

David,

8/18/1975

Just noted the 9th Amendment. "Other rights retained by the people." Perhaps not exactly meaning what you say is one of them, or putting money before honesty - suffering evil while evil is sufferable?

There are a few of our elders who refused to take the loyalty oath in their fiery youth - and now have jobs with the govt. The question they raise: Is someone an enemy of the Constitution who puts the courts higher than conscience in the interpretation of constitutionality? Of course, in taking the oath they acted as individuals ^{conscientiously} (putting their conscience under the skirts of the court). But who can say this except another individual, be he shoemaker or Chief Justice? Still, there is something funny about refusing to take an oath (to uphold the Constitution) because you think it's unconstitutional. The natural expression exists in the negation. It seems that all an oath can do is forcibly raise the question (of honesty, or whatever). This. Mike