



## Straight Talk

By Muriel Sluyter

## Of Commerce Clauses, Katrina & Opportunities

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### Greetings, Gentle Reader,

What does the Commerce Clause have to do with John Roberts? Apparently, a lot. Senator Schumer stated his concern about Judge Roberts' philosophy concerning that clause. Under it, any state law or tax may be declared unconstitutional if it interferes with either interstate commerce or regulation of that commerce by Congress.

That clause has been abused by Presidents, Congress, and judges to abolish states' rights since the 1930s. It makes it possible for a president or legislature to establish or control something of national import, such as the federal highway system, electrical grids, irrigation systems, flood control, etc. Unfortunately, it is used quite regularly by power-hungry federal authorities, especially federal judges, to override individual state's authority. By invoking the Commerce Clause, they can, and do, force their will on every citizen of this country. The latest outrageous example of this abuse of power is the judicial declaration that the recitation of the Pledge of Allegiance by school children is unconstitutional.

Until *Rowe-v-Wade*, each state had its own abortion laws, and in addition, the judges and authorities of each state bent or broke those laws as they chose. Each state had its own laws controlling marriage, so if someone was too young to marry in one state, he could go to some other state to marry. Liquor laws, ditto. Some states used their rights to make it almost impossible for certain citizens to vote, etc.

The reason Senator Schumer and his fellows want to know Judge Roberts' philosophy concerning that clause is because he knows Congress has been abusing it for decades, and he wants to be assured that Roberts will continue to turn a blind eye to that practice.

Let's revisit New Orleans for a moment: a few decades ago, the Army Corps of Engineers was supposed to build flood gates outside New Orleans' levee system, to insure that any hurricane in excess of category three would have its force and storm surge broken sufficiently, before it hit the levees, to allow them to remain intact. Environmentalists stopped them from building the gates, because they said it would harm shellfish. The Environmental Protection Agency is an example of an invocation of the Commerce Clause, as is the

Endangered Species Act. Anybody want to make a guess about the extent of damage Katrina did to the shellfish, thanks to those two examples of abuse of federal power?

Now, let's philosophize for a moment concerning some of Katrina's victims: Many have lived in a city where criminality was tolerated and depravity and debauchery were celebrated. I am told a decadence festival was due to be celebrated when the hurricane hit.

Anytime these social evils are elevated to a level of acceptability, widespread poverty reigns; it always has; it always will. There is no place in this world where that unwritten law is abrogated. The attitudes and actions that accept the former, spawn the latter. In constructive, healthy societies that stigmatize such evils, individuals who nonetheless practice them produce fragmented families in which multi-generational abuse and poverty are rampant.

The one good thing that may come of Katrina is that individuals who've been taught dependence on government handouts as a legitimate lifestyle, who've never learned that hard work and constructive behavior generate rewards, may learn to live a healthy, productive lifestyle.

Many compassionate business owners are employing evacuees who've been taught from childhood to live on government handouts. It's amazing what a person can do when shown how to overcome his inabilities, especially if he has been coached to use them as a crutch, rather than as something to be challenged and overcome.

If enough evacuees stop accepting their lies and take charge of their own lives, those people Bill Cosby calls "poverty pimps," will have to find a new set of suckers.

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