

Citizen's Courier

GAY MARRIAGE & BACK TO SCHOOL



Back To School

By Gale Palmer
Webmaster

It's that time of year again! It is the traditional time of year when notebook paper and pencils line store shelves with "On Sale" placards hawking their worthiness to the buyer. But it's not the same back-to-school ambience experienced in the past. With Common Core Curriculum prepping young minds into bovine compliance to ever-increasing government control of daily living minutia. The media spouts its government approved scripts and the public schools and colleges propagandize students into acceptance of minority and corporate agendas. It's not the classroom where readin', writin', and 'rithmetic are taught anymore. Instead it's common core, cultural awareness, sex education, gender assignment, and selective religion where the "selected" religions can be anything but Judeo/Christian, because Heaven forbid we should allow the State to mingle itself with religion! In our pioneer, one-room, one-teacher, classrooms, many times, the only

textbook was a Bible. We booted God out of our schools and try to blame it on one woman, but in reality, Godless leaders (we chose) allowed it to happen, nay, they even promoted the agenda! Now, prisons are a for-profit industry and baby body parts are a thriving worldwide industry!

Guess we didn't really need God at all, did we! He might have caused some of today's classrooms a bit of discomfort with all that Ten Commandment stuff about murder, stealing, and honoring parents! Even our courts have tried to abdicate their founding principles! I'm not a fan of the comedian who said it, but he had a point when he said, "You can't post the Ten Commandments in a building full of politicians, lawyers, and judges, because it would create a hostile work environment!" Our Constitution has been reduced by career politicians and judges to a historical document. It no longer governs our land save in lip service only by those determined to increase their wealth and power at its demise!

When is the last time you held an actual gold or silver coin? We buy and sell with promissory notes (paper) to which the FED arbitrarily assigns value. The goods you have and buy hold more value than the paper you

exchange for them! I saw a bag of 20 plastic coins the other day for \$2.99! That should tell us what our currency is really worth! Gasoline is still 5 cents a gallon. Trouble is your dollar is only worth a nickel! My mom and Dad bought their house for \$5,000. I bought mine for \$75,000. Our children think a \$200,000 home is a "good deal!" What am I saying? I guess maybe it's about time we all went "back to school!"

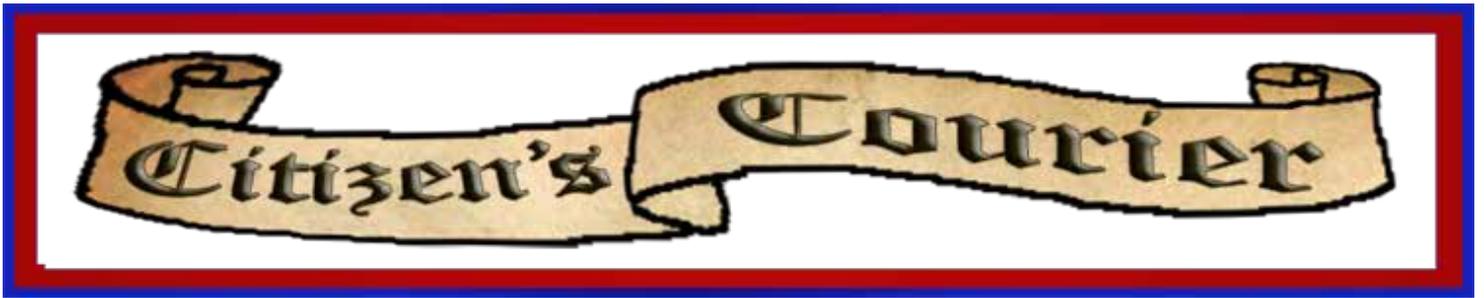


The Economics of Bernie Sanders

William L. Anderson

As the political campaign of Hillary Clinton continues to run aground, Democrats are flocking to the campaign of Bernie Sanders, the self-described "socialist" US senator from Vermont, who has been a fixture in that state for more than three decades. Not unlike the presidential campaign of Ron Paul, Sanders is drawing large, enthusiastic crowds who are very receptive to his message of increased state control of the US economy.

Obviously, when a person running a campaign based upon socialist



principles is drawing attention and big crowds, we might ask just what does Sanders mean by “socialist,” and what would he do if he were elected president of the United States? To better answer that question, I am taking a closer look at what we would call the “economics” of Bernie Sanders.

What Do We Mean by “Socialism”?

Before looking at Sanders’s platform, however, I believe it is important to note that when socialists speak of “victories” in the economy, they are not talking about actual results, but rather political achievements in the forms of laws being passed that mandate certain policies. Whether or not these policies actually achieve what socialists claim will be accomplished is another story altogether, but results are irrelevant to socialists.

This should surprise no one because, after all, socialism is based upon political control of the economy. True (or at least original) socialists believe that state agents via the “magic” of their authority should allocate all resources to where there is the greatest need for them. Political representatives, not surprisingly, determine what constitutes the greatest need. The state would take ownership of all factors of production and then wisely determine the needs

and how production of goods would fulfill them.

Secondary Socialism

A number of people have pointed out that the Sanders “program” is not socialism *per se*, but rather is something based upon socializing the results of private enterprise, or what one might call *secondary socialism*. The Bernie Sanders regime would take control of some of the produce of private enterprise, as opposed to taking outright control of factors of production, which would remain in private hands. If this reminds one of the *fascism* of the 1930s, that is because Sanders is promoting a version of the governing models of Germany under Adolph Hitler and Italy under Benito Mussolini.

More at Source:

<https://mises.org/library/economics-bernie-sanders>

It’s Official:

The Feds Control Common Core

By Casey Given

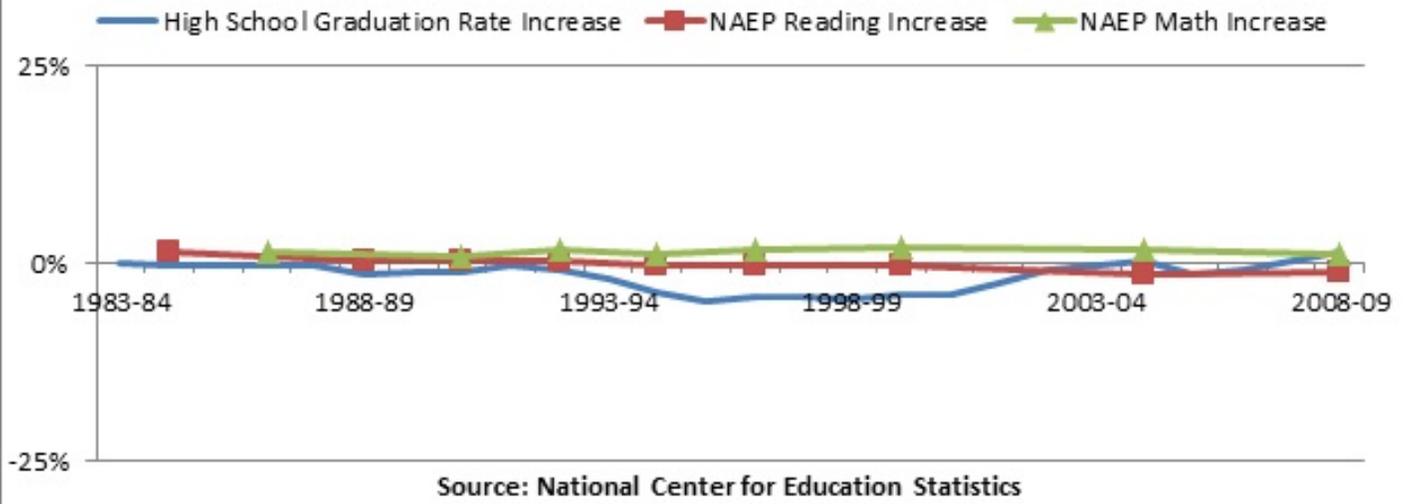
Critics of the Common Core State Standards had our fears confirmed on Monday when Education Week reported that the [Department of Education will oversee the assessment test design for the new national standards](#). This is no April Fool’s joke:

Washington will soon be directly regulating what America’s schoolchildren learn and on what they are tested. This massive expansion of federal power is concerning considering the federal government’s failed history of intervening in public education.

As I recently explained in [AFP Foundation’s school choice policy report](#), the federal government has had its meddling hands in America’s public schools for decades. From the Elementary and Secondary Education Act of 1965 to No Child Left Behind today, Congress has provided Title I federal funding to schools with low-income student bodies for the past half-century. But, this money is by no means free. As is often the case with federal funds, Title I comes with strings attached – which explains how Washington has been such a major player in American education despite the fact that public schools are function of the states.

Unsurprisingly, the feds’ central planning hasn’t worked. Laws like No Child Left Behind have backfired by setting unattainable benchmarks for student performance, such as 100% proficiency in all subjects by 2014, and threatening schools with government take-overs if they don’t achieve the impossible. Despite Washington’s best efforts and a threefold increase in

Student Performance Stagnates, 1983-2009



school funding, test scores and graduation rates have stagnated since the early 1980s, as seen in the chart.

After decades of failed federal intervention in America's public schools, Common Core's similar approach of centrally planning public schools has worried education reformers since the initiative was launched in 2009. For years, proponents of the standards have tried to soothe these fears by emphasizing that they are not administered by the federal government. Common Core's official website, for example, [downplays the protests](#) by claiming "[t]he federal government had no role in the development of the Common Core State Standards and will not have a role in their implementation."

Perhaps this claim could hold water four years ago, but today it's evident that Common Core is nothing more than a federal ruse to exert even greater control over America's classrooms. The truth started to unravel in September 2010, when the Department of Education [required states to participate](#) "in a consortium of States that... working towards jointly developing and adopting a common set of K-12 standards" in order to receive Race to the Top grants. Meanwhile, they rewarded \$350 million of such grants to two such consortia of states developing assessment tests...

More at Source:

<http://americansforprosperity.org/article/its-official-the-feds-control-common-core>



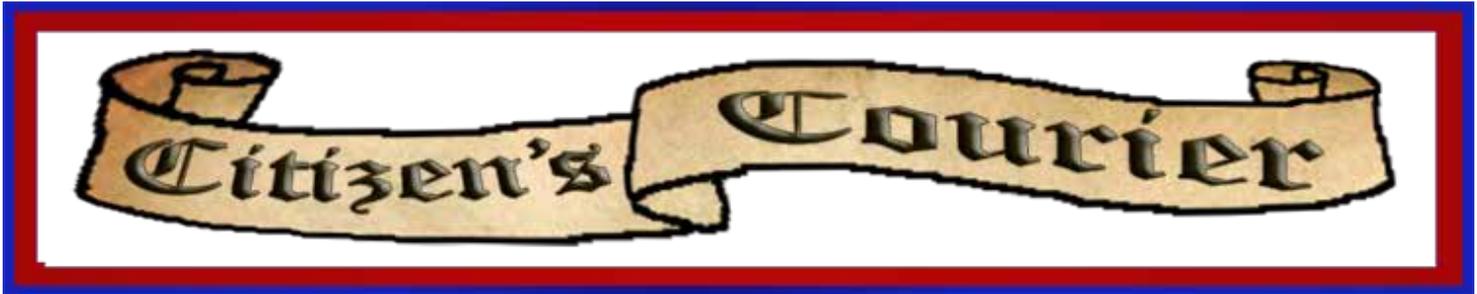
Kim Davis, a Local Fixture, and Now a National Symbol

By ALAN BLINDER and RICHARD FAUSSET

N. Y. Times

Kim Davis was known, for decades, as a woman behind the counter of a small county clerk's office: a mild-mannered conduit for auto tag renewals, lien releases, land records and marriage certificates.

She was not a celebrity, but she was a fixture. Her mother had been the Rowan County clerk for 37 years, and



when she announced her retirement, Ms. Davis, who had worked in the office for much of that time, ran successfully as a Democrat to succeed her. A Republican candidate lodged an accusation of nepotism, to no avail.

She knew her clients, and their stories. If she knew a family member was sick, or feeble with age, or in trouble with the law, she would ask after that person while conducting county business. She would often offer her prayers.



"I owe my life to Jesus Christ who loves me and gave His life for me," she wrote in a [statement issued by Liberty Counsel](#), a conservative group that is representing her in federal court. She added: "To issue a marriage license which conflicts with God's definition of a marriage, with my name affixed to the certificate, would violate my conscience. It is not a light issue for me. It is a Heaven or Hell decision."

"Before taking office as county clerk in January 2015, Davis swore an oath to support the constitutions and laws of the United States and the Commonwealth of Kentucky, 'so help

me God,'" her lawyers wrote in an August court filing. "Davis understood (and understands) this oath to mean that, in upholding the federal and state constitutions and laws, she would not act in contradiction to the moral law of God, natural law, or her sincerely held religious beliefs and convictions."

More at source: http://www.nytimes.com/2015/09/02/us/kentucky-clerk-a-local-fixture-suddenly-becomes-a-national-symbol.html?_r=1

SCOTUS & GAY MARRIAGE

A Judicial Opinion



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JUDICIAL NOTICE

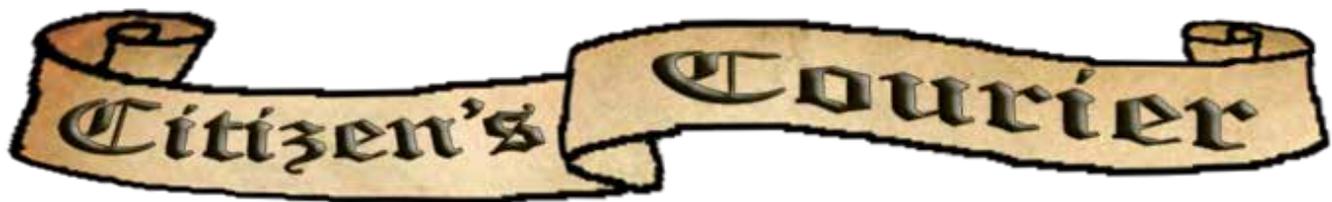
Friday, July 10, 2015

There's a practice in the law known as Judicial Notice. Every trial Judge is familiar with it. Simply stated, Judicial Notice means that the trier of the fact be it a judge or jury, may consider certain things to be true without any evidence or testimony offered to prove them.

Things like history, science, matters of public record and ordinary common knowledge can be 'noticed' or taken as proven. The day of the week and date of the month, the pull of gravity, the number of feet in a mile, the name of the our first President and the popularity of the Super Bowl are examples of facts the Court will notice without evidence or proof.

In the United States Supreme Court, ever since Louis Brandeis filed his famous brief in the case of Muller v Oregon in 1908, it is common for briefs to argue facts and present statements and arguments which were never claimed or argued in the trial court, with the expectation that the Justices will simply take Judicial Notice of the conclusions claimed in the brief.

The recent case of Obergefell v Hodges presents an interesting issue concerning Judicial Notice. The majority opinion contains two references to homosexuality



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characterizing it as an “immutable” condition.

Interestingly, the opinion clearly states that, in the last century, homosexuality was generally regarded as a mental disorder. In spite of that concession, the opinion concludes that homosexuality is now considered an immutable normality. In support, the opinion cites an Amicus Curiae brief filed on behalf of various psychological and psychiatric associations.

While the cited brief asserts that most homosexuals feel they have ‘no choice’ and that interventions intended to change sexual orientation are generally unsuccessful, it nowhere describes homosexuality as an ‘immutable’ condition.

Indeed, the Amicus brief states that sexual orientation necessarily involves relationships in which sexual activities take place. In short, those experts insist that homosexuality is not merely a disposition. It is conduct.

The Supreme Court went beyond the very experts they quote to take judicial notice that same sex intimate relations are a consequence of an “immutable” urge, which the parties are physically and psychologically unable to control.

Even if the Amicus brief had been quoted correctly, its contention about

homosexuality hardly amounts to a fact of which a court should take judicial notice. Homosexual activity is not universally accepted as normal behavior, even by social scientists, and its claimed normality is certainly not a matter of common knowledge of which a court should take judicial notice.

What is common knowledge, and what can and should be noticed as factual by the Courts is that human beings are of two kinds: male and female; that their differing biological make up reflects their separate roles in the procreation of human beings; that males and females have natural biologic, physical and emotional dispositions which tend them toward the propagation of the human race.

Moreover, it is common knowledge that the sex drive is one of the most forceful human emotions. Human history is replete with tales of heroism, villainy, death and achievement fueled by real or fancied sexual gratification. Certainly no testimony is needed to establish that organized governments commonly establish laws designed to direct the reproductive urge toward social desirable consequences.

Nor have the various abnormal sources of coital pleasure escaped the attention of mankind. Especially in

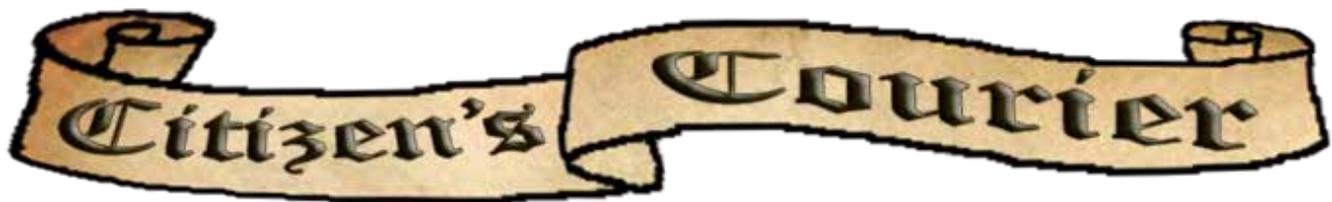
those circumstances where males are denied the company of females, homosexual activity often prospers. That it has little to do with natural inclination or preference, and much to do with the circumstance of enforced abstinence is a matter of common knowledge noticeable by courts.

The conclusion is rather obvious. The majority in the Obergefell case subscribed to an undeniably political screed, based not on traditional legal principles, but founded entirely on the personal opinions and biases of the signatories.

The evil wrought by the Obergefell decision will descend on American society like an opaque curtain. Behind it will fester a myriad of unexpected and untoward consequences.

I hope you’ll understand. As a lawyer, a judge, a legal educator and sometime student of the United States Constitution, I read the majority opinion in the Obergefell gay marriage case with disappointment bordering on disgust.

The Court didn’t even pretend to be rendering an opinion explaining its decision in the cases on its docket. Quite the contrary, the Court openly told us that it was creating a new right, which it declared to be binding on all



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308 million people in the United States.

The Congress of the United States needs to garner a two thirds vote in both Houses just to propose a constitutional amendment. The Court has claimed the power to actually adopt an amendment by a 5 to 4 vote.

Candidly, the decision made me mad. Of course, it didn't really surprise me. The Court only hears cases it wants to hear. When they took the gay marriage cases, it was pretty clear that they wanted to decide as they did.

In my calmer moments, I sigh and say, 'Appellate Courts make lots of mistakes. Look at the Dred Scott case, where they said black people couldn't be citizens. Look at the Plessy case where they said the States could have segregation laws. Those decisions didn't stand. Eventually, they were overruled.

Appellate courts are always searching for the truth, always correcting the mistakes of the past. Perhaps someday, some future Supreme Court will overrule Roe v Wade and the Obergefell case. Someday, the Supreme Court may realize that it is only a court and not a super legislature and get out of the business of running prisons and school boards and

imposing new taxes. Some day. But probably not soon.

The difficulty with a runaway Supreme Court is that every decision makes somebody happy. And if enough people, enough of the 'right' people, are happy with a decision, it is celebrated as a landmark improvement in the lives and liberties of the American people.

The really sad part is that Supreme Court Justices live in a different place. Not only do they have little or no contact with commoners, their social and professional lives are cocooned by clerks, lawyers, academics and sycophants whose every word and gesture reinforces the notion that they are the most powerful leaders of the civilized world.

It has been well said that power corrupts and absolute power corrupts absolutely.

Unfortunately, in the public square, it is difficult to depersonalize issues of law and governance. The folks in line at the supermarket who are appalled by the Court's decision have no interest in fixing the Supreme Court so that it will be more obedient to the Constitution. They might gladly hang Anthony Kennedy in effigy, or impeach Justices Kagen and Ginsburg who had

performed gay marriages before they heard the case, but if you talk about changing the way we choose Supreme Court Justices, they glaze over.

Perhaps Thomas Jefferson was right. Maybe the only way the people can deal with a runaway Supreme Court is by nullification and interposition. Call it protest, civil disobedience, whatever. Maybe some caterers will have to go to jail for refusing to service gay weddings. Maybe some county clerks will get fired for refusing to issue licenses, but just maybe that's the only way the people can take back the right to make their own laws in a republican form of government.

Or, we could all just shrug our shoulders and sigh, "You can't fight City Hall. Why bother to try?" The slippery slope of Hedonism will be greased yet again, and our beloved nation will slide further toward Armageddon.

Source:

<http://oldjudge.blogspot.com/2015/07/judicial-notice.html>