



Letters to the Editor

Destruction by “Rule of Law”

I have noticed that especially during election time the “rule of law” becomes the one issue everyone seemingly believes in. As a lawyer, when asked about the rule of law, I tell people that I am more like Thomas Jefferson, who was not a big promoter of the rule of law. Jefferson was more of a believer in liberty and justice for all.

I tell people that the Constitution does not even mention or refer to the rule of law anywhere. When law is mentioned in the Constitution it is either preceded by “no,” as in “congress shall make no law,” or by “due process.” Our Founders were meticulous and precise in the wording they used in writing documents such as the Constitution.

Some people say that when they say “rule of law,” they are referring to the Constitution. When progressives refer to the rule of law, they are referring to a law passed by our well-lobbied and compensated legislature; they are promoting the wonders of democracy. Most, if not all, of the establishment appear to buy into this also.

A foundational element of the rule of law is the “presumption of innocence.” I have asked several so-called constitutional experts, and even a couple of judicial candidates, where a clause such as the presumption of innocence is found. I have been told that is definitely in the Constitution when, in fact, it is not. Our Founders considered it to be part of the due process of law. By conflating or making identical the rule of law and the due process of law, we create a situation where a right such as the presumption of innocence can be extinguished by a law that was lobbied for by many special interests in the legislature.

During the recent presidential campaign, Hillary Clinton, a great believer in the rule of law, actually suggested that the presumption of innocence be done away with for certain crimes. Ironically she was talking specifically about the crime of rape!

Hopefully, if truly originalist justices are appointed to the Supreme Court, our country maintain the republic for which it stands.

Dr. W. David
Herbert ESQ

Billings, Montana

Feeling for Pharmacies?

Reading the article “ObamaCare on the Brink” in TNA (November 21 issue) left me with the feeling that AETNA and other large insurers are “victims” in this whole healthcare fiasco. But I really question insurers’ commitment to patient healthcare.

I am an independent drugstore owner in a rural area. We have been in business for 131 years and strive to provide the best pharmacy care and other services possible. We know most of our customers, and we are often the first healthcare professionals they see. Essentially, we are a modern pharmacy with very traditional “old time” drugstore values.



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Companies mentioned such as AETNA often exclude the smaller drugstores from their networks and force their clients to use the large big-box and chain pharmacies (preferred networks). I find it hard to stomach the whining by these insurers, when at the same time they are systematically eliminating the smaller businesses from their networks. We have lost several longtime customers, who are now being forced to travel 30 miles to a big-box pharmacy when they live down the street.

Usually we are not even offered the opportunity to service these people. Employers (many of which want us to use their services and products) choose insurance plans that will not allow their employees the choice to patronize our drugstore, and Medicare-D plans (which use our business tax dollars) force patients — through preferred pharmacy plans — to use big-box retailers.

These practices by these large insurers are getting worse, eliminating smaller healthcare businesses, including drugstores and small doctor practices, hastening the demise of our healthcare system and leading to a mega-corporate, government-led single-payer system.

It is truly a sad time in our country for healthcare and the smaller businesses that do such a good job in providing it.

Tom LaMartina, RPh

Brookneal, Virginia



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