

Nevada Outlaws Wear Black Robes



<http://www.dfamily.com/philosophy/teach/hswtl/journal.html>

[People make laws in America; not the courts. Explore logical outworkings of the postmodern philosophy.] Post Modern

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http://www.rushlimbaugh.com/home/daily/site_071403/content/stack_b.guest.html

July 14, 2003

The people of Nevada passed a constitutional amendment requiring a two-thirds majority vote in their elected legislature to pass a tax increase. The governor of the state, Republican Kenny Guinn, wants a tax hike because the state misspent the people's money - so he asked the state supreme court to mandate the legislature raise taxes. -- Judges are supposed to look at the law, not write law. So this would seem to be an open-and-shut case: the law requires a two-thirds majority to raise taxes. You can't raise taxes with a simple majority.

[Before reading further. Does this seem quite simple or complex to you? If taxes are to be raised, then a 2/3 majority of the legislature is required. The judiciary is not involved. Right or wrong?

Should Mr. Guinn have involved the judiciary with the question?

Should the judiciary have taken up the case?

Is there some law or crime to be ruled upon?

If yes, then what is it?

If no, then what will the judiciary judge upon?]

Sadly, these judges decided to write new law instead of interpreting it - a troubling trend. The Nevada Supreme Court tossed out the citizen-initiated tax limit, ruling that "basic rights like properly funded education" trump the law the people make. This made the non-partisan National Taxpayers Union cry foul. Of course, courts aren't answerable to the people, which is precisely why our system of government doesn't give them the power to make the laws we live by.

[Is properly funded education a basic right?

Is it even a federal constitutional right?

Now, we're asking 'properly funded', not decent education.

If education is funded this year by more than inflation over last year, does this not mean Nevada denied their citizens of a basic right of "properly funded" education?

Is not every year when education funding is greater than inflation a tactical admission the previous years were underfunded?

Let's pretend education is not properly funded and this is a right.

Does it follow the only way to get more funding is through new taxes?

Is education the only thing Nevada spends money on?
Is there, perhaps, ANY program which is less important than education?
How about, any program which is not a 'basic right', for starters. :)
I have an observation. You tell me if I am off base or if I'm close.
Education is the last department to get funding and the first department to get budget cuts.]

The **people make laws in America; not the courts!** More than a dozen states across the country have laws like this on tax hikes, but they're just like student elections as far as liberals are concerned: the children elect powerless officials while the adults run the show. This happened in **California, where the people passed a law saying they wouldn't pay to give welfare benefits to people who entered their state illegally - that is, by breaking the law. The California Supreme Court clicked their tongues, reached into the people's pockets and took the money out anyway!** The U.S. Supreme Court has been doing the same sorts of things: rewriting law according to current political whims and to hell with the people. Why do we even need legislatures or elections anymore?

[**People make laws in America; not the courts. Well, obviously not.**
There is an underlying issue here. It is a philosophy issue. It has a lot to do with the **Water Shed Principle.** What we are seeing in this article is just the logical outworkings of a philosophical point of view. Who can tell me what it is?
Answer as best as you can without looking in the footer area, then answer again.
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Listen to Rush...

(...discuss Nevada's Supreme Court overriding the will of the people of the state
http://mfile.akamai.com/5020/wma/rushlimb.download.akamai.com/5020/clips/03/07/071403_12_nevada.asx)



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Read and Listen to Rush's Original Coverage...

(From Rush's Stack of Stuff: *GOP Governor's Shocking Act* - 7.03.03)

Read the Articles...

(Washington Times: Final Nevada budget vote pending

<http://washingtontimes.com/upi-breaking/20030714-111607-4989r.htm>)

(Largest Taxpayer Group Slams NV Court for Setting Aside Citizen-Sponsored Tax Limit

<http://releases.usnewswire.com/GetRelease.asp?id=113-07112003>)

(Las Vegas Review-Journal: Tax increase bill passes

http://www.reviewjournal.com/lvrj_home/2003/Jul-14-Mon-2003/news/21723497.html)

Water shed principle - <http://www.dfamily.com/philosophy/learn/journal.html#watershed>

Words have meaning.
Man gives words meaning.



<http://www.dfamily.com/philosophy/teach/hswtl/journal.html>