

US Supreme Court Majority Continues To Get It Wrong!

Following a long string of unconstitutional decisions since at least 1937, the Supreme Court of the United States twice last week, on June 25, 2012 and on June 28, 2012, failed to follow the clear original intent and meaning of the Constitution for the United States of America.

The majority opinions in the Arizona Illegal Immigration case and the Obamacare case remind me of what Justice Ellett, when delivering the Opinion for the Supreme Court of Utah in **Dyett v. Turner**, 20 Utah.2d 403; 439 P.2d 266, 267 & 268 (1967), stated, as part of the introduction to his extensive discussion about the so-called 14th Amendment. These comments, which were true in 1967 and which continue to remain very true today, are as follows:

... “The United States Supreme Court, as at present constituted, has departed from the Constitution as it has been interpreted from its inception and has followed the urgings of social reformers in foisting upon this Nation laws which even Congress could not constitutionally pass. It has amended the Constitution in a manner unknown to the document itself. While it takes three fourths of the states of the Union to change the Constitution legally, yet as few as five men who have never been elected to office can by judicial fiat accomplish a change just as radical as could three fourths of the states of this Nation. As a result of the recent holdings of that Court, the sovereignty of the states is practically abolished, and the erst while free and independent states are now in effect and purpose merely closely supervised units in the federal system.

We do not believe that justices of once free and independent states should surrender their constitutional powers without being heard from. We would betray the trust of our people if we sat supinely by and permitted the great bulk of our powers to be taken over by the federal courts without at least stating reasons why it should not be so. By attempting to save the dual relationship which has heretofore existed between state and federal authority and which is clearly set out in the Constitution, we think we act in the best interest of our country.

We feel like galley slaves chained to our oars by a power from which we cannot free ourselves, but like slaves of old we think we must cry out when we can see the boat heading into the maelstrom directly ahead of us; and by doing so, we hope the master of the craft will heed the call and avert the dangers which confront us all. But by raising our voices in protest, we, like the galley slaves of old, expect to be lashed for doing so. We are confident that we will not be struck by 90 per cent of the people of this Nation who long for the return to the days when the Constitution was a document plain enough to be understood by all who read it, the meaning of which was set firmly like a jewel in the matrix of common sense and wise judicial decisions. We shall not complain if those who berate us belong to that small group who refuse to take an oath that they will not overthrow this government by force. When we bare our legal backs to receive the verbal lashes, we will try to be brave; and should the great court of these United States decide that in our thinking we have committed error, then we shall indeed feel honored, for we will then be placed on the equal footing with all those great justices who at this late date are also said to have been in error for so many years.”

The Court’s actions once again demand that Pennsylvania, and the other States of the Union, emphatically reject these two decisions as unconstitutional judicial actions which uphold both legislative and executive unconstitutional actions of the National Government. Despite what Chief Justice Roberts and four other Justices have just declared, the federal government has **no** constitutional authority to be involved in individual healthcare by calling it a taxing power or anything else, or to limit the powers of the States, Counties or individuals to stop illegal immigration.

Explicit “Nullification” by Pennsylvania remains the lawful remedy to usurpation of power!