



THE FOUNDATION

"The Constitution ... is a mere thing of wax in the hands of the judiciary which they may twist and shape into any form they please." --Thomas Jefferson

FOR THE RECORD

"Barack Obama's legacy is coming sharply into focus, four years early. He's out to transform 'a nation of laws,' once the pride of our Anglo-Saxon heritage and exemplar to the world, into 'a nation of feelings.' ... Sonia Sotomayor is only one of the building blocks of the president's envisioned Mediocre Society. She's a perfect first nominee to the Supreme Court, 'untouchable' to anyone who risks looking at who she really is.... The president is the master of demographic politics, playing the race card in a way that no one else could. Miss Sotomayor was presented not as a jurist distinguished by learning and accomplishment, but first as a Latina, a woman of empathy and delicate sensibility. He's counting on male gallantry, if not male timidity, to carry the day. Robert Gibbs, the president's press agent, was an unapologetic intimidator, warning everyone to be 'exceedingly careful' in talking about her. Criticism of Miss Sotomayor is to be regarded as proof of racism, sexism and maybe even fascism. The headline in The Washington Post was typical: 'First Latina Picked for Supreme Court/GOP Faces Delicate Task in Opposition.' Criticize the little lady at your own risk. ... The danger is not that Republicans will be too tough, but not tough enough. Miss Sotomayor has a damning paper trail, and the Republicans have a responsibility to ask vigorous, even robust, questions. Mr. Obama has the votes to prevail no matter how she answers the questions, but the nation is entitled to know who the president is putting on the nation's highest court." --Washington Times editor emeritus Wesley Pruden

CULTURE

"A judge with highfalutin' notions about what's right and what's wrong isn't going to let The People get away with contradicting him. He'll take broadsword to a law he doesn't like (e.g., the old, pre-Roe v. Wade abortion statutes), or he'll put under his personal authority an entire public school system he sees as needing improvement in specific ways. ...

The irony in the Sotomayor case, of course, is that a president elected by a majority vote proposes to seat on the Supreme Court a woman he seems to value for her ability to ignore trifles like the will of the majority, or social peace, or a law's actual meaning. The liberal -- and Obama is a liberal -- theory of judging involves the use of courts to do quickly what democratic debate, being unwieldy, can't accomplish. The judge whose place she will take, David Souter ... was himself a sort of empathizing, let's-move-the-ball-forward kind of judge. Sonia Sotomayor won't immediately change the tenor of discussion and judgment on the court, but assuming the President reads her rightly she will certainly try. As will all future Obama candidates for the court we may yet rename the Society for the Advancement of Empathy in America." --columnist William Murchison

RE: THE LEFT

"In every trial -- every single trial -- judges solemnly instruct American citizens who are compelled to perform jury duty that they will have a sworn obligation to decide cases objectively -- without fear or favor. If a person is unwilling or unable to do that, if the person believes he or she has a bias or prejudice, especially one based on a belief that people are inferior or superior due to such factors as race, ethnicity, or sex, the person is not qualified to be a juror. ...[W]e strive to keep those attitudes out of our law -- even to the point of expecting prospective jurors to tell us honestly whether they have such biases so we can make certain they don't get on a jury. Non-biased decision-making, we tell every ordinary citizen called for jury duty, is the most basic obligation of service in the legal system. Would Judge Sotomayor be qualified to serve as a juror? Let's say she forthrightly explained to the court during the voir dire (the jury-selection phase of a case) that she believed a wise Latina makes better judgments than a white male; that she doubts it is actually possible to 'transcend [one's] personal

sympathies and prejudices and aspire to achieve a greater degree of fairness and integrity based on the reason of law'; and that there are 'basic differences' in the way people 'of color' exercise 'logic and reasoning.' If, upon hearing that, would it not be reasonable for a lawyer for one (or both) of the parties to ask the court to excuse her for cause? Would it not be incumbent on the court to grant that request? Should we have on the Supreme Court, where jury verdicts are reviewed, a justice who would have difficulty qualifying for jury service?" --National Review editor Andy McCarthy

POLITICAL FUTURES

"Obama and Sotomayor draw on the 'richness of her experiences' and concern for judicial results to favor one American story, one disadvantaged background, over another. The refutation lies in the very oath Sotomayor must take when she ascends to the Supreme Court: 'I do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich. ... So help me God.' When the hearings begin, Republicans should call [New Haven, Connecticut firefighter] Frank Ricci as their first witness. Democrats want justice rooted in empathy? Let Ricci tell his story and let the American people judge whether his promotion should have been denied because of his skin color in a procedure Sotomayor joined in calling 'facially race-neutral.' Make the case for individual vs. group rights, for justice vs. empathy. Then vote to confirm Sotomayor solely on the grounds -- consistently violated by the Democrats, including Sen. Obama -- that a president is entitled to deference on his Supreme Court nominees, particularly one who so thoroughly reflects the mainstream views of the winning party. Elections have consequences. Vote Democratic and you get mainstream liberalism: A judicially mandated racial spoils system and a jurisprudence of empathy that hinges on which litigant is less 'advantaged.' A teaching moment, as liberals like to say. Clarifying and politically potent. Seize it." --columnist Charles Krauthammer

THE GIPPER

"The Supreme Court of the United States is the custodian of our Constitution. Justices of the Supreme Court must not only be jurists of the highest competence; they must be attentive to the specific rights guaranteed in our Constitution and proper role of the courts in our democratic system. ...[J]udges' personal preferences and values should not be part of their constitutional interpretations. The guiding

principle of judicial restraint recognizes that under the Constitution it is the exclusive province of the legislatures to enact laws and the role of the courts to interpret them." --Ronald Reagan

LETTERS TO THE EDITOR

(To submit reader comments visit our Letters to the Editor page.)

"So many of your essays move me to pensive emotion, but Thursday's column on the Marine Aviator's Memorial Day Wave Off struck a deep, inner chord that propels me to write. Thank you for sharing the troubling story of Mike McGinn and his family from this past Memorial Day. Your for-the-record juxtaposition of the military service events in the lives of Marine Colonel James McGinn and his son, Major Mike McGinn, with parallel events from the life of Barack Hussein Obama is a powerful jolt. *The Patriot Post* fortifies me as I strive to instill in my two teenage daughters how eternally grateful we must be everyday to all the brave men and women who have given their lives so that we might live free. Thank you for all you do to keep our founding principles alive and relevant." --Philadelphia, Pennsylvania

Editor's Reply: As Alexander noted, this event "offered a powerful perspective on where we are as a nation." Of course, he didn't suggest that BHO had a personal vendetta against the McGinn family, but that when a Marine combat aviator attempts to visit the resting place of his highly decorated Marine father at Arlington National Cemetery, and is refused entry at all gates because a former Leftist 'community organizer' is there for a photo op, that is a tragic metaphor for the state of our nation. BHO took an oath to "support and defend" our Constitution, just as James and Mike McGinn took, but unlike Obama, the McGinns honored their oaths, and served their nation with great pride and vigilance.

"Regarding the McGinns' wave off from Arlington, I can attest to the fact that under the Bush administration, entry and attendance was much easier. Last year, knowing that the president traditionally laid a wreath at the Tomb of the Unknowns in Arlington National, we did as the McGinns -- planned to get there early. We were pleasantly surprised to discover that entry into Arlington was as effortless as it had been on visits other than Memorial Day. We continued up to the Tomb, and it was, literally, a walk in the park. We were rewarded with nearly front row

seats, and exactly on time, in marched President George W. Bush, whose show of respect was, obviously, from the heart of a veteran -- something our current CINC could not begin to feign." --Sacramento, California

"In regard to the Marine Wave Off on Memorial Day, of course McGinn was not permitted into Arlington with BHO on his way there. Have you forgotten, Alexander? The Department of Homeland Security has declared that veterans are among the groups considered to be high risk for terrorist actions..." --St. Louis, Missouri

"My daughter, and avid reader of *The Patriot*, told me that Alexander's essay about the McGinns has now been posted on many sites, conservative and liberal. She was amazed to find how rancorous some of the liberal responses have been, even going so far as to suggesting that McGinn was lying. However, I can tell you that I was also 'waved off' and went to both the Ft. Myers and Henderson entry points only to be told that the entire area was locked down, and we were not permitted entry at those gates either, for an 'undetermined duration.' This was NOT the case during any of our previous Memorial Day visits when President Bush was in attendance." --Alexandria, Virginia

"Mike McGinn is a better man than me. I would have refused the wave-off, shown my ID and vehicle sticker, and would demanded entry to the cemetery to visit my father's grave. The police or secret service would have then had a choice: 1) Recognize the circumstances and use common sense to make an exception, or, 2) Arrest me. I assure you that had they chosen the latter, I would have called every newspaper and television station to tell my story. Like Mike McGinn's dad, I flew helicopters in Vietnam for two tours. And now on each Memorial Day, I stand proud for my country, but silently fear for the future of my children in our evermore leftist, socialist, politically-correct, sense-of-entitlement, tyrant-appeasing, historically revisionist country. Enough is enough." --Nashville, Tennessee

A note from Mike McGinn: "I just received a call from my Dad's roommate at the USNA, who is also a longtime Patriot reader. He told me that when he sat down to read your Thursday essay, you could have bowled him over with a feather when he read his old roommate's name and saw his picture -- especially since he wrote the citation about my Dad in

his 1957 USNA yearbook, which *The Patriot* quoted. Thank you for the tribute to him. Semper Fi!"

GOVERNMENT

"The other day I sought a respite from current events by re-reading some of the writings of 18th century British statesman Edmund Burke. But it was not nearly as big an escape as I had thought it would be. When Burke wrote of his apprehension about 'new power in new persons,' I could not help think of the new powers that have been created by which a new President of the United States -- a man with zero experience in business -- can fire the head of General Motors and tell banks how to run their businesses. Not only is Barack Obama new to the presidency, he is new to running any organization. One of Burke's fears was that 'we may place our confidence in the virtue of those who have never been tried.' ... People who don't like 'the rich' or 'big business' or the banks may be happy that President Obama is sticking it to them. But such arbitrary powers can be turned on anybody. As Robert Burns said: 'Send not to know for whom the bell tolls. It tolls for thee.' There was a lot of wisdom in the 18th century. The Constitution of the United States set out to limit the powers of the federal government but judges have greatly eroded those limitations over the years and the dispensing of bailout money has allowed the Obama administration to exercise powers that the Constitution never gave them." --Hoover Institution economist Thomas Sowell

THE LAST WORD

"By the time you read this on Monday morning, General Motors will have declared bankruptcy. ... On April 28, 2000 a share of GM would have cost you \$93.63. Last night you could have bought about 125 shares for that same money as GM was trading at 75 cents. ... Obama will own over 72.5 percent of whatever the 'new' GM looks like with a trust fund of the United Auto Workers owning the second biggest chunk at 17.5 percent. For those of you who, like me, are deficient when it comes to carrying-the-ones I did the arithmetic: The Obama Administration and the UAW will own 90 percent of General Motors. ... The government can't force us to buy GMs or Chryslers, but they can provide incentives for us to do it. The Congress can pass legislation giving an additional tax exemption or deduction for the purchase of any car made by a company which is more than 50 percent owned by the federal -- the American federal -- government. Conversely the

Congress might pass a law putting an excise tax on the purchase of any vehicle not manufactured by a company which is more than 50 percent owned by the U.S. government. The scary part about how far across the collectivism causeway we have come in so short a period of time is this: A few months ago you would have snorted at the silliness of a suggestion like that. This morning you're saying, 'Oh, my, he's right. They might just do it.' The auto industry and health care are tied together. The thought of the government running them makes me car sick." --political analyst Rich Galen

Veritas vos Liberabit -- Semper Vigilo, Fortis, Paratus, et Fidelis! Mark Alexander, Publisher, for The Patriot's editors and staff.

(Please pray for our Patriot Armed Forces standing in harm's way around the world, and for their families -- especially families of those fallen Soldiers, Sailors, Airmen, Marines and Coast Guardsmen, who granted their lives in defense of American liberty.)