

FLOWER CHILDREN RULE THE WORLD

Remember the Flower Children? Back in the ancient 60's, they were the folks who believed that life, love and hope would change the world. It was the Age of Aquarius! In a political sense, the Flower Children believed in the power of government to effectuate a new world order based upon the power of positive bureaucracy. Democrats were said to embrace this philosophy and Lyndon Johnson was the apostle of impact legislation.

The Republican minority was shrinking. Republicans touted the wishes of the Founding Fathers to preserve state and local government against intrusion by Washington, D.C. Republicans reminded the public about the 10th Amendment, protecting states' rights, and the libertarian view that one should be guided by religion and family not by Big Government.

Some Flower Children used family influence to evade the draft, get into a reserve unit or to begin a career in politics. There were Flower Children who, led by the strength of their convictions, went off to Canada or Sweden and there were Flower Children who used their family influence to escape combat.

Time often results in a reversal of fortunes. George Orwell, in his book *Animal Farm*, understood the relationship between revolutionary ideas and time better than anyone else. The animals on the farm in Orwell's book were treated cruelly by the farmer who kept order by utilizing a sophisticated system of privilege that worked for the farmer and for those animals who were able to work in a "cooperative" way. Then the Revolution came. The farmer was thrown out and the pigs took over. At first, it seemed like the perfect farm. Then the pigs began to abuse their power and created a monarchy based upon rank, fear, and distortion of communication unrivaled by anything the farmer had ever been able to devise. The reversal of fortunes was complete. The pigs were no longer the slaughtered but they had embraced all of the traits of the farmer and even improved upon him from a point of view of absolute control.

Now that Republicans are in power, they are doing everything that they derided the Democrats for doing before. Once again, we have become "the policemen of the world" which was a malignment of the Democrats at one time.

Perhaps the most complete indication of the reversal of fortunes is the *Theresa Schiavo* case. Congress passed a law specifically giving a particular federal court the right to hear a claim brought by almost anybody on behalf of the catastrophically injured woman to allege the violation of "any right" of Theresa Schiavo under the constitution or laws of the United States "relating to the withholding or withdrawing of foods, fluids, or medical treatment necessary to sustain her life."

This remarkable law gives the entitlement to the parents of Theresa Schiavo to bring a case. The federal courts were given the right "*de novo*" to determine the violation of the claim. In other words, the federal courts can do whatever they please without regard to the facts developed by other Courts or agencies.

The District Court of the United States must entertain and determine the suit without any delay or abstention and regardless of what remedies are available in State Court. All prior jurisprudential limits may be swept away by Big Brother's engine of intervention.

This statute is a slap in the face to every states' rights principle espoused by good Republicans since Warren Harding. Poor Ronald Reagan and Barry Goldwater must be turning over in their graves.

Traditionally, the Schiavos of the World have their rights decided by next of kin, doctors, and local courts familiar with the situation. However, thanks to the *Schiavo* law, we are making the federal courts into super legislators empowered to ignore state law and make their own decisions regardless of what anybody else has decided. Even more stupefying is the fact that the law sets forth no clearly established criteria. What in the Constitution or any law enforceable in the federal courts has anything to do with feeding tubes for terribly ill people? A simple answer is "nothing." The Fifth Amendment to the United States Constitution, and the Fourteenth Amendment, which makes the first ten Bill of Rights binding upon the states, says that a person cannot be deprived of life, liberty or property without due process of law. This means that a person's life cannot be taken away without the ordinary legal processes being observed as states and the federal government are required to adhere to. But this was not good enough for our current activist, Flower Child Congress. Instead, Congress decided to abrogate the entirety of state control over local affairs so that the Schiavo parents could claim that removing a feeding tube from their daughter, who is in a vegetative state, represents a violation of an ambiguous federal right to be kept alive.

The *Schiavo* law invitation to judicial activism is hypocrisy in the extreme. It represents a breathless assumption of state law by the federal government. What is Dr. Bill Frist thinking? How to become President by exploiting the suffering of Terry Schiavo?

What does this portend for the future? In a word, the rampant radicals in Congress would stop at nothing to intrude upon, trample or control every aspect of an individual's life so long as it suits a grandiose social philosophy dictated from Washington, D.C. Does this sound like what the Republicans claimed the Democrats were doing in the 60's, 70's and 80's? It should, because that is exactly what the Republican minority said.

One of the reasons why the Democrats lost the majority is because they were perceived to have abused their power. It will be interesting to see how the current abuses of power in Washington, D.C., affect the voters of the future.

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