

The Republican Club of Sun City NEWSLETTER

January 2011

Everett Schmidt, Editor

Sun City Texas

DISTRICT ATTORNEY TO ADDRESS CLUB

District Attorney John Bradley will address the club during its dinner meeting scheduled for Thursday, January 6, 2011 in the Ballroom of the Social Center in Sun City. Primarily because his office prosecutes the more sensational cases in Williamson County, he has high local name recognition. But he also has name recognition throughout the state and nation because of his appointment to serve on various law-related commissions. For example, he was recently appointed presiding officer of the Forensic Science Commission by Governor Perry. He has a solid reputation as a speaker, and is expected to speak on various topics of interest to club members.

The Social Hour, Dinner and Program. A social hour will begin at 6:00 PM. The dinner will begin at 6:30 PM and is followed by the program. The dinner will be catered by Jeanette Nemec who will serve roast chicken breast with mushroom sauce, garden rice with mixed vegetables, coffee and tea.

Cost. Cost is \$16 per person. Checks, made out to **The Republican Club of Sun City**, should be mailed to **The Republican Club of Sun City, Bernie Miller, Treasurer, 1530 Sun City Blvd., Suite 120, Box 227, Georgetown, TX 78633 by no later than Friday, December 31, 2010.** Bernie has also set up a special box on his front porch at 265 Trail of the Flowers for those club members wishing to hand deliver payments. For information about reservations, contact Bernie at 868-9125 or bimiller1@verizon.net

CALENDAR OF CLUB MEETINGS ANNOUNCED

First Vice President (and program chairmen) Ed Konetchy announces the programs through June of 2011:

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| Thurs., January 6: | District Attorney John Bradley speaks on matters concerning his office. |
| Thurs., February 10: | Scott Killan, of the Texas Story telling Guild, will present tales of Texas lore. |
| Thurs., March 10: | Arlene Wohlgenuth, Executive Director of the Texas Public Policy Foundation and former legislator, will discuss state and federal health care programs, including ObamaCare, Medicare and Medicaid. |
| Thurs., April 21: | Mayoral Candidates. (Vote for mayor is May 14) |
| May: | No meeting |
| Thursday June 30 | State Rep. Charles Schwertner will discuss passed and pending legislation |

Other meetings are scheduled for September 22, October 15 and November 17. Club members are encouraged to enter meeting dates on their calendars.

MEMBERSHIP DRIVE NOW UNDERWAY

Following is information concerning the renewal of 2010 members, and the enrollment of prospective new members. A membership application is attached to this newsletter.

Current members are urged to encourage individuals not now members to join the club, and are urged to transmit—perhaps with a personal message—copies of this newsletter (which contains basic information about the club) to those individuals who can be invited to attend club meetings as visitors, provided they pay the dinner fee.

Information for Renewing 2010 Members. Club membership dues (\$10 per person) for renewing members are now accepted. Membership dues are payable at club meetings, or they may be mailed to Brenda Leisey, Vice President for membership, at the address shown in the first news article.

Information for Prospective New Members. Individuals who believe in the philosophy of the Republican Party are eligible for membership. Individuals residing in Sun City are enrolled as “Active Members.” Individuals who are not residents of Sun City are enrolled as “Associate Members.” Membership dues are \$10 per person. Payment should be made as indicated above.

The purposes of the club are (1) to promote an informed electorate, (2) to foster loyalty to the Republican Party, (3) to promote its principles, and (4) to work for the election of Republican nominees. As finances permit, the club donates money to various worthwhile causes. In 2009, the club donated \$4,000 to the Ft. Hood USO.

The number of dinner meetings normally held per year is 8, with that number being increased to 9 or 10 during years of presidential elections. The format of meetings is: Social Hour—6:00 PM to 6:30 PM; dinner begins at 6:30 PM and is followed by the program.

Benefits include opportunity to enjoy fellowship with “kindred spirits,” conversation with elected officials and candidates for office in attendance at meetings, eight or more newsletters per year, special announcements, and a club yearbook which provides contact information of elected officials.

Membership in 2010 was 347.

OTHER CLUB NEWS

During its November meeting, the club elected the following individuals as officers for the year 2011: President – Julian Bucher; First Vice President – Ed Konetchy; Second Vice President – Brenda Leisey; Secretary – Barbara Wood; Treasurer – Bernie Miller.

“IGNORANCE OF THE LAW IS NO EXCUSE”: NOW AN INVALID MAXIM?

Foreword. The recent behavior of Congress when it passes laws brings into question not only the wisdom of those laws but also *how* those laws came to be passed. Consider in this regard reports that Congress voted for ObamaCare without having read—or adequately read—and considered its provisions, that that law authorizes numerous bureaus and the Secretary of Health and Human Services to promulgate a wide array of regulations—still unknown to the public—which have the force of law, that members of Congress, without apology, meet in secret session to formulate laws, and that the Speaker of the House has stated that a bill must be passed before the public can know what is in it. Also consider the abomination known as the tax code. Yet the public must obey these laws and regulations—or else!

The public may not be fully aware of the fact that the nation's law makers and law enforcers have for years been taking away our precious liberties. Happily, however, a book, *One Nation Under Arrest*, published by the Heritage Foundation, illustrates the “how” and the “why” our laws have spiraled downward to the point where, in many respects, they are simply out of control.

This report will, first, highlight some of the points made in that book, and, second, discuss some of the features of the recent prosecution and conviction of Tom DeLay for violating state laws.

The Overcriminalizaion of Law. Former U. S. Attorney General Edwin Meese asserts, “America is in the throes of overcriminalization.” This assertion is made in regard to criminal laws that create traps for those who are doing their best to be respectable, law-abiding citizens. He concludes: “Today [the average American] is far more vulnerable than ever before to being caught up in a criminal investigation and prosecution—and to actually being convicted and punished as a criminal—for having done something *he did not even suspect was illegal.*” (emphasis added)

One reason why the citizenry may be unaware of laws is the sheer number of them. Notes columnist Roger Lott: “At the time of the nation's founding, the only federal crimes were treason, counterfeiting and piracy. Today, scholars don't even know how many federal criminal laws exist, though one 2007 study put the figure at 4,450.”

In addition to the sheer volume of laws, there have been changes in the very nature of law. Meese points out that for centuries, no person in the Anglo-American world could be convicted of an inherently wrongful act unless he also had a “guilty mind,” legally referred to as *mens rea*. For example, if a person accidentally killed a child who had darted out from between parked cars, that person would not be punished as a murderer. He notes, however, that in multiple 20th century cases in America, the Supreme Court held, as a matter of law, that the Constitution does not require a criminal conviction to be supported by proof of criminal intent or a “guilty mind.”

Meese points out another change in the nature of law: matters which had been adjudicated as civil law matters have evolved into criminal law matters, the purpose being to bring about social disapproval and opprobrium. Raising questions about that practice in terms of the role of government in our lives, he contends the worst consequences of the changes cited are possibly the most insidious: “If everyone is potentially a criminal, then it is the government and its employees who decide which people to charge.” This point will be revisited when the conviction of Tom DeLay is discussed below.

These developments, and others, bring into question just how much—if any—the citizen should be held accountable for observing laws under a system so obviously flawed. Lott contends: “As society has grown ever more complex, so, too, has the American legal system. There are just too many laws for people to keep track of, and yet we are told time and time again that “ignorance of the law is no excuse.” This old maxim was appropriate back when crimes

included only immoral acts such as murder, rape and theft, where “criminal intent” is obviously present. Today, expecting people to have an awareness of all the laws means punishing a lot of fundamentally innocent people.”

The DeLay Conviction. DeLay's legal troubles began in 2002 after a big GOP victory in Texas when Travis County District Attorney Ronnie Earle, an activist Democrat, spent months looking for a charge that would stick. In 2005, a grand jury indicted LeLay on charges of conspiracy to violate state election laws; however, a Texas judge later tossed out that indictment, and the state's highest criminal court upheld the dismissal in 2007 .

Later, Earle came up with the creative idea of using a money-laundering statute intended for drug dealers to go after DeLay whose political organization had donated \$190,000 to the Republican National Committee which then donated the same amount to Republican candidates.

He was convicted on one count of money laundering and one count of conspiracy to commit money laundering. The range of penalties is exceedingly wide, ranging from probation to 99 years in prison.

DeLay has received support from major news publications from throughout the nation. Some of the statements made by these news organizations revealing why they are disturbed over DeLay's conviction follow:

The *Wall Street Journal* makes these points:

- While DeLay's operation made the swap explicit, *contributions were commonly made with similar motivations on both sides of the aisle.* (emphasis added)
- Tom DeLay isn't a sympathetic figure, but *playing political hardball is not a crime.* His case shows how easy it is to exploit the legal murkiness of the campaign-finance rules for political retribution. (emphasis added)

Even the liberal *Washington Post* was supportive of DeLay, observing, “Corporate contributions to political candidates are a felony under Texas law. But at the time of Mr. DeLay's actions, *the states general conspiracy statute did not cover election law violations.*” (emphasis added)

The conservative magazine *National Review* observed: “But if DeLay was guilty of anything, it was of shrewdly working our byzantine campaign-finance laws...*each step in the chain [of events] was fully legal...*” (emphasis added)

DeLay maintains that he is innocent and that “The criminalization of politics undermines our very system...”

THE ANTI-CAPITALISM FACTOR IN THE OBAMA PRESIDENCY

There are currently several theories as to what makes President Obama “tick” and what has influenced his values. Among the more traditional explanations are racism and liberalism. Also heard, but with less conviction, are those which cite his support of Muslim nations and the possibility that he, himself, may be a Muslim. More recently, a more sophisticated—even clinical—term has been offered as an explanation for Obama's behavior: narcissism.

An even more recent explanation of Obama's behavior is presented in the book, *Roots of Obama's Rage*, written by Dinesh D'Sousa whose convincing argument, in a nutshell, is that “Obama gets his ideology, his dreams, his values, his vision from his father, Barack Obama Sr.” The elder Obama was an anti-colonialist who grew up in Kenya when Kenya was fighting for independence from the British. “Once you understand the anti-colonial ideology of Barack Obama Sr., “ contends D’Sousa, “you actually get a remarkable insight into the specific things that Obama is doing in the Oval Office.”

There is irony in the influence Barack Sr. had over Barack because the father left the family when Barack was only two and, except for one brief visit when Barack was 10, never returned. Barack Obama's first book, *Dreams From My Father*—upon which much of D’Sousa's book is based—chronicles his search for his father.

D’Sousa can speak with considerable authority about the anti-colonialism he attributes to Obama. D’Sousa was born in India in the 1960s, only about 2 decades after India received its independence in 1947. His father, his grandfather and other relatives believed in the anti-colonialism ideology.

Following are excerpts from transcripts made of interviews D’Sousa had with *Human Events* magazine and Rush Limbaugh.

HUMAN EVENTS: Explain what is an anti-colonial mindset? And why do you think that drives hatred for America?

D’Sousa: The anti-colonial mindset is the mindset that holds the West, and specifically America, responsible for being the invader, occupier, and looter of the Third World. It's also the mindset that sees big corporations, banks, pharmaceutical companies, drug companies, and energy companies, as being neo-colonial forces within America—so it's the economic wing of colonialism.

Anti-colonialism is a philosophy that Obama got because of the strange relationship he had with his dad.

His father was actually absent for most of his life, and you would think that Obama would say, “Forget it, he's not part of my life.” But on the opposite, Obama was obsessed with his dad. One reason that he was so obsessed is that his mother, even though abandoned by his father, had a mythic image of him: “Okay, he may be a flawed man, but he's the great man of Africa. He represents freedom.”

His dad never came back, but he took the next best thing: his father's vision; his father's dream, his father's philosophy. I'm not unique in saying this, that's the title of Obama's book, *Dreams From My Father*, the dreams that Obama got from his father.

HUMAN EVENTS: Are Obama's policy's deliberately tailored to make America poor?

D'SOUSA: I believe yes. Not because Obama is anti-American and hates America, but because, in Obama's view, America's wealth has been accumulated through exploitation.

Obama has no understanding whatever of entrepreneurship, of the idea of creating wealth...To him, there is some pre-existing fair share that the rich owe everybody else.

HUMAN EVENTS: Obama is no stranger to contemporary liberalism. Your response?

D'SOUSA: In the book I list a lot of very strange things that Obama does and that conventional liberalism can't explain. I'll give you a single example. A year ago, the government of Scotland released the Lockerbie bomber—the one who brought down the Lockerbie jet over Scotland, a terrorist, convicted—and they sent him back to Libya.

But the London *Times* obtained a letter that Obama secretly sent to the Scottish government, saying, “We don't mind if you release this man as long as you keep him in Scotland. Don't send him back to Libya, keep him in Scotland.”

Now why would the American President support the freeing of a murderer of hundreds of Americans? ...Now, not that Obama approves of the killing of Americans, I'm not saying that, but I'm saying for him the Lockerbie bomber is a fellow freedom fighter.

RUSH: I often describe Obama's policy domestically as wanting to return the nation's wealth to its “rightful owners”—the oppressed poor here who are only poor because the rich stole it from them, which is how they're rich...He believes this country needs to be made to feel the oppression it has visited on others. But unlike you, I never associated all this with his father. I should have. You make perfect sense. But my question is, what role did people like Frank Marshall Davis and Saul Alinsky, and Jeremiah Wright have in shaping Obama?

D'SOUSA: Traditional Democrats want to redistribute wealth in this country. Obama wants to go further in realigning America's wealth and position in the world globally. So not only does he want American and the West to become poorer, he wants to enrich the formerly colonized countries. That's why he has a moratorium, for example, on oil drilling in America. But he supports oil drilling in Mexico, and is subsidizing oil drilling in Brazil—not for the oil to stay in Brazil; the Brazilians are selling some of it to the Chinese.

On your other question, what role do these other guys play: Obama's father was absent for most of his life, so he got chapter -and -verse of his anti-colonial ideology from a series of surrogate fathers or mentors who filled in for his absentee father.

Obama's mother marries another Third World guy, another anti-colonialist, the Indonesian Lolo Soetoro. [Later]

Obama goes back to Hawaii, and his grandfather says “Obama needs a mentor. He's a black guy. He needs a black role model.” He finds Frank Marshall Davis, a former communist.

Later Obama linked up with Jeremiah Wright and Bill Ayers—both of whom have powerful Third World components. Bill Ayers says the reason he did the attempted bombings of the Pentagon and the Capitol in the 1970s is because he saw Vietnam as the last colonial war.

RUSH: I actually think Obama is kind of cold. But I do think that below the surface, the guy is ticked off. I do think he's angry and filled with rage.

D'SOUSA: Obama went to his father's grave. He wept. He flung himself on the ground. He says, “I pressed my hand into the ground and through Africa's red soil,” he writes, “I tried to commune with my father.” It's almost like he's trying to get his father out of the grave, but he can't. His father's been dead for six years. So he cannot get his father back. So he says, I'll take my father's dream. I'll take my father's vision.

STATE REFERENDA REVEAL WIDE ARRAY OF STATE CONCERNS

The following sampling of the results of various state referenda voted on during the November elections reveal a wide array of concerns by the citizens of those states. While it may be premature to suggest that some trends have *developed*, it may not be premature to conclude there exists at least the potential for the *beginnings* of a trend, as in the cases of affirmative action, redistricting and ObamaCare.

Some division among the states on certain issues can also be noted. But that situation is entirely consistent with the federal system as designed by our Founders and Framers. Recall in this regard the famous quote from Supreme Court Justice Brandeis who said it is “one of the happy incidents of the federal system that a single courageous State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country.”

TAXES

Massachusetts. Voters rejected a measure to cut the state sales tax from 6.25% to 3% by January 1.

Washington State. Voters turned down a “soak the rich” ballot measure that would have imposed a new tax on individuals making more than \$200,000 per year and couples with an annual income greater than \$400,000.

MARIJUANA LEGALIZATION

California. Proposition 19 that would have permitted anyone over the age of 21 to have, grow and transport marijuana for personal use lost 54% to 46%.

Oregon and South Dakota. Similar measures to ease restrictions for ownership and transportation of marijuana lost by comfortable margins.

Arizona. Voters approved by a vote of 50.1 to 49.9 percent a measure that would permit ownership, growth and transportation of marijuana for patients diagnosed with specific illnesses.

STOPPING OBAMACARE

Arizona and Oklahoma. With the landslide passage in Missouri earlier this year of an initiative making it illegal government to mandate that everyone but health insurance, these states passed similar measure.

CARD CHECK

Arizona, South Carolina, South Dakota and Utah. By large margins, these states enacted ballot initiatives that would put into state constitutions amendments to make the secret ballot in union elections the law of these states.

SHARIA LAW

Oklahoma. Voters passed an initiative banning the state from using sharia or international law when deciding court cases. The measure passed 70% to 30%, but the Council on American-Islamic Relations has already filed a lawsuit against that state. A federal judge has issued a preliminary injunction banning its implementation.

ABORTION

Colorado. Voters attempted to pass, but failed, what had been known as the Personhood Amendment which said the term “person” would be applied to everyone from “the beginning of the biological development of that human being.” The measure failed 71 to 29 percent. The opposition was led by Planned Parenthood, NARAL, Pro-Choice Colorado and others which raised almost \$578,000 in cash contributions, almost 10 times the amount available to proponents of the amendment.

AFFIRMATIVE ACTION

Arizona. Ward Connerly's anti-affirmative action initiative, which prohibits race, gender and ethnic preferences, won with 60% of the vote. Michigan and Washington have already adopted the Connerly amendment.

TAXES

California. By a vote of 53 to 47 percent, voters passed Proposition 26 which restricts the ability of city, county and state governments to tell whoppers about taxes. Specifically, it tells the bureaucrats they can no longer impose a tax and call it something vague and ambiguous, like a “user fee.”

REDISTRICTING

California. 61% of California voters voted to place redistricting authority for the state's congressional districts with a 14-member citizens commission.

Florida. 62% of the voters passed their own redistricting reform requiring that voting districts follow objective criteria for compactness and contiguity.

JUDGES

Iowa. Voters ousted three justices of the state supreme court. The vote was seen as a repudiation of a ruling last year that struck down a law prohibiting same-sex marriage.

ENGLISH AS THE OFFICIAL LANGUAGE

Oklahoma. A stunning 76 percent of voters approved a ballot measure making English the official language of the state government.

NOTES ON THE PASSING SCENE

(Some random observations on this crazy world in which we live)

Tea Party Rally Set for January.

Conservatives and Tea Party groups from across the state of Texas will come together on the steps of the Texas Capitol on January 11, 2011 to be a united voice for a conservative legislative agenda in Texas.

The rally is set for 1 – 3 PM on the south steps of the State Capitol. Organizers ask that participants wear RED to the rally.

Carter Re-elected GOP Conference Secretary.

Congressman John Carter has been re-elected to an unprecedented third term as Republican Conference Secretary. “Regaining the majority gives us an incredible opportunity on the major theme I set for the Secretary's office – restoring the Rule of Law in this country,” says Carter. “While the last two terms have been playing defense on this issue, we can now start to play some offense; and instead of just opposing bad ideas, start advocating real reforms that work to preserve our Constitutional rights.”

Supreme Court Hears Case Having Implications on School Choice.

According to a *Wall Street Journal* op-ed column, the Supreme Court heard arguments in a case, *Arizona Christian School Tuition Organization v. Winn*, concerning the constitutionality of tax credits for religious and other private schools.

In 1997, Arizona passed a statute permitting residents to contribute up to \$500 (\$1,000 for married couples) that they would otherwise pay in taxes to a nonprofit “school tuition organization” of their choice. Such organizations are charitable groups that give scholarships to students in private schools.

Last year, the Ninth Circuit Court of Appeals struck down that law. But the Supreme Court decided a case which provides a precedent which may be helpful in regard to the Arizona case. In 2002, a divided court (5-4) upheld a Cleveland school voucher program, reasoning that parents, not the state, decide how to use the vouchers. So even though 96% of parents used their vouchers for Catholic private schools, the state didn't violate the separation of church and state doctrine.

Need for Tea Party Continues.

The Heritage Foundation recently released a report which tracks the growth of dependence-creating federal programs that crowd-out social obligations and services which, at one time, were carried out by community groups, family networks and even local government. Now, an ever-growing and ever more unaccountable federal bureaucracy undermines our spirit of self-reliance by making more and more Americans dependent on Big Government. In 2010, there were record-breaking surges of such dependence, including:

- Government support for dependent persons has grown from \$7,293 per person in 1962, to \$31,950 per person today (adjusted for inflation).
- 132.5 million Americans either pay no income tax or live in a household that pays no income tax. This is up from just 34.8 million in 1984.
- Social Security, Medicare and Medicaid eat up 41% of all non-interest federal program spending. Unchecked this will grow to 62% over the next decade.