



## Villainous Company

*Company... villainous company  
hath been the spoil of me!*

### ***Zut Alors!!! Again With Ze Conspiracies Most Dire!***

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**Posted by Cassandra at 08:24 AM**

*Mes amis...* once again the Editorial Staff have proved *prophetique!* Way back in 2005 we warned the assembled villainry of [a plot so vile, so sinister and twisted](#), that it haunts our dreams to this day:

Alert readers will no doubt recall that just a few short months ago, Jeff Rosen was madly flogging the Constitution-in-Exile Conspiracy.

The fiendish members of this plot took the backward view that judges ought to try reading the actual verbiage penned by our Founding Fathers instead of haring off to nations like, say... France in search of a hand-rolled Gauloise and a Derrida primer (the better to deconstruct the Commerce Clause whilst staving off that annoying sense of *anomie* that comes from eating one too many confits).

Membership in this clandestine Brotherhood must have been an awfully well-kept secret, for the arcane and conspiratorial nature of the plot was such that *the rank and file apparently went about their business for decades, blissfully unaware they were engaged in a desperate struggle to overthrow the Republic*. But Evil will brook no delay. The Cause marched on. Sans soldiers, sans leader, even...until Gonzalez v. Raich reared its ugly head:

The most radical dissenting opinion was written by Thomas. **Thomas has proved to be the most reliable ally of the movement to resurrect what some conservatives call the**

**Constitution in Exile, referring to limitations on federal power that have been dormant since the New Deal.** In his dissent, Thomas said that courts should take it upon themselves to decide whether congressional regulations are "appropriate" and "plainly adapted" to executing powers explicitly listed in Constitution. Thomas's logic would uproot more than a century of Supreme Court cases, including the 1942 wheat case, [Ed. Note: 'SWounds!... not the wheat case!'] and could paralyze the government's effort to enforce myriad regulations, including environmental and labor laws. As Stevens pointed out, Thomas's reasoning would also call into question Congress's power to regulate the possession and use of pot for recreational purposes, an activity that all states now prohibit.

Thomas. Mein Gott Im Himmel, who would have guessed it! That pudgy, avuncular-looking little man, suddenly rising up in his black robes like the Lord of the Nazgul. Stooping to pick at the flesh of a Woman's Right To Choose and grabbing welfare dollars from the hands of baby-Daddies all over this great nation! Sure, he may look like a teddy bear, but he's [[[shudder]]] worse than Scalia!

Via [the highly suspect Walter Olsen](#), we learn that Justice Thomas is joined in his perfidy by none other than perennial VC fave Judge Janice Rogers Brown and one Michael Greve, Person of Pallor. But perhaps more importantly for those of you who long fervently for that glorious day when the Berobed Nine once more scrutinize the Constitution and discover [a wondrous new set of rights lurking beneath a penumbra](#), the intrepid Jeff Rosen has [unmasked the final impediments to our beautiful and natural right to seize and redistribute our neighbour's wife, cabana boy/girl, ox, or ass for the common good](#):

Jeff Rosen has also found out and now named my recently acquired co-conspirators. Randy Barnett, for example. Rosen's indictment contravenes the Yale conference's consensus, reported here, that **Randy Barnett does not actually exist but was invented by the New York Times**. I can and should clear this up: besides the Times's made-up Georgetown Law Barnett, there is the real Exile Barnett, who sells mortgage insurance in Dale City, VA and resents Obamacare's discriminatory mandate for health but not housing (Motto: "Everyone needs a mortgage *some* day.").

The other named conspirators are judges Janice Rogers Brown, David Sentelle, and Thomas Griffith, all of the D.C. Circuit. In an April 13 decision, a panel consisting of those judges unanimously, and easily, upheld a New Deal-era scheme that raises the price of milk for consumers.

... As for Judge Brown, she and I have occasionally met in dark corners of Washington steakhouses. Usually, to avoid detection, we dress as Lillian Hellman and Yosemite Sam respectively. However, the judge has been awful at disguises:

Janice Rogers Brown has long been sympathetic to these [Constitution in Exile] goals. A daughter of sharecroppers, she denounced the New Deal in a series of speeches before her confirmation to the D.C. Circuit in 2005. She called 1937—the year the Supreme Court began to uphold the New Deal—"the triumph of our own socialist revolution." In

the same speech, she argued that “protection of property was a major casualty of the revolution of 1937.”

She somehow escaped detection by the Senate Judiciary Committee; but

Then, in her April 13 [2012] opinion, she dramatically unmasked herself.

And so did I, in that Yale talk a few days later. It’s over.

Perhaps we shall finally be able to sleep at night, secure in the knowledge that we will soon awake to a new America - one in which [women are finally free of oppressive gender stereotypes](#) and men are invisible.