

---

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

[View Forum Message](#) <> [Reply to Message](#)

---

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 perceive 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 each statement in the CONstitution means. "How would you rule in the Microsoft Monopoly case using just the Constitution as written without applying any recent decisions? 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 CONstitution to rule on a case, 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

---