Subject: Re: Still no coherent explanation of what legislating from the bench means
Posted by akhilesh on Wed, 02 Nov 2005 14:30:30 GMT
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John wrote:"I understand your point AK; my position is this: The founding fathers specifically moulded the Constitution to be a fluid; change with the times template for future events beyond what they could percieve at the time. "Sure, John. There is a way to alter the constitution. 2/3 majority ratification by all the states. IT has been amended several times. Interpretation of English statements that make up the Constitution should not be such a big deal, at least by reasonable minded people. Just in case some of us are unreasonable and read more into it than was intended by the framers of that particular amendment, The SUpreme COurt exists as the final arbiter of what eac hstatement in teh COnstitution means. "How would you rule in the Microsoft Monopoly case using just the Constitution as written without applying any recent descisions? How about right to die; since there was no medical means to determine how close to death people were 200 yrs ago? "If the Supreme Court cannot clearly use the COnstituion to rule on a cse, they have no business ruling on it. They should either uphold a decision made by a lower federal court, or rule it unconstitutional. Seems quite simple to me. thanks-akhilesh