

Search by topic, title, keyword...

HOME U.S. NEWS WORLD NEWS ECONOMY SCI/TECH HISTORY REVIEWS **CULTURE** OPINION SUBSCRIBE!

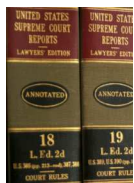
Family **Biography** Education

Left and Right Seek Common Goals in Supreme Court

| Print | E-mail

WRITTEN BY BRUCE WALKER

TUESDAY, 24 NOVEMBER 2009 17:27



The standard ideological spectrum of a “Right” and “Left” sometimes fails to explain politics. An article in the *New York Times* on November 24 helps highlight how the traditional spectrum can be more confusing than helpful. The Supreme Court, in the next few months, will be deciding some cases which deal with the vagueness and the breadth of federal criminal laws.

0 tweets

While the Libertarian position has always favored the least government possible, which sometimes placed it alongside socially liberally groups that favor ending the war on drugs, legalizing prostitution, and so forth, more traditionally conservative groups, like the Heritage Foundation, the Federalist Society, and the CATO Institute have closed ranks with groups that have usually not been considered conservative.

The ideological alliance covers certain areas of criminal law and procedure. The criminalization of almost everything means that prosecutorial discretion now trumps almost every other decision in the criminal justice system. Behavior that almost no one would have considered in the past to be “criminal” has grown as federal legislators decide to intrude into every area of life. Former Attorney General Ed Meese noted that it was a violation of federal law to give a false weather report. Another strand of the alliance deals with a wildly disproportionate civil punishments for drug offenses, with Professor Cassell at the University of Utah noting that current laws allow the forfeiture of a yacht for a single marijuana cigarette. The broad powers of the federal government under the Patriot Act appear likely to be another area of de facto alliance between groups that disagree on many other issues.

Does this mean that what we have thought of as the permissive Left and the socially conservative Right suddenly agree on the underlying issues involved? No. What it means is that a lot of diverse groups are beginning to worry about whether federal criminal law is the safest and most effective way to implement their beliefs.

The legalization of drugs, for example, would not mean that socially conservative groups would find the use of narcotics to be morally acceptable. Many of these groups currently oppose immoderate consumption of alcohol and the use of tobacco, even while they would oppose the prohibition of these products. The ideological alliance suggests a growing consensus that individual Americans or groups of like-minded Americans have the right and the duty to argue against destructive and immoral behavior, even while these groups disagree on what is destructive and immoral behavior.

Religiously serious Christians and Jews have long had theological positions on behavior like adultery, drunkenness, pornography, and related issues that are much more restrictive than the legal system allows. As is true with other areas of religious belief and conduct, religious Americans have moved away from using government to promote their beliefs and moved toward moral suasion and argument.

The social position of these conservatives is very different from those on the Left who have embraced open marriages, drug experimentation, and similar types of behavior that they believe should be legal and also should be considered morally acceptable. This ideological alliance appears certain to end on certain issues. Conservatives, for example, believe that abortion is murder and the right to life is constitutionally protected. Requiring that states allow homosexual marriage would also appear to be an area in which fundamental definitions of conservatives and liberals clash.

Nevertheless, the alliance of groups so far apart on the notional “ideological spectrum” gives some idea of just how big, and scary Big Brother has become to many Americans. The Supreme Court is usually considered to be divided into justices on the Left and justices on the Right. How these justices respond to the common concerns of liberal and conservative groups in pending court cases will tell us much about the future of constitutional liberties.

Email This Set as favorite

Culture Headlines

- [Ignorance in America](#)
- [Thanksgiving: Giving Thanks to God](#)
- [Left and Right Seek Common Goals in Supreme Court](#)
- [Time for a “Charitable Anathema”](#)
- [Obama’s “Safe Schools Czar” Kevin Jennings](#)
- [UConn’s Huskies Steal ND’s Thunder](#)

Clark's Nutritional Centers have the vitamins, minerals, herbs and other supplements you need to keep your health and fitness at their highest level

ShopJBS.org Amazon Store


<p>No image available</p>	<p>The Death Peddlers Paul Marx Best \$0.97</p>		<p>Pro-Life Answers to Pro-Choice Arguments Expanded & Up... Randy Alcorn New \$10.19 Best \$3.27</p>
<p>No image available</p>	<p>Fifty Questions on Abortion Euthanasia and Related Iss... Charles E. Rice New \$5.00 Best \$5.00</p>		<p>Forbidden Grief Theresa Burke with... New \$17.95 Best \$17.95</p>

Privacy Information

Trackback(0)

 [TrackBack URI for this entry](#)

Comments (2)

 [Subscribe to this comment's feed](#)

Dr. Lou Jellyfinger said:



...

In the separation of the different braches of government. The supreme court can only interpret the laws that congress enacts. So it is our congress that has the real say in what is moral and just. So congress need to act to change the wrongs they have previously enacted. With regard to prohibition I feel Abe Lincoln said it best."Prohibition will work great injury to the cause of temperance. It is a species of intemperance within itself, for it goes beyond the bounds of reason in that it attempts to control a man's appetite by legislation, and makes a crime out of things that are not crimes. A Prohibition law strikes a blow at the very principles upon which our government was founded." Abraham Lincoln (1809-65), U.S. President. Speech, 18 Dec. 1840, to Illinois House of Representatives

After all, isn't the role of government to serve us not rule us?

[vote up](#) [vote down](#) [report abuse](#)

November 25, 2009

Votes: +2

Matthew Garrison said:



A Level of Tolerance

People all over the political spectrum are realizing that the federal government needs to stop attempting to regulate every aspect of life if we are to maintain any sense of individual liberty and privacy. Prohibition is an issue that this country has dealt with before, and it ended as it rightfully should have. The quote from Lincoln posted in another comment expresses a sentiment that modern Americans should agree with, regardless of their political affiliation. Prohibition strikes a powerful and unjust blow to the liberty that we claim to love so dearly. A certain degree of tolerance to behavior that one may find objectionable is necessary to maintain liberty. Opposition to our current drug prohibition is not an endorsement of intoxication or addiction, it is an acknowledgment of liberty as the highest ideal for mankind. It is not an expression of the belief that intoxication and addiction are morally acceptable, but a recognition of the immorality of abusing drug users in our criminal justice system, while enabling a vast and violent black market.

[vote up](#) [vote down](#) [report abuse](#)

November 25, 2009

Votes: +2

Write comment

Name

Email

Website

Title

Comment

[smaller](#) | [bigger](#)

[Subscribe via email](#) (Registered users only)

I have read and agree to the [Terms of Usage](#).

Add Comment

[ABOUT](#) [STAFF](#) [COLUMNISTS](#) [SHOP](#) [SUBSCRIBE](#) [GET INVOLVED](#) [ADVERTISE](#) [CONTACT US](#)

© The New American Magazine. All rights reserved.