supreme lunacy:



INBOX

A Bush win would hurt healthcare, public schools

There is one important issue that the candidates for President have not addressed, the makeup of the Supreme Court. If Bush wins, it will solidify the religious right-wing agenda. Another important issue which must be thoroughly examined is healthcare. Under Bush, a national healthcare bill will be impossible, while Kerry has expressed willingness to explore the issue.

All of the negatives about John Kerry are buried in what will happen to the Court if Bush is elected. We could have a court which could reverse Roe vs. Wade. Vital issues such as gun control, free speech rights, religious freedom, and barriers between church and public schools and government would be in danger. The rights of workers to organize and bargain would be lost. Minimum wage standards would be a distant memory. Bush has expressed his admiration for Justices Scalia and Thomas, and we can expect future justices of that ilk if Republicans make the appointments.

Bear in mind that all federal judges are presidential appointments for life. Giving George W. this power would make it more difficult for progressive legislation, state or federal, to survive. The overriding issue in the real world is the makeup of the Supreme Court. That is why I will vote for and support John Kerry.

Mike Kessler
Hayward, Calif.

America can't be a leader if no one will follow

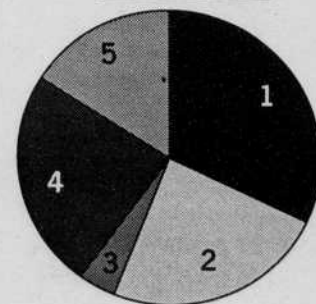
So this election doesn't come down to healthcare, nor to jobs, nor to deficit spending. This election comes down to Iraq. Millions of us were right when we opposed the war before our voices were ignored.

It is a hollow victory. Iraq was not the "central front on terror" until the president made it so. By removing a tyrant who had no WMDs and posed no threat, and who had no ties to those who do, the world was made less safe. By starting a war on flimsy pretenses, our credibility has been enormously damaged. A nation without credibility cannot lead, for no one will follow. International stability requires trust between nations. When trust in American leadership erodes, tyrants and terrorists are more likely to flourish.

Winning the "war on terror" requires first winning the war of ideas. Only John Kerry can do this and restore our credibility amongst nations.

Todd Huffman, M.D.
Eugene

ONLINE POLL



THIS WEEK'S RESULTS

How easy is it for you to buy textbooks for college courses?

- 1. Very convenient.** Every book I need is in stock at the campus bookstore — 32 percent
- 2. Somewhat convenient.** I just log on to the Internet and click, click, click — 24 percent
- 3. Somewhat difficult.** I don't have a car/bike, and the instructor uses a store across town — 4 percent
- 4. Very difficult.** The book list for my class wasn't provided in advance, and now I can't afford the books — 24 percent
- 5. This issue doesn't affect me.** — 16 percent

Total out of 25 votes.

Look for next week's poll question in Monday's issue.

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