

WE THE PEOPLE

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INTRODUCTION

This book was written in response to the question: “What can we do for world peace?” Footnotes with page numbers refer to the body of law included within. They are used to explain what the purpose of the US Constitution is, and show that its intent is “culture-dependent;” like a posted speed limit, it needs the consent of the people it limits to improve their union. When people exceed its limits, the rule of law does not change; people just need to be informed that world peace demands the rule of law, but the rule of law depends on people to agree with their political institution. Why there is so little agreement was illustrated when “...a recovering politician” * said, “The US Constitution is a living document.” He said this because he was trained in the customs of common law concepts and judicial precedents, but he was wrong. The people of the U.S., unlike the people of most European countries, reached agreement in the eighteenth century; they declared power to be the “...consent of the governed.” ** After they ratified articles of a confederation, they ordained a *written* constitution. Their laws must be made “...in pursuance thereof...any thing...to the contrary (i.e. a living document that has prorogued the informed consent of the governed)...notwithstanding.” *** Paradoxically, informed consent is subject to education, but information is subject to technology that is the bane of consensus; jokes, half-truths, and conjecture spread much faster on the Web than facts. There is no common knowledge. Politics have failed to align US internal polity in pursuance of the US Constitution; instead of “...a republican form of government,” **** political factions wave their banners and attack. When a political party wins an election, its members become rulers of the law; like corporate heads marketing bad food and artificial scarcities, they seldom say what they mean or mean when they say endless war is what people want because it’s good for the economy. Little do they seem to know that an uneasy peace sleeps behind locked doors and beneath over crowded over passes over capacitated with people pounding pavement making payments. Informed consent in American post 9 –11 culture, with all of its suspicion and fear, leaves no reason for parents to believe their children will ever live in peace unless there is a constitutional renaissance, i.e. the Constitution guarantees “...a republican form of government” **** with apportioned representation in

*“Inconvenient Truth” **Declaration of Independence (p. 6)

Article 6 paragraph 2 (p. 43) * Article 4§4 (p. 42)

proportion to taxation, which was fundamental to the American Revolution. America's republican form of government must be comprised of no more than one representative for every thirty thousand people with an electoral college equal in size; both of which, must be elected by local popular votes. Amendments to the Constitution purportedly changed all of this, but amendments must improve and correct, not contradict and confuse; "any thing...to the contrary (in pursuance thereof) notwithstanding." * Amendments must pursue the constitution's intent. Congress must "...promote the progress of science and the useful arts," ** which implies utility. A constitutional republic with a republican form of government needs the power of art and science to maintain the consent of the governed in agreement with their constitution; knowledge of the Constitution's intent, and the purpose of its political institution must become so common that it bridges people together, transforming the organic intent of the rule of law into common knowledge, which answers the question: What, world peace?

*Article 6 (p. 43)

**Article 1§8 (Line 16 p. 34)

FORWARD



I pledge allegiance to the Flag
of the United States of America,
and to the Republic for which it stands:
one Nation under God, indivisible,
With Liberty and Justice for all.

The US flag stands for a republic. People pledge allegiance to it in return for liberty and justice for all. To build, plant, grow, and go when the need to sleep calls from yesterdays lived long ago, and is answered by the soul is the sanctity of people and their posterity dancing to the music of liberty, but! The justness of liberty is being relentlessly raped and pillaged, plundered by the frenzy of ships rushing in and out of port, working faster and faster as the clamorous din of longshoremen working overtime grows louder and louder; and thunder from planes and trains and trucks in the middle of the night echo the plight of people living with brand names, fast food, chemical health hazards, and plastic in a throw-away-society bobbing in the wakes of ships of war. Seagulls seem to echo, "It's a crime, it's a crime! War is a crime." — War crimes are caused by war, and war is a crime against the socio-economic-ecological balance of life. — The justness of liberty may not seem so calamitous where seagulls echo the joy of prosperity and health, but if we acknowledge that individual perceptions of reality are but very small slivers of the big pie of life, we must trust in the rule of law, and hope that justice will be established wherever the US flag stands. Therein can be seen a signpost along the bloody path of democracy. When people established the US Constitution, they made a choice that affects people today; privileges, immunities, votes that count, and a voice in congress are guaranteed in a social contract that calls for people to regulate commerce globally, thereby securing the blessings of liberty locally, but! Pitfalls to be avoided lurk in the shadows of history, which is not just a selection of past occurrences edited by a ruling class. The responsibility envisioned in the preamble of the US Constitution is the American dream, the republic for which the US flag stands. It says to establish justice by ensuring tranquility domestically, providing for defense in common, promoting welfare generally, and securing these blessings to people and their posterity. It echoes the music of liberty that was played so long ago and has been playing for so long, no one knows its beginning! To pledge allegiance to it, we must search the footprints left by those before us to avoid their mistakes.

BUILDING THE BRIDGE TO SUSTAINABLE PEACE

To begin we must have a plan, a vision common to all, which amazingly enough was provided before we were born. A confederacy of several nations regarding themselves as equal, and equitably responsible, impressed upon "...Knights, Gentlemen, Merchants, and other (foreign) Adventures" * a better way to govern. — "There is not a Man in the Ministry of the Five Nations, who...gained his Office, otherwise than by Merit; there is not the least Salary, or any sort of Profit...to tempt the Covetous or Sordid; but, on the contrary, every unworthy Action is avoidably attended with the Forfeiture of their Commission; for their authority is only the Esteem of the People, and ceases the Moment that Esteem is lost." ** — Building the bridge to sustainable peace began when articles of law were written for a new ministry of nations. A constitution was written to improve its confederation, which was called "...the United States of America." *** By shining light upon the US Constitution, people everywhere can create the possibility of peaceful, sustainable liberty because the U.S. is a constitutional republic. It began when they, people before us, reached agreement, but it calls for communication, a transfer of knowledge.

Today, there is no common knowledge of the US Constitution, which is crucial because it shows how the United States is culture-dependent; it depends upon "...the consent of the governed" **** to be in agreement with a document that was "...ordained and establish (ed)." ***** This has yet to happen. Even though the Constitution can be read, a tradition of European constitutional law derogates it from what it is: a written constitution. Instead of building consensus, politics serve private interests. US foreign and domestic policies do not reflect the vision that empowered the United States of America. Without this vision, inane repetitions of history will be the future.

To recall the vision of America's constitutional republic, we must

*First Charter of Virginia

**Cadwallader Colden; Lieutenant Governor of N.Y., 1727

***Article I (p. 11)

****Declaration of Independence (p. 6)

*****Preamble (p. 3)

peruse the Declaration of Independence, the Articles of Confederation, the Northwest Ordinance, and the original US Constitution. These foundational documents make clear that America's rule of law must "...regulate commerce with foreign nations... among the...states and with the Indian tribes" * in order to "...secure the blessings of liberty to (people of the US and their) posterity." ** — Global commerce / local liberty — Liberty is self-evident through movement and speech, but tranquility, heart, and equality are the essential blessings of peaceful, sustainable liberty. Herein lies the vision for America.

To secure equality, the general welfare must be promoted with free commerce. This will generate equal opportunity, and thence more material equality. When less than five percent of the people control commerce, and thereby most things material, they control the rule of law, and most people are forced to scramble viciously for material want; neighbors compete, businesses cheat, and soldiers die. All for the glory of those who know not what their illusion of grandeur actually does to their own welfare. Think about it! Crimes, the fear of crime, and a general lack of trust illustrate why "...frugality of fortune and equality, though in themselves different, cannot subsist separately." ***

To secure tranquility, we, as free people, must ensure that we meet somewhere between abusive animal behavior and global climate change. This place occurs when "Nature's breath is our breath;" **** when we think, feel, and partake in the gifts of creation, our blood becomes more pure, our bones stronger, our vision improves, and our breathing becomes deep, easy, and long. By meeting through nature within us, we gain access to the Divine source of love that was and will be forever. Domestic tranquility ensured with that "...one true law of right reason in agreement with nature" ***** is sustainable.

To secure heart, we must first ensure natural tranquility and promote free commerce. As citizens of a free republic, we must feel and know that

*Article 1§8 (p. 34)

**Preamble (p. 3)

***Montesquieu; "The Spirit of Laws;"

**** Jesus as quoted in "The Essene Gospel of Peace" by E.B. Szekely

*****Marcus Cicero

our common passion is liberty, and how its corruption breeds contempt. — Armies with no heart are forced to remain standing. With no common reason in agreement with natural tranquility and material equality, might has never made right. Victories have been trumpeted with no one triumphant; hence wars, rumors of wars, and the seemingly never-ending terror in this: The Twenty-First Century. —

A peaceful future can only begin with securing the (se) most essential blessing of *liberty*. What must become common knowledge is how *liberty* depends upon preconditions for sustainability; namely, the quality of food, shelter, transportation, and communication. We as people may never be equal, but the higher the quality and the more equal among the people these preconditions are, the more the general welfare will be promoted. The more the general welfare is promoted, the more heart there will be in common, which will provide for the best defense and help to ensure domestic tranquility. Tranquility, heart, and equality, when established, define justice. Justice so defined is the intentional rule of law so enshrined: “We, the people, of the United States, in order to form a more perfect union...” * The purpose of the Union is to “...establish justice, (which means to) ensure domestic tranquility, provide for the common defense, promote the general welfare and secure the (se) blessings of liberty to ourselves and our posterity...” * The Union was secured with a declaration to “...ordain and establish this constitution for the United States of America.” * This preamble explains why and is a guide to show how we all need to be self-governed. It amalgamates the metaphysical with the political by enshrining the principles of a good king, and then abdicates kingship, relinquishing responsibility, giving it as a gift that keeps on giving.

Giving responsibility from person to person, transferring liberty, calls for informed consent; we must know the intent of the rule of law. The words “...a more perfect union” may not be linguistically correct, but the implication is that there will be improvement; the union in question is not a done deal. Furthermore, with no dictator, king, or oligarchy a sound principle of human equity in the form of liberty must be our guide, which is provided in that preamble that was written over two hundred years ago; it sums up the culture we must live in by making clear the utility of laws, philosophies, religions, the arts and sciences, and provides business to

*Preamble of the US Constitution

follow the will of the people. Its key is liberty, but one man's liberty cannot be a form of tyranny over others. Therefore, to secure the blessings of *true* liberty, we must promote, provide for, and ensure them to be established in agreement with "...the separate and equal station to which the laws of nature and of nature's God entitle (us)." * Political realism, "...realpolitik" ** in light of this vision of authority calls for teamwork. Unfortunately, teamwork in the U.S. has been confused with the martial spirit, culturally bogging down American society with Dark Age ideology that might-makes-right-so-we-must-fight; competition, diffidence, and glory have precluded constitutional solidarity. What has never been common knowledge is that people before us enshrined the purpose of the Union: "...to secure the blessings of liberty to ourselves and our posterity," *** which constrains individual liberty because of its plurality; people, and future generations of people, have the responsibility of *liberty* to secure its *blessings*.

Constraining individual liberty without tyranny calls for informed consent. Informed consent depends upon the useful arts clause of Article 1§8. Art is cultural; it extends human understanding. Art determines clothing, language, and the affect we have on others in our community. The power of art is found in propaganda; art filled with adventure, pride, and camaraderie glorify war. — Empty propaganda may be found in beer commercials, sport logos, and soap operas that dummy down the masses with lessons of no content. More useful propaganda would be art that makes people believe liberty to be the justness of tranquility, heart, and equality. — More importantly, if we adhere to the rule of law "...by securing for *limited times* to authors and inventors the exclusive right to their...writings and discoveries," **** the use of art to communicate constitutional responsibility would affect human behavior, and, *after limited times*, be secured from commercial exploitation. Securing to authors and inventors the exclusive right to their writings and discoveries, regardless of how useful they are, has undermined constitutional intent. Unconstrained individual liberty has prostituted the essential blessings of liberty; exploiting common needs for the sake of uncommon greed is more cultural than tranquility, heart, and equality. If the Constitution's intent

*Declaration of Independence

**H. Kissinger

***Preamble (p. 3)

****Article 1§8 (p.34)

were pursued, patents would not be granted for writings or discoveries that have no useful constitutional purpose. Technology would be accelerated because unconstrained competition would vitalize inventive creativity. Article 1§8 draws a line between commerce and exploitation with a chain of trust. This chain of trust must connect through parenting, schooling, and commerce so liberty can be transferred from one generation to the next. “Laws ...which shall be made in pursuance” * of principles enshrined within a written constitution must derive from “...the consent of the governed” ** in agreement with their constitutional purpose; we, as free people with a written constitution, “...shall never perish from the Earth” *** if our philosophic, religious, artful, scientific, and business pursuits serve to culturally secure our constitution’s *essential blessings of liberty*.



The power of art is found in propaganda

*Article 6, paragraph 2 (p. 43)

**Declaration of Independence

***A. Lincoln

ORGANIC LAW

Portions of the following documents have been underlined to emphasize the foundation for the rule of law. Portions in bold emphasize reoccurring forms of tyranny.

Declaration of Independence: July 4,1776

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.

Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain

is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

— He has refused his assent to laws, the most wholesome and necessary for the public good.

— He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

— He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

— He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of **fatiguing them into compliance with his measures.**

— He has dissolved representative houses repeatedly, for opposing, with manly firmness, his **invasions on the rights of the people.**

— He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the mean time, exposed to all the dangers of invasions from without and convulsions within.

— He has endeavored to prevent the population of these states; for that purpose **obstructing the laws for naturalization** of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

— He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

— He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

— He has erected **a multitude of new offices**, and sent hither swarms of officers to harass our people and eat out their substance.

— He has kept among us, in times of peace, **standing armies**, without the consent of our legislatures.

— He has affected to render **the military independent of, and superior to, the civil power.**

— He has combined with others to subject us to a **jurisdiction foreign**

to our Constitution and unacknowledged by our laws, giving his assent to their acts of pretended legislation:

- For quartering **large bodies of armed troops** among us;
- For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;
- For cutting off our trade with all parts of the world;
- For imposing **taxes** on us **without our consent**;
- For depriving us, in many cases, of the benefits of trial by jury.
- For transporting us beyond seas, to be tried for pretended offenses;
- For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;
- For taking away our charters, abolishing our most valuable laws, and **altering fundamentally the forms of our governments**;
- For suspending our own legislatures, and declaring themselves invested with power to **legislate** for us **in all case whatsoever**.
- He has abdicated government here, by declaring us out of his protection and waging war against us.
- He has **plundered** our **seas**, **ravaged** our **coasts**, burned our towns, and **destroyed the lives of** our **people**.
- He is at this time **transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages**, and totally unworthy the head of a civilized nation.
- He has **constrained** our **fellow-citizens**, taken captive on the high seas, **to bear arms** against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.
- He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of **warfare is an undistinguished destruction** of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an **unwarrantable jurisdiction** over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity; and we have conjured them, by the ties of our common kindred, to disavow these usurpations which would inevitably interrupt our connections and correspondence. They too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies solemnly publish and declare, That these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British crown and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

Comment

The numerous complaints listed in this document show where the future ought not be; the liberty of one country must not be the oppression of another. The underlined portions are repeated to stress some of the foundational principles for the rule of law.

- (1) Political bands connect the separate and equal station to which the laws of nature and of nature's God entitle mankind.
- (2) Men are endowed with life, liberty, and the pursuit of happiness.

- (3) Governments are instituted among men, deriving their just powers from the consent of the governed, laying its foundation on principles, to effect safety and happiness.
- (4) Let facts be submitted to a candid world.
- (5) Laws, wholesome and necessary for the public good.
- (6) Representation in the legislature.
- (7) Trial by jury.
- (8) In every stage of oppression, petition for redress in the most humble terms.
- (9) Character which may define a tyrant, is unfit to be the ruler of a free people.
- (10) Representatives in Congress appeal to the Supreme Judge of the world by the authority of the people.
- (11) For support, we mutually pledge to each other our lives.

Articles of Confederation

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting.

Articles of Confederation and perpetual Union between the states of New Hampshire, Massachusetts bay Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

I. The Stile of this Confederacy shall be "The United States of America".

II. Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled.

III. The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.

IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State, to any other State, of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them.

If any person guilty of, or charged with, treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of the United States, he shall, upon demand of the Governor or executive power of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offense.

Full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State.

V. For the most convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislatures of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates, or any of them, at any time within the year, and to send others in their stead for the remainder of the year.

No State shall be represented in Congress by less than two, nor more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees or emolument of any kind.

Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States.

In determining questions in the United States in Congress assembled, each State shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress, and the members of Congress shall be protected in their persons from arrests or imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

VI. No State, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or

enter into any conference, agreement, alliance or treaty with any King, Prince or State; nor shall any person holding any office of profit or trust under the United States, or any of them, accept any present, emolument, office or title of any kind whatever from any King, Prince or foreign State; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the United States in Congress assembled, with any King, Prince or State, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain.

No vessel of war shall be kept up in time of peace by any State, except such number only, as shall be deemed necessary by the United States in Congress assembled, for the defense of such State, or its trade; nor shall any body of forces be kept up by any State in time of peace, except such number only, as in the judgement of the United States in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defense of such State; but every State shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of filed pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger so imminent as not to admit of a delay 'till the United States in Congress assembled can be consulted; nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the Kingdom or State and the

subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

VII. When land forces are raised by any State for the common defense, all officers of or under the rank of colonel, shall be appointed by the legislature of each State respectively, by whom such forces shall be raised, or in such manner as such State shall direct, and all vacancies shall be filled up by the State which first made the appointment.

VIII. All charges of war, and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States in proportion to the value of all land within each State, granted or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled, shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several States within the time agreed upon by the United States in Congress assembled.

IX. The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article — of sending and receiving ambassadors — entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever — of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated — of granting letters of marque and reprisal in times of peace

— appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts. The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more States concerning boundary, jurisdiction or any other causes whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any State in controversy with another shall present a petition to Congress stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as Congress shall direct, shall in the presence of Congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the secretary of Congress shall strike in behalf of such party absent or refusing; and the judgement and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgement, which shall in like manner be final and decisive, the judgement or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: provided that every commissioner, before he sits in judgement, shall take an oath to be administered by one of the judges of the supreme

or superior court of the State, where the cause shall be tried, 'well and truly to hear and determine the matter in question, according to the best of his judgement, without favor, affection or hope of reward': provided also, that no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdictions as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States — fixing the standards of weights and measures throughout the United States — regulating the trade or regulating post offices from one State to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office — appointing all officers of the land forces, in the service of the United States, excepting regimental officers — appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States — making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated 'A Committee of the States', and to consist of one delegate from each State; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction — to appoint one of their members to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses — to borrow money, or emit bills on the credit of the United States transmitting every half-year to the respective

States an account of the sums of money so borrowed or emitted — to build and equip a navy — to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State; which requisition shall be binding, and thereupon the legislature of each State shall appoint the regimental officers, raise the men and cloath, arm and equip them in a solid-like manner, at the expense of the United States; and the officers and men so cloathed, armed and equipped shall march to the place appointed, and within the time agreed on by the United States in Congress assembled. But if the United States in Congress assembled shall, on consideration of circumstances judge proper that any State should not raise men, or should raise a smaller number of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of each State, unless the legislature of such State shall judge that such extra number cannot be safely spread out in the same, in which case they shall raise, officer, cloath, arm and equip as many of such extra number as they judeg can be safely spared. And the officers and men so cloathed, armed, and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war, nor grant letters of marque or reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of the majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such arts thereof relating to treaties, alliances or military operations, as in their judgement require secrecy; and the yeas and nays of the delegates of each

State on any question shall be entered on the journal, when it is desired by any delegates of a State, or any of them, at his or their request shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several States.

X. The Committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of the nine States, shall from time to time think expedient to vest them with; provided that no power be delegated to the said Committee, for the exercise of which, by the Articles of Confederation, the voice of nine States in the Congress of the United States assembled be requisite.

XI. Canada acceding to this confederation, and adjoining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

XII. All bills of credit emitted, monies borrowed, and debts contracted by, or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States, and the public faith are hereby solemnly pledged.

XIII. Every State shall abide by the determination of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every State.

And Whereas it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said Articles of Confederation and perpetual Union. Know Ye that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these

presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said Articles of Confederation and perpetual Union, and all and singular the matters and things therein contained: And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by

the determinations of the United States in Congress assembled, on all questions, which by the said Confederation are submitted to them. And that the Articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual.

In Witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the State of Pennsylvania the ninth day of July in the Year of our Lord One Thousand Seven Hundred and Seventy-Eight, and in the Third Year of the independence of America.

Comment

This document provides insight to the rule of law. It calls for:

- **Judicial transparency**; “Full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State.”
- **Term limits**; “No person shall be capable of being a delegate for more than three years in any term of six years; no person be allowed to serve in the office of president more than one year in any term of three years.”
- **Free speech**; “Freedom of speech and debate in Congress shall not be impeached or questioned.”
- **Taxation**; “Charges of war, and expenses for the common defense or general welfare shall be defrayed out of a common treasury, supplied by land and the building taxes levied by the authority and direction of the legislatures of the several States within the time agreed upon by the United States in Congress assembled.”
- **Congressional power**; “The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, and shall never engage in war, unless nine states assent to the same.”
- **Consensus**; “Every State shall abide by the determination of the United States in Congress assembled,” and “The Articles of this confederation shall be inviolably observed.”

Northwest Ordinance

An Ordinance for the government of the Territory of the United States northwest of the River Ohio.

Sec. 1. *Be it ordained by the United States in Congress assembled,* That the said territory, for the purposes of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Sec. 2. *Be it ordained by the authority aforesaid,* That the estates, both of resident and nonresident proprietors in the said territory, dying intestate, shall descent to, and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall in no case be a distinction between kindred of the whole and half blood; saving, in all cases, to the widow of the intestate her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed and delivered by the person being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery; saving, however to the French and Canadian inhabitants, and other settlers of the Kaskaskies, St. Vincents and the neighboring villages who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance, of property.

Sec. 3. *Be it ordained by the authority aforesaid,* That there shall be appointed from time to time by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein in 1,000 acres of land, while in the exercise of his office.

Sec. 4. There shall be appointed from time to time by Congress, a secretary, whose commission shall continue in force for four years unless sooner revoked; he shall reside in the district, and have a freehold estate therein in 500 acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings, every six months, to the Secretary of Congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in 500 acres of land while in the exercise of their offices; and their commissions shall continue in force during good behavior.

Sec. 5. The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time: which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards the Legislature shall have authority to alter them as they shall think fit.

Sec. 6. The governor, for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Sec. 7. Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers in each county or township, as he shall find necessary for the preservation of the peace and good order in the same: After the general assembly shall be organized, the powers and duties of the magistrates and other civil officers

be regulated and defined by the said assembly; but all magistrates and other civil officers not herein otherwise directed, shall during the continuance of this temporary government, be appointed by the governor.

Sec. 8. For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

Sec. 9. So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect a representative from their counties or townships to represent them in the general assembly: Provided, That, for every five hundred free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty five; after which, the number and proportion of representatives shall be regulated by the legislature: Provided, That no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same; Provided, also, That a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years residence in the district, shall be necessary to qualify a man as an elector of a representative.

Sec. 10. The representatives thus elected, shall serve for the term of two years; and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

Sec. 11. The general assembly or legislature shall consist of the governor, legislative council, and a house of representatives. The

Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the Council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the Governor shall appoint a time and place for them to meet together; and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and, whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when, in his opinion, it shall be expedient.

Sec. 12. The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office; the governor before the president of congress, and all other officers before the Governor. As soon as a legislature shall be formed in the district, the council and house assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating but not voting during this temporary government.

Sec. 13. And, for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws

and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory: to provide also for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

Sec. 14. It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original States and the people and States in the said territory and forever remain unalterable, unless by common consent, to wit:

Art. 1. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

Art. 2. The inhabitants of the said territory shall always be entitled to the benefits of the writ of *habeas corpus*, and of the trial by jury; of a proportionate representation of the people in the legislature; and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, *bona fide*, and without fraud, previously formed.

Art. 3. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful

wars authorized by Congress; but laws founded in justice and humanity, shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

Art. 4. The said territory, and the States which may be formed therein, shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers. No tax shall be imposed on lands the property of the United States; and, in no case, shall nonresident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

Art. 5. There shall be formed in the said territory, not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due North, to the territorial line between the United States and Canada; and, by the said territorial line, to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line, drawn due north from the

mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: *Provided, however,* and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And, whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: *Provided,* the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

Art. 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: *Provided, always,* That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23rd of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void.

Done by the United States, in Congress assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the twelfth.

Comment

This document is flawed. It replicates a state-like government in a land occupied by Indians. It contradicts itself where it aims to “extinguish Indian

titles in section 8, and then in Art. 3 it states, “utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them.” The document does state that “Religion, morality, and knowledge” provide the aggregate of governance, and that peace and friendship depend upon fundamental principles, i.e. civil liberties as in Art 6; “...no slavery nor involuntary servitude.” Religious liberties as in Art 1; “...no person to be molested on account of his mode of worship or religious sentiments.” Unfortunately, the Confederation styled the United States of America was never given enough time to develop political stability. Its doors of friendship were open to all, but its house rules were ignored; politics became a tool of business as partisans vied for control of government. When Congress ordained the Northwest Ordinance in 1787, a convention regarding a new constitution was held. Unfortunately, there was no technological means to develop common knowledge of the Constitution’s intent. Wars and calls for special rights continue to cloud over the blessings of liberty envisioned in the preamble, which demand Congress to regulate commerce in order to protect free commerce with foreign nations, among the several states, and with the Indian tribes. This call for civility is the political institution of the Union for which the US flag stands. Unfortunately, land and infrastructure needed for commerce are controlled by protectionist barriers that have restricted it. Shortsighted private interests prohibit sustainable free market enterprise; hence, no *true* liberty, but the American people can listen to their political experts pontificate about issues that have no general applicability, i.e. whom you sleep with is not my business. The incivility caused by abortion rights, gay rights, animal rights, gun rights, and the right of the nation’s president to go to war while the nation’s heart bleeds illustrates democratic insidiousness. — Rights, in the form of a ‘Bill of Rights,’ were not included in the Articles of Confederation nor in the original Constitution. The ninth amendment of the Constitution alludes to the reason why: “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.” — Furthermore, while vying for rights, which have no clear definition, people lose sight of the vision enshrined in the preamble of the Constitution.

Original United States Constitution (with no preamble) *

Article 1

Section 1 All legislative powers herein granted shall be invested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2 The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the elector in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

No person shall be a Representative who shall not have attained the age of twenty-five years, and been seven years a Citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.

The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any State, the Executive Authority thereof shall issue writs of election to fill such

*The Preamble is found on page 3

Vacancies.

The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

Section 3 The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature there of, for six years; and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a Citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgement in cases of impeachment shall not extend further than to removal from office, and disqualification to hold any office of honor, trust, or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgement and punishment, according to law.

Section 4 The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they by law appoint a different day.

Section 5 Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgement require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

Section 6 The Senators and Representatives shall receive a compensation for their services, to be ascertained by law and paid out of the Treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have increased during such time; and no person holding any office under the United States, shall be a member of either House during his continuance in office.

Section 7 All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the president of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Section 8 The Congress shall have the power:
—To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United

States; but all duties, imposts and excises shall be uniform throughout the United States:

—To borrow money on the credit of the United States:

—To regulate commerce with foreign nations, and among the several states, and with the Indian tribes:

—To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:

—To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:

—To provide for the punishment of counterfeiting the securities and current coin of the United States:

—To establish post-offices and post-roads:

—To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries:

—To constitute tribunals inferior to the supreme court:

—To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

—To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

—To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years:

—To provide and maintain a navy:

—To make rules for the government and regulation of the land and naval forces:

—To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions:

—To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress:

—To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards,

and other needful buildings: And,

—To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

Section 9 The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808, but a tax or duty may be imposed on such importations, not exceeding 10 dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

—No bill of attainder or ex post facto law shall be passed.

—No capitation, or other direct tax shall be laid unless in proportion to the census or enumeration herein before directed to be taken.

—No tax or duty shall be laid on articles exported from any state.

—No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another: nor shall vessels bound to, or from one state, be obliged to enter, clear, or pay duties in another.

—No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time. without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign office or profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

Section 10 No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the Congress, lay any imposts or

duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No state shall, without the consent of Congress, lay any duty to tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in a war, unless actually invaded, or in such imminent danger as will not admit of delay.

Article 2

Section 1 The Executive power shall be vested in a President of the United States of America. He shall hold office during the term of four years, and together with the Vice President, chosen for the same term, be elected as follows: Each State shall appoint, in such manner as the Legislature may direct, a number of electors, equal to the whole number of Senators and representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for each; which list they shall sign and certify, and transmit sealed to the seat of Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born Citizen, or a Citizen of the United

States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them. Before he enter on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of the President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

Section 2 The President shall be Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of Impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of

such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have the power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

Section 3 He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he may receive ambassadors, and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Section 4 The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

Article 3

Section 1 The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Section 2 The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made under their authority;

- to all cases affecting ambassadors, other public ministers and consuls;
- to all cases of admiralty and maritime jurisdiction;
- to controversies to which the United States shall be a party;
- to controversies between two or more states,
 - between a state and Citizens of another state,
 - between Citizens of different states,
 - between Citizens of the same state, claiming lands under grants of different states, and
 - between a state, or the Citizens thereof, and foreign states, Citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before-mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Section 3 Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open

court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

Article 4

Section 1 Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Section 2 The Citizens of each state shall be entitled to all privileges and immunities of Citizens in the several states. A person charged in any state with treason, felony, or other crime, who shall flee justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labour in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due.

Section 3 New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, without the consent of the legislatures of the states concerned, as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Section 4 The United States shall guarantee to every state in this union, a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or the executive (when the legislature cannot be convened), against domestic violence.

Article 5

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment which may be made prior to the year 1808, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

Article 6

All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, and the laws of the United States which shall be made *in pursuance thereof*; and all treaties made, or which shall be made, under the authority of the United States shall be the supreme law of the land; and the judges in every state shall be bound thereby, *any thing in the constitution or laws of any state to the contrary notwithstanding.*

The senators and representatives before mentioned and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

Article 7

The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Comment

The US Constitution was adopted by a convention, not by "...congress."
* It was ratified by people representing various states before it was "...confirmed by the legislatures of every state." * Nevertheless, the axe of Article 6 that keeps any thing to the contrary in pursuance thereof notwithstanding, says that engagements entered into prior to ratification of the constitution are valid against the U.S. as under the Confederation. Therefore, the Articles of Confederation must be relied upon to explain some of the vagueness in the constitution, i.e. term limits, the purpose of the common treasury, the purpose of the executive branch, and the focus of Article 6 and how it serves as the "...linchpin of the constitution that keeps the structure (of "...a republican form of government" **) from falling apart." ***

The Constitution's preamble begins with the intention of forming a more improved union, which is reiterated in Article 6; laws made "...in pursuance thereof" must improve and correct the Articles of Confederation, not violate what "...shall be inviolably observed." * Conversely, by instilling colonialism and the same top-down-use-of-force mind-set the kings of Europe maintained in their quest for socio-economic domination, America's "Know Nothings" **** violated this intentional rule of law, which culminated in holocaust that decimated Native Americans, and violates the consent of the governed today. Think about this: §3 of Public Law 62-5 limits the number of representatives, which limits the size of the electoral college because it, by law, must be at least equal in size to Congress. 435, plus 100 for the number of US Senators, plus three more for Washington DC gives a government of, for, and by the people 538 electors. That's 538 for over 300 million people.

*Article XIII paragraph 1 (p. 19)

**Article 4§4 (p. 42)

***World Book Ci-Cz Volume 4

****World Book J-K Volume 11

CONSTITUTIONALISM; AMERICA'S REPUBLICAN FORM OF GOVERNMENT

Over two hundred years ago, people demanded independence from "...the sole purpose of fatiguing them into compliance." * User-unfriendly internal polity culminated in a declaration of independence, but independence has yet to culminate in *true* republican governance; yesterday's "We the people," it seems, forgot "...to secure the blessings of liberty to (their) posterity." ** Have your parents secured the blessings of *true* liberty to you?

Take a look around you: congestion, more regulation
Environmental urbanization, organic deficiency,
Proud perverts, political experts, war merchants
Acquiescent tax-paying patsycrats,
Obesity, bad teeth, poor eyesight
Dollar-driven megalomania.
It's bound to scare ya;
Human respect?
Poundin' of the drums:
Pride, Hate, Disgrace.
Did you forget to say grace?
"...And tell me again, my friend
You don't believe we're on the eve"? ***

If people before us reached agreement and ratified a *written* constitution, democracy culminated in the constitutionality of Americans, purportedly, achieving what Jews of old failed to do; Jews could not live without a king. People collectively became the king in the form of a written constitution, which is by nature republican, but it has nothing to do with the Republican Party just as democracy has nothing to do with the Democratic Party. It's republican because it calls for an awareness of civic sensibilities; the consent of the governed, from one generation to the next, must be in agreement with the preamble of their constitution.

*Declaration of Independence (Line 17 p.7)

**Preamble (p. 3)

***Barry McGuire; "Eve of Destruction"

The preamble fixes the heart of national happiness. The vision enshrined therein needs to be taught and held in the highest esteem so there can be a clear understanding of the purpose of the Union, and the intent of the Constitution, which ought to affect foreign and domestic policies. The need to petition today is the political failure to keep the preamble's agreement. "Any thing in the constitution or laws of any state to the contrary notwithstanding" * implies that any amendment, law, ordinance, human behavior, or custom that bleeds the heart of national happiness calls for redress. The axe of Article 6 needs to be used to clear away any thing that obstructs the preamble's vision; and then keep any thing to the contrary in pursuance thereof from having easy access to internal polity. In principle, the preamble is an agreement that shifts the old-world paradigm of Imperialism. "The crown was shattered and its pieces (in the form of human rights) were given to all," ** but rights have limits; sovereign authority must be subject to responsibility. However, over two hundred years of US history show how past agreements cloud over with opinions.

*Article 6 paragraph 2 (p. 43)

**Thomas Paine; "Common Sense"

COMMON LAW TRADITION

Opinions vary regarding democracy, republicanism, and the purpose of government. Furthermore, opinions based upon information gathered from gossip and hearsay are excellent fodder for mushrooms thriving off darkness and gull's scat; and it is unfortunate that darkness and excrement have been written with enough credibility so as to make many believe them to be true. — “Those who can make you believe absurdities, can make you commit atrocities.” * —

Why many do not believe the culture-dependent organic intent of American legal doctrine to be true is due to Old World concepts; misguided early Americans developed political parties. Even though the first US president of the nineteenth century said, “The greatest good we can do our country is to heal its party divisions and make them one people,” ** his first administration culminated in the dubious 1804 amendment: “...every case after the choice of president...the person having the greatest number of votes shall be the vice president” *** was amended, improved, corrected by “...vote by ballot for president and vice president”? **** Defending the principles previously enshrined gave way to offending with the principles of partisanship.

Partisanship evolved from European democracy. The common quest for power and prestige began with the Magna Charta. Its primary documents granted public advantage first to barons and churches, which were controlled by barons, and then to a city's government. Its common law concepts evolved over many centuries by judges in English courts. Unfortunately, what is truly common about the Magna Charta and the common law tradition is the tyranny left imposed upon common people. Common law concepts are “...case centered and hence judge centered, allowing scope for judicial discretion,” ***** then digress with rule of law that says nothing of tranquility, heart, and equality, the justness of the law. They simply describe how the legal system upholds the law, which

*Franois-Marie Arouet

**Thomas Jefferson

***Article 2§1 paragraph 2 (p. 37)

****Amendment 12 of the U.S. Constitution

*****David Kelly and Gary Slapper; “The English Legal System”

derogates the preamble of the Constitution from what it is: a preliminary introduction to explain purpose. The purpose of *true* republican governance, the intentional rule of law prescribed by America's body of organic law, must be used to determine legislative intent and limit the exercise of judicial discretion. Otherwise, those who have died defending the republic for which the US flag stands, died for nothing but Old-World partisanship.

Old-World partisanship has plagued the "New World" because prestigious universities were around before the American Revolution. Their British-like standard has been mimicked, poorly mimicked, and faked throughout the United States in the form of public education. What trickles down from Harvard and Yale is a sincere eighteenth-century belief in partisanship, but partisanship is factious, contentious, and offers no guarantee for right reason in agreement with the US Constitution. It's a dollar-driven thorn in the backside of the "American Experiment." Old-World Democracy, with all of its common law tradition, inspired the founders of the United States to give Americans the opportunity, if not the responsibility of page turning, starting a new chapter: — A Constitutional Republic, which is a republic with a written constitution. The US Constitution "guarantee (s) a republican form of Government," * i.e. "a government of, for, and by the people." ** The paradox that an apparently simple idea like a government "of, for, and by the people" can be hard to understand is simply a matter of teamwork. "Culture arises from human action while human action arises from culture." *** Spanning people together and building public will/well-being with human equity calls for a culture-dependent government.

Culture, the sum-total of human behavior and thought, within the common law tradition can be seen as an endless social spiral. The general flow is upward with a downward backflow of dictates regarding new laws and more need of revenue, but! America's culturally evolved uncommon law calls for common knowledge of and common consent to ensure, provide, and promote tranquility, heart and equality, a consensus that affects the behavior of those who reach it, an evolution of law that compels

*Article 4§4 (p. 42)

**Abraham Lincoln

***"Consillence;" Edward O. Wilson;

all people to secure *the essential blessings of liberty*. — Not more government, more governance. — The US Constitution, if read organically, will empower government with user-friendly internal polity; the governed will proactively govern themselves. It calls for its citizens to live in agreement with its constitution just as a theocracy calls for its citizens to live in agreement with its state religion. Beyond elections, democracy is past tense when there is consensus. The job of politicians is to build and then maintain consensus in agreement with their nation's heart. — Individuals ought to respect the heart of their nation whether it be Jewish, Muslim, Hindu, Catholic, Protestant, Constitutional, or contentiously democratic, i.e. Thailand is a democracy; Thai citizens have every right to compete for power, but US Citizens have the responsibility to pursue their constitution's intent. —

The idea of a constitutional republic diminishes the need for the common law tradition. Instead of subjecting liberty to contentious dialectic, there can be consensus; instead of punishment, the cause of crime can be addressed and justice restored. It is the tyranny of user-unfriendly internal polity that causes prison populations to swell; there can be no common consent to new laws when they change before there is common knowledge of them. With no knowledge there can be no consent; hence, crime, the fear of crime, and a general lack of trust prevail as political factions argue over what color their democratic government should be. In short, the common law tradition is unconstitutional and democracy, as a form of government, is primitive; "...the rich get richer and the poor get poorer" * as class warfare rages never-endingly.

*James Michner

EARLY GOVERNANCE

American Pre-Columbian governments may have been more republican in the sense that their purpose had to be a way to meet the needs of the people. Aztecs demanded the governed to participate in meeting the needs of their community; planting and harvesting took precedence over all other human behavior, including war. — They had the power to defeat their invaders, but it was time to plant. — Most history books have no clear recollection of Aztecs, Mayans, Incas, Anasazi, Kalapuya, and countless other First Nation's people who may have co-existed peacefully. What recollection there is seems to show that the laws of nature and of nature's God predominated internal polity; common knowledge of religious beliefs had the support of government power. The consent of the governed may have empowered ancient governments in a way that secured their world in socio-economic-ecological balance.

Natural republican governance may have secured original North Americans to the essential blessings of *true* liberty because food, shelter, transportation, and communication required teamwork. A team was a House. Houses dispersed as population saturation demanded it. National happiness depended upon reason and tolerance; if a member committed a wrong to a member of another House, House Chiefs used Sentencing Circles to restore justice. — Sentencing Circles provided a means to restore justice locally by involving family. “The offender and the offended sat face to face surrounded by a circle of family members and House Chiefs.” * After reaching consensus, various forms of payment were made to victims. Slavery, at times, was a form of payment. — Houses were free until economic ties culturally decimated *true* liberty, replacing *true* authority with economic power. The ensuing material disparity proved carcinogenic; wars were inevitable.

*Stories told by First Nations people who live near the Kluane World Heritage Site

THE CULTURE OF WAR

The utility of war serves economic domination, never peaceful coexistence. “War is the surest and shortest means to destroy the liberties of democracy.” * “Truth is (always) the first casualty of war.” **

War reoccurs when it is economically feasible to acquire, control, or protect interests far too lucrative to reason in agreement with tranquility, heart, and equality. People with advantage tell sycophants stupid things to tell stupid people so stupid people will do stupid things to other stupid people who are told stupid things too. In the end, stupid people feel duped but they get a medal.

Stupidity, as used above, is the ignorance we are all born with, “...the human beast,” *** but Nathaniel Bowditch taught the dumbest seaman aboard his ship how to navigate; therefore, the human beast can be taught that responsibility and liberty, though in themselves different, cannot subsist separately. On a personal level, the keystone of *true* liberty depends upon the aggregate amount of social, ecological, economic, and political responsibility. We, as free people, must cement the essential blessings of *true* liberty into place because connecting people “...globally” with common knowledge of peaceful sustainability, begins “...locally.” ****

*Alexis de Tocqueville; “Democracy in America”

**Hiram Johnson

***Thomas Jefferson

****David Brower; founder Friends of the Earth

CULTURE AMERICANA

Transferring the essential blessings of *liberty* from one generation to the next is the chain of trust implied by the supreme law of what many feel to be the greatest land, but class warfare has inhibited the body of the US Constitution from serving as the means commensurate to its intent. Liberty has been confused with capitalism; privately manipulating commerce for public advantage is by default a title of nobility, a cultural virus. “No title of nobility shall be granted by the United States...” * because unreasonable advantage causes people to struggle against unreasonable demands, or escape to another land. Forced migration has caused cultural transmigration, but the virus remains. It is yet to be seen how the utility of capitalism can be secured to the foundation of America’s republicanism, how its laws can spring from tranquility, heart, and equality.

A culture of free market enterprise, without republicanism, is the bane of all that’s good. It supports a “new world order” of profit and paper work before people; and if the people do not have their paper work in order: NEXT! A United Nations’ study states that in more than half the world the rights and freedoms of citizens are limited. This is true because republicanism is limited; it’s the result of dollar-driven megalomania echoed by Oh-Boy-Cheers of calamitous joy.

Freedom in the U.S. is anything you can get away with, and liberty is not for the poor, but they do pay for it; poor health, homelessness, inhibitions to movement and speech, environmental degradation, and material disparity have culturally decimated family, community, and the republic for which the US flag stands. Multicultural factions and coalitions vying for what ever they can provide fertile soil for striving economically, but merging cultures are biased; they have yet to evolve beyond the most basic principle of capitalism. EXPLOITATION within a competitive economic system of privately seeking public advantage corrupts the most basic principle of democracy; because VIRTUE, within a cooperative government system that secures free speech, movement, and justice for all depends upon the most basic principle of republicanism: RESPONSIBILITY!

To improve responsibility in the U.S., the foundations of governance

*Article 1§9 (p. 35)

must be taken to greater depths, through unsuitable ideas, deeper than science and technology allow; they must reach the soul from which governments derive their just powers: "...from the consent of the governed" * in "...a firm league of friendship." ** This renaissance of republicanism will girder the bridge to sustainable peace, but just as concrete structures may be subject to creep, a constant reminder must be provided to keep "...anger and resentment, (which) may be the cause of terrorism," *** from undermining cultural sustainability. The preliminary paragraph of the US Constitution, written to explain the purpose of US law, serves as that reminder.

As we flip through the pages of history we can see mistakes, where the future is NAUGHT! To avoid more mistakes, we must learn from their lessons. Some of the earliest Americans signed treaties in agreement with tranquility, heart, and equality; their nations influenced the idea to ordain and establish a supreme law of consensus. — "A voluntary Union...would be preferable to one...by Parliament; It would be a very strange Thing, if six Nations of ignorant Savages should be capable of forming a scheme for such an Union...that has subsisted Ages, and appears indissoluble; and yet that a like Union should be impracticable for...English Colonies..." **** — Unfortunately, an increasing population of diverse immigrants, with inadequate communication technique, confused and have delayed the intention of forming a perpetual union of friendship; the martial spirit and the quest for socio/economic domination broke the chain of trust. Political irresponsibility, guised as *Realpolitik*, corrupted government institutions. *Falsepolitik* ***** broke treaties and then culturally decimated the transfer of ancient knowledge to future generations. Today, what remains of ancient knowledge is clouded over with capitalism; all is for sale in the land of red, white, and blue. Even though "...the flag should never be used for advertising purposes in any manner whatsoever," ***** it and its colors often wave like cheap ostentatious whores, "Fast and easy, buy now!"

*Declaration of Independence (p.6)

**Art. III (p. 11)

***Colin Powell

****Benjamin Franklin

***** (p. 88)

*****4USC8§1



“Go...shopping.” *

*J. Bush

CULTURAL EVOLUTION

A cultural heritage to live in agreement with "...the laws of nature and of nature's God" * may have been transferred from one generation to the next when Lewis and Clark discovered America, when Columbus discovered America, when Leif Ericson visited Vinland, and yes, even when Chinese explores died in the Americas before Europe's "Dark Ages" ** gave way to the light of day, but just as bridges spanning rivers often encounter stresses that differ considerably from those perceived in a completed structure, so it has been with America's cultural evolution; apportioned representation in a congress, a college of inhabitants linking public will and public well-being together, and the virtue of democracy in popular votes are, in principle, a working model yet to culminate in a cultural structure of *true* liberty for all. Furthermore, a collapsed bridge is but a delay; the inevitable spanning of great distances between people, history teaches, is certain when there is, regarding principles, consensus.

The Twenty-First Century is proving ripe for a constitutional renaissance of democratic republican principles. The U.S., in order to lead the world, needs a reminder and a general feeling of teamwork because life, health, liberty, and possessions have become fodder for maleficent exploitation; food, shelter, transportation, and communication are commodities in an obsessive/oppressive culture that denies the freedom that screams, "...Let my people go." *** US Americans must have government of, for, and by the people because their supreme law "...shall guarantee to every state in this union, a republican form of government." **** Provocation to harm life, health, liberty, and possessions would never exist if power in the U.S. had group feeling; the collective will of "we the people" solidarity, which is the virtue of democratic republican principles.

Democracy is, in itself, a social contract because it requires cooperation, common knowledge, and responsibility. It's a dance between the governed and government that depends upon participation. The dance begins with people and their community. Local popular people are nominated as

*Declaration of Independence (p. 6)

**New Encyclopedia Britannica Vol. 3 page 888

***Exodus 5:1

****Article 4§4 (p. 42)

candidates for public service. They are popular because they are local. We must stress the word local, because there is no other way for people to be truly popular. The popular dance of democracy, within *true* republican governance, must be a two-step in order for a republican form of government to work. A consensus naturally applicable to all must be developed, which requires government to confer with the governed. On a large scale this is impossible; so, there must be a communication link between the governed and government, a college of inhabitants. The first vote must be for those who know firsthand the people's will and how fares their well-being. They must not be professional politicians. They must be local inhabitants who serve at home to provide a place "...where knowledge and power meet." * The second vote, in *true* republican governance, must be for public servants to serve as a voice in congress, which depends upon consensus with elected inhabitants. Elected inhabitants and elected public servants must increase in number with population growth to enable public servants to represent, not themselves, but the governed because the consent of the governed empowers *true* republican governance. When the majority of citizens do not participate because they are not registered to vote, there is no popular vote. When the majority dances *for* those who are not popular, there is no democracy.

Organically, democratic republican governance in the U.S. calls for a congress comprised of citizens "...who shall not, when elected, be...inhabitant (s)." ** Inhabitant, as used here and when electors "...vote by ballot for two persons, of whom one at least shall not be an inhabitant," *** implies to be established; public servants, preferably, must not be established because they must be impartial to serve. To serve, citizens must be elected as prescribed by their Constitution: US senators remain the same in number per state, but representatives need to increase in number with population growth "...not to exceed one for every thirty thousand." **** — The U.S. has the same number of representatives today as it did in 1911. ***** — Furthermore, representatives "...chosen every second year" ***** and "...senators chosen for six years" ***** imply limited public service, which is explicit in the Articles of Confederation:

*Thomas Paine; "Common Sense"
 **Art. 1§2 & §3 (p. 30 & 31)
 ***Art. 2§1 paragraph 2 (p. 37)
 ****Art. 1§2 (p. 30)

*****PL 62-5
 *****Art. 1§2 (p. 30)
 *****Art. 1§3 (p. 31)

“...no person shall be a delegate for more than three years in any term of six years,” * and “...president...one year in any term of three years.” ** Apportioned representation and term limits protect sovereign authority from the familiarity that breeds corruption. If all laws that do not pursue these Constitutional principles were repealed, the pillars of democratic republican power would be seen for what they are: apportioned representation in a congress, a college of inhabitants linking public will and public well-being together, and the virtue of democracy in popular votes.

The purpose of America’s republican form of government is easily made by implication in the preamble, but the limits of the “Statutes At Large,” the “US Code,” the “Code of Federal Regulations,” “The Congressional Record,” Proclamations, Decrees, and Executive Orders require more thought. The key is: “...a general consensus that must be general in its purpose as well as its nature to apply to all.” *** Unfortunately, even though republicanism began before Columbus invaded, a key of general applicability has yet to be clearly defined, which must be limited because “...all things political are moral, but all things moral cannot be political.” **** Issues with no general applicability have no place in government until there is a civil wrong, which is the purpose of police and the Article that says, “The trial of all crimes...shall be by jury,” ***** not by judicial discretion and then more legislation. Food, shelter, transportation, communication, and the defense of liberty’s essential blessings are the preconditions for life, liberty, and happiness; therefore, they must be the limits of legislation. Beyond these limits, free citizens have the responsibility of family, community, and the bridge to sustainable peace. Their sovereign authority is essentially their consent. It demands cognition of the essential blessings of liberty so people can see the utility of their pursuits. “Principles (like the ones previously enshrined) must be the first impressions received; and as we prepare for civil life, each ought to be governed pursuant to those principles which benefit the great family which comprehends all. If the constituent parts are principled, so will the government be.” *****

The cultural evolution of human equity supporting a constitutional republic is the cement of sustainability. It must form the foundation of

*Art. V (p. 12)

**Art. IX (p. 17)

***Rousseau; “The Social Contract

****U of O professor in Mac’s Tavern at Eugene OR

*****Art. 3§2 paragraph 2 (p. 40)

*****Montesquieu

education; teenagers need to know what the rule of law is, what the purpose of government is, and the responsibility they have as citizens. Herein lies the purpose of electors. “Face to face intergenerational communication” * that transfers the vision of authority through people is the bedrock principle of an electoral college. A ruling class chose Old World German electors, but in a free republic the people must choose them. — Before political parties privatized America’s electoral college, the political acuity and wise council of experience swayed the public course without special interests. Knowledge and power met when a popular person voiced the concerns of his community, i.e. when an elector met with his representative. — In a republican form of government, the Electoral College must chose the president because the College is the elected body of sovereign knowledge that serves as the common link between the governed and government. The importation of the dark cultural concept of partisanship must be exposed for what it is in order to improve the political institution of The Union, but teaching students that their inherited traditions may contradict their constitution’s intent is the first and foremost challenge of political science. It would benefit students to learn about America’s aboriginal cultural heritage of talking the path and walking the talk; republican governance is very First Nation. The Articles of Confederation provide guidance; they illustrate how the consensus of congress assembled is the sovereign power. The US Congress has the uncontrolled power to maintain the political institution of The Union, but a republican form of government must govern reflectively. Its government administrations must be impartial, factual, and severe, but positive so as not to dramatize man’s inhumanity to man. “Those entrusted with the execution of democracy must be sensible of being subject to its direction.” ** — This dictum displays a culture-dependent republican government. — To reiterate: *True* republican governance will govern “...least those who discipline themselves” * because it is culture-dependent. The sum-total of human behavior and thought, which includes government, must rest upon the justness of tranquility, heart, and equality to empower sovereign authority with the consent of the governed. If American students are taught the principles of republican governance and know the purpose of their republic, they will more than likely give their consent to right reason in agreement with it. The sovereignty of America’s constitutional republic depends on the governed to reach consensus in agreement with a

*Bowers; “The Commons” **Montesquieu; The Spirit of Laws

republican form of government.

The U.S. does not have a republican form of government. Public law 62-5, in §3, limited the number of districts each state shall have to the number of representatives they were entitled to in congress on Aug 8 of 1911, which not only limits the number of representatives and electors today, it denies US Citizens the popular vote; electors are chosen by political parties, and then presidential candidates are marketed like Captain Crunch or the Jolly Green Giant.

When people consented to govern themselves in a new society, in “The New World,” and agreed to secure the blessings of liberty to future generations, their sovereign authority was to be embodied in local inhabitants “...who never campaigned;” ** their offices were to seek them. Neighbors were to nominate and elect the most respected members of their community to serve, not as politicians, but as their communication link to government. Electors’ ages were to be old enough to provide life experience and wisdom. Their elected numbers were to be equal to that of the legislative branch of government. Government was to be limited in scope and physically young. Representatives and senators could not, when elected, be established; they had to be popular but not grounded by material wealth. Representatives were to be “twenty-five” *** years young, and increase in number with population growth. Senators, two from each state, had to be “...thirty. “ **** The executive branch was to be presided over by one politician who had to be “...thirty-five,” ***** living as an exemplar of thrift, fortitude, and service, giving the world an example to emulate. The judiciary was to instill the sound principles of equity derived from common knowledge of the common weal the preamble of the Constitution provides: *securing the blessings of liberty.*

Before the keystone of *liberty* can be cemented into place, the governed of “The New World” must learn that the keystone is no more important than any other constructive part. People governing themselves,

*Thomas Jefferson

**Kimberling; “The Electoral College”

***Article 1§2paragraph 2 (p.30)

****Article 1&3 (p. 31)

*****Article 2§1 (p. 37)

culturally building the bridge to sustainable peace through consensus, calls for constituent participation. That's us! The founder of the Haudenosauenee Confederacy said, "Think not forever of yourselves, Oh Chiefs, nor of your own generation. Think of continuing generations of our families; think of our grandchildren and of those yet unborn, whose faces are coming from beneath the ground." * Think about it. "...Instituted among men, deriving (its) powers from the consent of the governed" ** requires people to be cognizant that democracy is not a grab bag of who gets what and how much, nor is it mob rule. Democracy is the will and well-being of the majority, which implies social responsibility.

A society without responsibility confuses the past with the future. In a culture of robbing, ripping off, scamming, cheating, taxing, and lying commerce regulates congress and class warfare determines how injustice is established. Will the second decade of the Twenty-First Century proceed "...least happy with institutions entirely off the path that leads to a right and perfect end"? *** Partisanship, class warfare, and dollar-driven megalomania with a "military-industrial complex" **** are pre-century lessons of Christians, Jews, and Muslims not reading the US Constitution within the context of its organic base; if they did, the love of their God would more than likely culminate in world peace. Their warpolitik has impressed upon people images of the end of the world for hundreds of years; Armageddon and calls for Jihad inspire good people to kill good people. — Good American Lutherans killed good German Lutherans in WW II. — It continues with parents who give their children toy idols of soldiers so they can glorify in the destruction of other toy idols of enemies, but think about it! Could the religious right be wrong? Could Armageddon be past tense? "The reoccurring process of reciprocal destruction" ***** in the land of Israeli Palestine ought to show us where the future is naught.

The future is the American Experiment, the political science of using the Constitution to improve internal polity with policies that affect human

*Deganawidah

**Declaration of Independence (p. 6)

***Niccolo Machiavelli; "The Prince"

****Ike Eisenhower; "Farewell Address"

*****Gurdjieff; "All and Everything"

behavior in a positive way, thereby, securing the blessings of liberty. The paradox is that Congress must regulate commerce, but commerce must be free. The challenge for congresspeople is to encourage people to agree with nature, thereby regulating their commerce, which will promote equal opportunity and more material equality. Locking natural tranquility and equal opportunity together provides for the heart necessary to establish justice and defend the nation. Herein lies the purpose of the Union. It begins with food. Presently, corporate funding sways research at universities, which promotes pharmacology and extends shelf life, but chemically fortified processed food adversely affects human behavior; the consumption of genetically modified beef, corn syrup, booze, cigarettes, and brewed buckaroos benefit multinational corporations at the expense of domestic tranquility and the general welfare. Poor domestic policy affects foreign relations; America has become the land of \$golden \$opportunity\$ rather than the land of "...liberty and justice for all." * The blindfold of justice needs to be removed so liberty can be seen for what it is. If useful arts and sciences were promoted, it might be common knowledge that food can "...be your medicine and medicine be your food." ** If images of "Man is what he eats" *** were impressed upon people, liberty might be seen as freedom from corporate control. Politics must develop a consensus to meet the needs of the people without, so people can secure the blessings of liberty within.

*Pledge of Allegiance

**Hypocrites

***L. Feuerbach

THE GREAT AMERICAN EXPERIMENT

In theory, it seems, the experiment tries to prove that free people can govern themselves. Its hypothesis may be stated as, "Liberty is the consent of the governed in agreement with their constitution." The experiment has yet to prove anything other than how democracy depends upon a small scale due to its partisan nature; on a large scale, democracy is representative of whatever political faction wins the majority's vote. Elections may be democratic, but the majority loses because the nature of the vote is a choice for a lesser evil rather than the will of the people.

The intent of the experiment is constitutional, a paradigm shift that began over 200 years ago. The practices that constitute the way Old World Europeans govern, which have no written constitution, is being replaced by constitutional republicanism, which does; the US Constitution can be read.

The Articles of Confederation, the Northwest Ordinance, and the Declaration of Independence provide context for the original Constitution so people, and future generations of people, can avoid the mistakes made by Europeans, Asians, and Arabs who have suffered ages of trickle down tyranny. The Constitution turns their power structures completely upside down, placing the consent of the governed in the seat of authority.

Authority is where common knowledge and power meet; "...the consent of the governed" * empowers the intellection of people and their environment. By giving their consent, people empowered polytheism in Pre-Columbian times, monotheism in King David's time, and the wisdom of all the prophets. People gave their consent to what they thought was "...the Great Governor of the World," ** "Devine Providence," * or "...laws of nature and of nature's God." * Authority seems to surpass comprehension until we see it for what it is: "...the political bands which have connected (people) with (people)."*

Transferring *ordained* authority from one generation to the next is the key to sustainability. Unfortunately, with no cognitive consent from the governed, independent principles that describe what is fair and

*Declaration of Independence (p. 6)

**Article XIII paragraph 2 (p. 19)

right remain out of sight; the US Constitution, it seems, languishes in a dungeon of the “Dark Ages,” guarded by the *falsepolitik* of people vying for power and prestige. Instead of seeking the rule of law, less prestigious people find refuge in private clubs or religious denominations, but even these institutions, like corporations, vie for control of people and their intellect. *Falsepolitik* undermines the rule of law through corporate control, zealous religiosity, and dollar-driven megalomania.

“The first and foremost problem facing the world today is politics,” * which characterizes the consent of the governed. With no common consent of the organic intent of the rule of law, there is no human equity to support the integrity of authority. With no human equity, laws must be enforced rather than taught because there is no reason that governs the heart.

In the US, all laws are subject to “...the supreme law of the land (but) any thing in the constitution or laws of any state to the contrary notwithstanding” ** implies that all laws that do not conform to “...in pursuance thereof” ** must be repealed. — “To be valid, all (state and) national laws must follow the Constitution.” *** — There would be less need to repeal laws if all laws were to “...originate in a house of representatives,” **** where representatives, not exceeding “...one for every thirty thousand,” ***** were “...bound by oath or affirmation, to support the Constitution.” **

US Congresspeople are forced to break their oaths because there are too few of them; for the sake of political expediency, and/or job security they contradict “...in pursuance thereof.” ** If they were more numerous, elected for a short time, and resident citizens rather than members of established ruling classes, they would be constrained to pursue the Constitution’s intent.

The Constitution describes who shall be Congress people in two separate paragraphs of one sentence each. They end with a phrase that

*H. Braun

**Article 6 (p. 43)

***World Book C Vol.4 page1011

****Article 1§7 paragraph 1 (p. 33)

*****Article 1§2 paragraph 4 (p. 30)

follows a conjunction, which provides a separate conceptual unit. “And who shall not, when elected, be an inhabitant of that state for/in which (they) shall be chosen” * implies that representatives and senators must not be established in the state they are to represent; to be an inhabitant is to be established. To be established is to be familiar. Familiarity breeds contempt for the wishes of the majority, i.e. favoritism, nepotism, cronyism, and “falsepolitik.” ** — Resident citizens are generally young, idealistic, not established, and therefore more capable of embracing the future. They need to be nominated and elected by popular votes to serve in Congress. Older inhabiting citizens generally have political acumen and are well established. They need to be elected by popular votes to serve as the common link between the governed and government in The Electoral College, “where knowledge and power meet.” *** — The phrase: “...shall not be an Inhabitant of the same state with themselves...” **** is saying that, preferably, presidential candidates must not be established; good-old-boy-cronyism, preferably, must be kept out of the electoral process.

Knowledge and power culturally depend upon consensus, which is why Public Law 62-5 must be repealed. With no representation in proportion to population growth, there is no place where knowledge and power meet. This law has no human equity. It is a bill of attainder in the sense that it has disenfranchised most people; do you know who your elector is? Does your representative hear your voice? In principle, the law is *expost facto* because it “... negatively affects” ***** “... the right of representation in the legislature.” ***** *Expost facto* was not the law’s intent; but by default, it takes away people’s right to vote for their electors and have their voices represented in Congress. Public Law 62-5 violates the Constitution’s guarantee of “...a republican form of government.” *****

To further the experiment of republican governance, we must accept the fact that the Civil War transformed a limited Federal Government into an all-pervasive national one; “We the people” are everywhere, but! The majority’s seat at the table of knowledge and power has been denied. If Public Law 62-5 were repealed, congressional districts of 30 thousand

*Article 1§2, §3 (pp. 30 & 31)

** (p. 88)

***Thomas Pain; “Common Sense”

****Article 2§1 paragraph 2 (p. 37)

*****Blacks Law Dictionary

*****Declaration of Independence (p. 7)

*****Article 4 (p. 42)

people would require 10,000 representatives for a population of 300 million. There would have to be common knowledge of the purpose and limits of government, which would have to be less centralized; county and municipal governments would have to be replaced by self-governing congressional districts. Representatives, electors, and a modified militia could be replicated to serve polities of 30,000 people. — Instead of a military industrial complex, a federally organized militia could serve districts as police/fire and rescue, hospital staff, university faculty, and what might be called the utility service, which would have to include all aspects of food, shelter, transportation, and communication. —

- DC would need to only accommodate the Senate and White House. The president would need to confer with the Senate and serve as Ambassador to the world.
- The Senate would need to deliberate the concerns of the House of Representatives, focusing on food, shelter, transportation, communication, and the defense of *liberty*.
- The House of Representatives could be comprised of state legislatures. Representatives would have to be nominated and then elected by local popular votes; and then they could as they once did, nominate and elect senators.
- The Electoral College would have to be comprised of local popular people. Their local community would determine their vote for a president rather than a national political party.
- Instead of interpreting the Constitution, the Supreme Court would have to manage its inferior courts to oversee trials by jury in every congressional district.
- The deliberations of Congress and the concerns of the nation need to be published in a dollar-free press. Articles of general applicability might include why the hoarding of wealth undermines the nature of equality, and how to make land holdings more equal to promote the general welfare. The press needs to scorn the prohibitive nature of private clubs because they undermine Article 4§2. A free press would have a congressional resolutions page that explains how congress regulates commerce. — It might have a story about limiting the size and speed capabilities of trucks and cars. — There would always be a need for commentaries about the “Main Street of Liberty” and, perhaps, how it needs to be 24 hrs to reduce congestion, give people more time off, and put more people to work. A dollar-free press would need to promote the “useful arts” of Article 1§8, i.e.

art that evokes the feelings that natural tranquility, material equality, and heart evoke in talented and skilled persons who can transmit these feelings via “movements, lines, colors, sounds, or forms expressed in words.” * — An arts page could replace The Endowments for the Arts. — The press needs to be used to promote useful science with articles about appropriate technology; by showing how places like Eastern Oregon could accommodate solar/wind technology, most states as well as most countries might develop farms of parabolic dishes that focus heat on sterling cycle generators, and/or wind farms that generate enough power to electrolyze rivers like the Columbia River. Facts about hydrogen technology’s benign applications could accelerate the change from fossil fuels to renewable energy. — With a dollar-free press, the possibility of sustaining peace would become more evident; informed people would be more responsive to the organic intent of the rule of law and the purpose of government. Tranquility, heart, and equality would replace fear, greed, and hate.

- The office of the presidency would have to accommodate foreign leaders in the White House, serving them food to help align physical constitutions with natural tranquility. The president would need to demonstrate a common heart and show the importance of material equality. He would serve as the voice of the nation and would personally command the militia in all, if any, conflicts.

With the purpose and limits of government more commonly understood, the amendments would have to be repealed because they are, at best, superfluous; some contradict themselves, the Constitution, and confuse blessings of liberty with special rights and privileges.

The First Amendment says, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

Was the last clause of Article 6 paragraph 3 on page 43 improved and corrected by this amendment? If no religious test is required as a qualification to any public office or trust, why would congress establish a

*Tolstoy

religion? The first amendment undermines authority by confusing religious bias with politics; it assumes a threat that never existed. "Shall be bound by oath or affirmation..." in Article 6 implies a devout adherence to the constitution's purpose. Ensuring tranquility, providing heart, and promoting equality is not a religion, it's the rule of law; the Constitution was ordained, not in a religious sense, but legally. Religions were not to be prohibited, but all religiosity must be subject to "...a republican form of government," as in Article 4§4 on page 42, and where "Freedom of speech and debate in congress shall not be impeached or questioned," as in Article V on page 12. Petitioning for redress of grievances is mentioned in the Declaration of Independence, and is guaranteed in Article 4§4 because a republican form of government calls for it. Lastly, by not limiting the judiciary as per Article 3§2 paragraph 1 on page 40, broad interpretations of this amendment obfuscate the useful arts clause of Article 1§8 on page 34.

The second amendment says, "A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

Article 1§8, on page 34, describes how "a well regulated and disciplined militia" is armed and under whose direction it must follow. By not maintaining context with the original Constitution, a gun culture has been allowed to perforate the nation with fear. It is the reason for a militia that is necessary for the security of a free state; the right of the people to know the purpose of their Union ought not be infringed.

The Third Amendment says, "No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law." The Fourth Amendment says, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Amendments three and four derogate the numerous complaints listed in the Declaration of Independence, which include "...standing armies" and ... "multitude of new offices, and...swarms of officers to harass our people

and eat out their substance.” By not maintaining context with the Declaration of Independence, the constitution, in principle, “fatigues people into compliance with measures of a “prince, unfit to be the ruler of a free people” as stated on page 9.

The Fifth Amendment says, “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.” The Sixth Amendment says, “In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.” The Seventh Amendment says, “In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.” The Eight Amendment says, “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”

Amendments five, six, seven, and eight ignore Article 3§2 paragraph 3 on page 40.

The Ninth and Tenth Amendments reiterate how superfluous the amendments are with, “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” and “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. — The so-called “Bill of Rights” provide a smoke screen that hides the tranquility, heart, and equality of *true* liberty

behind a cloud of competition, diffidence, and glory; “certain rights,” and “powers not delegated” provide creed for the greedy. —

The Eleventh Amendment says, “The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.”

The axe of Article 6, on page 43, applies to the Eleventh Amendment because “...anything to the contrary...in pursuance thereof (namely, Article 3§2 paragraph 1 page 40) notwithstanding.”

The Twelfth Amendment is covered on page 47. If it were repealed, after the choice of the president, the person having the greatest number of votes would be the vice president.

The Twelfth Amendment says, “The Electors shall meet in their respective states, and vote by ballot for president and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; The person having the greatest Number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of representatives shall not choose a President whenever the right of choice shall devolve upon them,

before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.” Its next paragraph says, “The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

Thirteenth Amendment: “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Congress shall have power to enforce this article by appropriate legislation.”

It may be interesting to note that this amendment did not abolish slavery as a punishment for a crime. Article 1§9 paragraph 1 on page 35 did not abolish it either, but after 1808, the importation of people, the legal transfer of people as a commodity from one land into another, ended. Before the Civil War, “... free people of color were famous for their wealth, culture, and education,” * but after the war, ex-slaves, who were subjected to poor parenting, public education, misinformation, and lots of bad advice became famous for their crimes.

The first paragraph of the Fourteenth Amendment says, “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

In Article 1§2 on page 30, “attain the age of twenty-five and been seven

*Southeastern Geographer

years a Citizen,” implies that at the age of 18 residents become citizens, but if the consent of the governed is to empower government as stated in The Declaration of Independence, then “Fourteen years a resident” in Article 2§1 paragraph 4 on page 38 is more applicable. It implies that after living in the U.S. for 14 years, a person’s cognitive ability ought to be developed enough to qualify as a citizen. A citizen must be able to give their consent to be represented in Congress and then taxed accordingly. — Today, many teens’ work and pay taxes, but are not allowed to vote; they are not represented. — This paragraph also ignores Article 3§2 paragraph 3 on page 40: “the trial of all crimes...shall be by jury.”

Amendment Fourteen’s second paragraph says, “Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.”

This paragraph paraphrases Article 1§2 paragraph 3 on page 30 with “...whole number of persons,” and then contradicts itself with “male inhabitants ...21 years of age.” It implies that representation in Congress applies to white males only instead of “... the whole number of *free* persons” as prescribed in Article 1.

Amendment Fourteen continues with another convoluted paragraph, “No person shall be a Senator or Representative in Congress, or Elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have

engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.”

Insurrection against the U.S. is the political power that has undermined the civil authority of the US Constitution. If Congress suppressed such insurrections, insurgents would not find refuge in the halls of Congress. The third paragraph of this amendment contradicts itself in its last sentence.

The fourth paragraph of Amendment Fourteen says, “The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void. The Congress shall have power to enforce the provisions of this article, by appropriate legislation.”

Article 1§8, on page 34, covers bounties and how long taxes are appropriated for the army: “...letters of Marque ” refer to bounties, and no one was legally drafted into the military for more than two years because “No...money to that use shall be for a longer period of time than two years.” Paragraph four also ignores Article 1§6 on page 32, which dictates payment for “...service”, not pensions. Paragraph four fuels insurrection by resisting the civil authority of the Constitution; amendments that contradict the Constitution are insurrectionary.

Amendment Fifteen says, “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. The Congress shall have power to enforce this article by appropriate legislation.” This amendment ignores the fact that there were no Federal laws prohibiting anyone who was represented in congress to vote, which, in Article 1§2 on page 30 and Article 4§2 on page 42, is “...the whole number of free persons” entitled to “all privileges and immunities.” — Common knowledge is a pre-condition to Article 4. —

”Amendment Sixteen says, “The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or Enumeration.”

Amendment Sixteen’s blatant contradiction of Article 1§2 paragraph 3, §8 lines 4 & 5, and §9 paragraph 3 on pages 30, 34, & 35, respectively, calls for the axe of Article 6, on page 43; “...any thing to the contrary in pursuance thereof (Article 1) notwithstanding.”

Amendment Seventeen says, “The Senate of the United, States shall be composed of two Senators from each State elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures. When vacancies happen in the representation of any State in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies; provided that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.”

During a representative’s term of two years, he acquires a reputation. After his term of two years, his reputation and that of his peers must serve as a qualification for the Senate. Senators need to be, as they once were, nominated and elected by the House of Representatives. Representatives need to be elected by popular votes for a term a two years as implied in Article 1.

Amendment Eighteen carries on the common law tradition of more superfluous legislation: “After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, (or) the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation. This article shall be inoperative unless it shall have been ratified as an

amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.”

Article 3§2 paragraph 3 on page 40: “...the trial of all crimes shall be by jury” and the idea of consensus to ensure domestic tranquility need to be reiterated. To promote the general welfare, more people need to participate in trials by jury. Crimes caused by drunkenness would become less frequent if more young people could observe, in court, the affects of artificial bliss and the psychotic behavior caused by drugs. Alcohol is a drug. Amendment Eighteen was repealed, but for the wrong reason.

The Nineteenth Amendments says, “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this article by appropriate legislation.”

Amendment Nineteen ignores Article 4§2 paragraph 1 on page 41: “Citizens of each state.” If this amendment were repealed, where would it imply that women couldn’t vote other than in section nine of the NW Ordinance and amendment fourteen? Certainly, in some states, women as well as some men were coerced and even denied their privileges and immunities, but the law says that they are “entitled to all privileges and immunities of Citizens in the several states.” If women were citizens, which most were in 1920, they were, by law, allowed to vote for electors and representatives.

The first paragraph of Amendment Twenty says, “The terms of the President and the Vice-President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.”

The second paragraph says, “The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.”

The third paragraph says, "If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice-President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice-President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice-President shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice-President shall have qualified."

The last three paragraphs are all of one sentence each: "The Congress may by law provide for the case of the death of any of the persons from whom the House of representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice-President whenever the right of choice shall have devolved upon them." Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article (October 1933)." "This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission."

If Amendment Twenty were repealed, Article 1§4 and Article 2§1 would apply; Congress would meet on "...the first Monday in December" which begins at 12 midnight, instead of noon on the third day of January. Congress people would commence and end their service on this date.

Amendment Twenty-One says, "The eighteenth article of amendment to the Constitution of the United States is hereby repealed. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited. The article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

The Twenty-First Amendment illustrates what is fundamentally wrong with common law concepts. A forever changing body of law is the surest way to dummy down the masses. Cicero said that laws most people knew nothing about were the reason for his republic's demise. Amendments that contradict themselves and the constitution do not improve or correct it. They bind up the rule of law in fatiguing double talk.

The Twenty Second Amendment says, "No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President, when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term."

The Twenty-Second Amendment ignores: "four years" in Article 2§1 on page 37. — George Washington set a precedent that contradicts the constitution. We need to avoid the mistakes made by those before us, not glorify them and then enshrine their lawlessness as part of the constitution.

Amendment Twenty Three says, "The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct: A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment. The Congress shall have power to enforce this article by appropriate legislation."

If Amendment Twenty-three were repealed, people not involved in Government, if allowed to remain in DC, which is a district reserved for government, would by law develop congressional districts of 30 thousand people.

Amendment Twenty Four says, "The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senators or Representatives in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax. The Congress shall have power to enforce this article by appropriate Legislation.

Amendment Twenty-Four forbids a poll tax. Article 1§9 on page 35, preceded this amendment. "No... tax shall be laid unless in proportion to the census," which was to determine the number of representatives. Amendment sixteen made this amendment seem necessary, but if the American people petitioned for redress of PL 62-5, and Congress applied the axe of Article 6, taxes would be assessed in proportion to representation. — Article 1§9's precedence is a legal precedent, as is the ratification of America's written Constitution. —

Amendment Twenty-Five fails to improve Article 2§1 paragraph 5 and §4 on pages 38 & 39, respectively. Its first paragraph says, "In case of the removal of the President from office or of his death or resignation, the Vice President shall become President." Paragraph two panders to cronyism: "Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress." Paragraph three: "Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President." Paragraph four: "Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President. Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office

unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and the duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty one days after Congress is required to assemble, determines by two thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.”

Amendment Twenty-Six: "The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age. The Congress shall have power to enforce this article by appropriate legislation.”

Amendment Twenty-Six seems justified, but as stated before in Article 1, "...twenty-five years, and been seven years a citizen..." implies that at the age of 18 residents ought to have acquired enough ability to understand the responsibility of citizenship, which makes Amendment Twenty Six superfluous. — Understanding the principles enshrined in the Constitution may be acquired at the age of 14. Therefore, voting privileges ought to be granted according to ability. Otherwise, teens' ought not be taxed.

The Twenty-Seventh Amendment says, "No law, varying the compensation for the services of the senators and representatives, shall take effect, until an election of Representatives shall have intervened.”

Amendment Twenty-seven fails to improve Article 1§6 on page 32. It purports to prevent congress people from serving themselves. If congress represented most people, unscrupulous politicians would not be re-elected.

Overview

European common law advocates held a convention to improve upon the Articles of Confederation, but a tradition of changing laws erringly violates what "...shall be inviolably observed;" * there can be no spirit of the law if there is no constitutional intent. The political institution of The Union must improve upon the Confederation styled the United States of America, not "...change" ** from red to blue and back to red as life-long politicians prostitute the honor of public service. "Claim(ing) the rights of the nation while the nation itself becomes a cipher" *** describes a political construct that confuses liberty with moral vagueness, physical debauchery, and constitutes constitutional ignorance. Thankfully, in Article 6, "...anything in the constitution or laws of any state to the contrary...in pursuance thereof... notwithstanding." Therefore, amendments do not void the original constitution's intent. Now, most lawmakers will argue defensively for the amendments because making laws is their livelihood; so, it's really up to the governed to petition for redress of PL 62-5, and all other laws that do not pursue the Constitution's intentional rule of law.

To pursue the intent of improving the internal polity of the body politic, the governed must participate. Otherwise, nothing will ensure the Union's obligation to secure the blessings of liberty. This renaissance of republican improvement calls for mass communication, which is a function of art that reflects the human condition, but it's subject to artistic ability and people's opinions; the deliberate spread of art may help or harm the reputation of the artist, or the reputation of a place or a people or that of a nation. Art is propaganda. Those who can communicate persuasively through various mediums of art are the true spokespeople of the Nation. They have given people a sense of national identity. Now they need to give people a clear sense of their Nation's cultural evolution. Liberty depends on them to impress people with their constitution's contract to ensure tranquility domestically, provide for defense in common, promote welfare generally, and transfer this contract from one generation to the next. In short, Congress, in Article 1§8 on page 34 has the responsibility to secure, for limited times, patents for those whose art or science helps to ensure,

*Article XIII (p. 14)

**Obama

***Pain; "Age of Reason"

provide, and promote tranquility, heart, and equality equitably. Otherwise, the uneasy peace of locked doors will prevail.

If common knowledge of constitutional intent prevailed, congress would have to serve as the core of government and control tax revenue as per Article 1§8 on page 34, which is one sentence. It begins declaring that Congress has power to collect taxes, and then describes how the money is to be used: “debts...defense and welfare.” Debt implies money owed for something, not money we wish to spend in the future; therefore, taxes must be levied to pay for liabilities, not create assets. Assets so accumulated have created the illusion of a bottomless federal cookie jar. This elusion is proportional to money used for developing offensive weapons for mass destruction, and aid programs that subsidize corporate welfare. Welfare in the 21st-Century must be general in its purpose as well as its nature to culturally maintain “...the separate and equal station to which the laws of nature and of nature’s God entitle (us).” * It demands that money spent for the common defense be spent defending the Constitution, but defending the Constitution calls for common knowledge of its intent.

Article 4§2 on page 42, “...all privileges and immunities” depend on the governed to give their consent. When people pay taxes, they give their consent; the revenue so accumulated is the physical evidence of consensus, but common consent with no constitutional intent is like a common toilet with faulty plumbing. To fix the system, to “...guarantee...all privileges and immunities of Citizens in the several states...(to) the Citizens of each state,” the governed must participate in a constitutional renaissance that will empower a republican form of government. It’s up to the governed to empower their government to pursue their constitution’s intent. The governed must bind “...by oath or affirmation...all executive and judicial officers, both of the United States and of the several states...to support,” ** “...preserve, protect, and *defend* the Constitution.” ***

According to the Constitution, “The United States shall guarantee to every state within this union a republican form of government.” ****

*(Declaration of Independence. (p. 6)

**Article 2§1 paragraph 6 (p. 38)

***Article 6 (p. 43)

****Article 4§4 (p. 42)

Therefore, taxation must be in proportion to representation. Taxes must pay for representing people of "... the several states...according to their respective numbers." * These numbers have been determined every ten years by taking a census, but if there is no increase in the number of representatives, the census serves to undermine the Constitution's guarantee. Taxation must be in proportion to the number of representatives, "...not to exceed one for every thirty thousand." * Otherwise, there is no representation in proportion to taxation; hence, no republican form of government, which is why Amendment Sixteen calls for the axe of Article 6. Now, some will scream with fear of exponential increases in the cost of government, but! If the Constitution were defended, government service would be seen in its proper light.

Accepting a nomination for public service is an honor unsurpassed by any title of nobility, but it's not a title as much as it is civic duty. Being nominated for public service is similar to being drafted except that you have a choice to accept the nomination or not. — People with families ought to be excluded from government service, military or otherwise, because "family" is a full time job; families need the public service that governments provide, but people with families need to be a part of their family. — The only wage for public service, implied by the Constitution, is a reputation of credibility; the civic duty of those duly elected demand a compensation for food, shelter, transportation, and communication, not a house in the country with a pension. Public service, as implied by the Constitution, is not a career option; it's a short term of civic duty.

The Declaration of Independence says that representation in the legislature is "inestimable," and complains about taxes without consent. The Articles of Confederation state how taxes are to be levied in Article VIII on page 14. The Northwest Ordinance stresses "Religion, morality, and knowledge" in Article 3 on page 26. In Article 1§2 on page 30, the original Constitution calls for representation with districts of thirty thousand people. These documents comprise the body of organic law for the U.S. They need to be read and studied in order to transfer life, liberty, and happiness from one generation to the next. Otherwise, Swarms of officers who...eat out their (the American people's) substance" ** will claim they have

*Article 1§2 (p. 30)

**Declaration of Independence (p. 7)

constitutional authority, i.e. the US President solemnly swears, according to his ability, to "...defend the Constitution;" * congresspeople are "...bound by oath... to support this Constitution," ** but how can anyone defend and support it without regarding it within the context of its organic base?

With no common knowledge of the organic intent of the rule of law, insurrection, without firing a shot, is how government works. A president does not defend the Constitution if he does not demand Congress to "suppress insurrections" * that have resisted its civil authority. Today, intergovernmental agencies and police associations have the potential threat to use force unsurpassed by any former reign of terror in the history of the world. People so employed have usurped the rule of law; no...money to that use...for more than two years" *** implies that if you are on the receiving end of appropriations for the use of armies for more than two years, you are part of the problematic industrial complex of keeping "among us, in times of peace, standing armies," **** i.e. homeland security, the CIA, the FBI, etc. If there is a problem you cannot solve, the least you can do is not add to it. Unfortunately, the problem is the culture-dependency of internal polity; "...we have met the enemy and he is us." *****

The problem begins with terminology, i.e. democracy, human rights, and free market enterprise. These highly touted cultural pillars support the bridge to nowhere; because with no intention to distribute goods services in a way that supports the blessings of liberty, there can be no socio-economic-ecological balance of life. This balance of life calls for an in-depth understanding of language, history, social structure, and how cultures vary geographically with the customs and laws of different nations. It can be seen for what it is, or isn't, in the rule of law.

The rule of law as enshrined in the US constitution is not a document per say, but provides hindsight to past court decisions and precedents. Judges today, make decisions based upon the outcomes of previous court cases, but their decisions may set new precedents. The rule of law

*Article 2§1 (p. 37)

**Article 6 (p.43)

***Article 1§8 line 24 (p. 34)

****Declaration of Independence (p. 7)

*****Walt Kelly

becomes more complicated when schools teach that the American constitution begins with the Magna Charta, includes individual state constitutions, and continues as if a living thing, but! They imply that there is reference to Articles of law in a written document that calls for the rule of law to be people based; Article 4 says, "The trial of *all* crimes shall be by jury." Perhaps, this is why the US is referred to as a democracy, i.e. where people rule, but when there are less than 100 million registered voters in a population of over 300 million, and a voter turnout between 50 and 70 percent of those registered, the majority of people may just sigh, and cry, and gnash their teeth as they struggle to make ends meet. The number of Americans that take the time to understand ballot measures and how they may affect the preconditions of liberty describe modern democracies, and why human rights seem so limited for some and so limitless for others; democracy is a primitive form of government when the majority of people do not participate. The United Nation's charter purports to further democracy, but its Article 17 says, "Everyone has the right to own property (land)...No one shall be arbitrarily deprived of his property." Unfortunately, for everyone to own land, some people would have to be deprived of some of their vast land holdings. Democracy and humanrights should have, could have, would have the power of persuasion if UN resolutions had the full support of those with vast land holdings. Until then, the use-of-force mind-set will un-resolve the problems UN resolutions were intended to resolve, i.e. Israeli Palistine resolution numbers: 194 (III), 233 – 237, 240, and 242.

The use-of-force mind-set is a cultural heritage. Why some people have an artificial need to compete for more, and those with more, to make war is the socio-economic paradigm of domination that spreads empires into foreign lands. Today, the rule of law ought to be the first line of defense, but the more ignorant the electorate, the less the rule of law is seen for what it is, i.e. the laws of supply and demand govern all business, but powerful businesses avoid being restrained by laws. There is very little interference of business when regulations for subsidy payments and government contracts are controlled by business puppets in charge of government, i.e. Northrop, General Dynamics, and Lockheed all have influential people in government. With no cognitive consent from the governed, how the US Constitution has been interpreted reflects how the puppeteers of politics control the rule of law.

The rule of law might better be defined by the preamble of the US Constitution. People will more than likely obey laws that are made to establish justice, defined by: tranquility, heart, and equality secured to people through apportionment in the legislature. People before us laid a foundation on principles that provide a clear sense of equilibrium; people are enabled to help people help themselves as they improve the world where they live. Distributing goods and services must support the socio-economic-ecological balance of life envisioned in the preamble. The paradox of Article I§8 that says Congress shall have power to regulate commerce must be construed to perpetuate the preamble's vision, which implies that commerce must be unencumbered. Free commerce promotes material equality, and ensures tranquility because it provides for the common heart, which is the justness of free market enterprise; it's mutual happiness. When a seller provides and a buyer receives equitably, commerce secures the blessings of true liberty. The cultural evolution the American Revolution began is Realpolitik. Falsepolitik is the realpolitik of golden handcuffs. The original Constitution provides power to correct, improve, and remove any thing notwithstanding "the supreme law." * It demands any thing to the contrary in pursuance thereof to surrender. The rule of law, defined by the preamble, would provide the key to remove the handcuffs of corporate control.

The rule of law would serve the American people if public schools taught the Constitution in the context of its organic base. If the Supreme Court strictly managed its inferior courts to oversee trials by jury, court decisions could be derived from the articles of the original Constitution, which interpret themselves if they are read in the context that the documents of independence and confederation provide. The preamble of the Constitution defines the true rule of law, not by crying for human rights, but by stating that people have the responsibility to secure the essential blessings of liberty.

COMPLICIT OR INNOCENT

The concept of *true* liberty conflicts with the contents of pre-century Euro-American culture: "...man's heart is evil," * but! Improving the way people think of themselves, and improving the way people feel with "...the laws of nature and of nature's God," ** and improving the culture of society is the intent of America's republican form of government: "We the people...in order to form a more perfect union."

Improving the American polity calls for informed consent; the governed must give their consent through apportioned representation in the legislature, but there also must be common knowledge of the Constitution's intent and the purpose of its political institution. With no *common knowledge of purpose*, the rule of law will remain forever prostituted by word pimping lawyers and politics will harbor the heart of tyranny; man's inhumanity to man will subject the human condition to benefit investment portfolios, pension plans, and companies that depend upon the acquisition, control, and protection of markets. Striving for more and more of what's becoming less and less will continue to undermine the nature of equality. Those with more may become rulers of the law, but they must live in fear because greed and cowardice, though in themselves different, cannot subsist separately; they will be forever hounded by class warfare at home, and threats of war from abroad. Think about it. This is the Twenty-First Century! A century-long life is but a fleeting moment of eternity; therefore, the sanctity of human life must be more cultural than Individual. Tomorrow is the next generation of people reaping the rewards of today's culture-dependent government. It calls for us to secure the *blessings of liberty* within us. This courage is the hallmark of responsible citizenship, i.e. honesty, accountability, and petitioning for redress of constitutional wrongs that need to be set right.

*Genesis 8:21

**Declaration of Independence (p. 6)

PETITION FOR GRIEVANCES

“Believe it to be the highest wrong to prefer life to modesty and for the sake of life to lose the reasons for living.” * Lessons of history show where the future is NAUGHT; it is only when history’s lessons go unlearned that it repeats itself. We must “...examine more closely (our) duty and obligations...which (many) of us are only dimly aware of.” ** Building the bridge to sustainable peace began when the Constitution’s vision was ratified. It is up to us to continue the process. **“This constitution, and the laws...which shall be made in pursuance thereof...shall be the supreme law of the land... any thing...to the contrary notwithstanding.”** *** Therefore, the Undersigned Petition The United States Government for a Redress of the Following Constitutional Grievances:

(1) For the lack of apportioned representation in congress in proportion to population growth. “The number of representatives shall not exceed one for every thirty thousand.” ****

(2) For the lack of an electoral college, “...appoint(ed) in such manner as state legislatures may direct,” ***** equal to the whole number of Senators and Representatives to which each State may be entitled in the Congress as prescribed in Article 1§2.

(3) For congressional pensions, “Senators and Representatives shall receive a compensation for their services,” ***** not a retirement.

(4) For the lack of term limits as implied in Article 1§2 & §3 and Article 2§1: “...representatives...every second year,” “senators... six years,” and “...president...four years,” respectively. Amendments that do not follow the Constitution “...notwithstanding.” ***

(5) For taxing teens without representation.

*Veblen; “Theory of the Leisure Class”

**Gogol; “Dead Souls”

***Article 6 (p.43)

**** Article 1§2 (p. 30)

***** Article 2§1 (p. 37)

***** Article 1§6 (p. 32)

Steps for re-establishing constitutionality

(1) Limit legislation to food, shelter, transportation, communication, and the defense of the blessings of liberty. Keep issues with no general applicability from interfering with the purpose of the US Constitution.

(2) Repeal the law that limits over 300 million people to 435 representatives. * Make state legislatures serve as the lower house of congress with representation in proportion to population growth; thereby, allowing the Electoral College, elected by popular votes, to serve as the body of sovereign knowledge for the governed to empower government.

(3) Limit the terms of president to four years, senators to six years, and all other government positions to two years. Liquidate all government pensions; replace them with social security. — then Congress might fix social security —

(4) Make voting mandatory for adults between the ages of 18 and 30 and do away with pre-vote registration. — Modern technology has rendered voter registration unnecessary — If teens work and pay taxes, allow them to vote.

(5) Allow the virtue of democracy to elect local people that people know and that people trust to serve as government.

(6) Raise and support armies as per Article 1§8. **

(7) Adopt the following preamble for all local, state, national, and international constitutions: We the people, in order to form a more improved world, establish justice, ensure domestic tranquility, provide for the common heart, promote the general welfare, and secure these blessings of liberty within ourselves and our posterity do ordain and establish constitutions.

*Public Law 62-5§3

**Article 1§8 Line 24 (p. 34)

There ought not be any need to petition in the US because the purpose of government, by reason of the principles enshrined within the Constitution, is to maintain constitutional integrity. The nature of the US Government must be "...republican." * Therefore, the consent of the governed is crucial. Consent is like a farmer's field that must be tilled to produce an abundant harvest. The governed must construe the Constitution within the context of its organic base to produce peaceful, sustainable liberty, which is not found in traditions many Americans inherited from ancestors; it is not European or Asian or African. It's American! Republican governance is symbolized in "... the totem of the people" ** belonging to the clan of the "Do'nyonda', the Bald Eagle," ** a confederation of several nations. Their internal polity enabled people to peacefully co-exist, probably, for a longer period of time than what's recorded in history. The consensus of those who lived in America when it had no rats or pandemic diseases changed with discovery. Two hundred and thirty some years of US history is a history of more change. The people of America today, compared to pre-Columbian times, are part of the physical transformation of the political expectation of "...freedom and justice for all." *** Unfortunately, with no common heart that defends the constitution, the illusion of \$golden opportunity\$ plagues America with economic strife and petty injustice. The Constitution's integrity has been undermined by falsepolitik; deception, theft, and murders, committed for the sake of political expediency, have denied the American people a common heart to defend the blessings of true liberty and their Constitution's intent of apportioned representation in proportion to population growth. To regain constitutional integrity, citizens must communicate face-to-face, transferring from one generation to the next *the knowledge of purpose*, which is displayed in the preamble. This pie-in-the-sky daydreaming is not impossible to actualize, but it calls for quelling free marketeering; the quest to maximize profits from what ever source derived derogates the Constitution from what it is: the supreme law of the land. We, as citizens of the Constitution's republic, must live in agreement with its intent to improve upon the Articles of Confederation, which were written to "perpetuate mutual friendship" * and "...never engage in war..." **** unless the majority of state legislatures "...assent..."***** The Confederation's call

*Article 4§4 (p. 42)

**Fenton & Kurath; "The Iroquois Eagle Dance"

***Pledge of Allegiance

****Article IX paragraph 6 (p. 18)

for friendship and abhorrence to war is the organic intent of the Constitution. Its purpose is to enable people to live in agreement with the highest ideal expressed in the most basic precept of most, if not all, religions: love, but! If you love yourself, your family, your community, and your country you need defense! Herein lies room for improvement. By reading and studying the Constitution, within the context of its organic base, "...rightly dividing the word of truth," *** people will protect themselves as they protect each other. We, individually, need to take the preamble of the Constitution to heart; by doing so, we will defend the US Constitution and the Constitution will defend us. This will improve upon the Confederation's call for friendship and peace. The Constitution's ordained purposes of tranquility, heart, and equality provide the foundation for any petition presented to Congress. — Petitioning to change laws, without having a constitutional foundation for doing so, is unconstitutional; it adds to the common law quagmire of partisanship. Laws that do not pursue the Constitution's intent abuse it; they must be repealed. Furthermore, protesting without a petition is a fool's errand because there is no legal common ground of disputation; government must know the complaints of the governed, which explains why WTO protesters riot. If trade ministers are aware of complaints in the form of a petition before they meet, there could be something on their table regarding corporate hegemony. — Protesting peacefully, marching to the beat of liberty, is the responsibility of citizens to support the Constitution. Protesting against constitutional abuses is fundamental to the American polity; the American Revolution began with a petition for redress of oppressions "...in the most humble terms." ****

*Article IV (p. 11)

**Article IX (p. 18)

***Timothy II 2:15

****Declaration of Independence (p. 9)

(Not weapons) LESSONS OF MASS INSTRUCTION (Not Destruction)

- (1) Justice must be grounded in fact to be fair, proper, and restore peace. The veracity of justice is impartial and severe, not poetic; it must be received, retained, and released to establish justice as the essence of *liberty*.
- (2) The tranquility of nature must be developed in the home and grown with family to ensure domestic tranquility.
- (3) In order to promote the general welfare, commerce must be protected to keep food, shelter, transportation, and communication free from maleficent exploitation.
- (4) Establishing justice by ensuring domestic tranquility and promoting the general welfare provides heart for the common defense.

These most essential blessings of *liberty* cannot subsist separately, but when they are secured within ourselves, they will allow us to exist individually. Furthermore, if we compare most, if not all, religious precepts to the preamble of the US Constitution, we can see how the preamble sums up the wisdom of millennia. All religiosity is subject to the US Constitution because the precepts of peace, love, joy, meekness, kindness, gentleness, patience, temperance, and fortitude support it.

For the foundations of free republics to support the bridge to sustainable peace, the keystone of *liberty* demands commerce to be regulated "...among the several states, with foreign nations, and with the tribes" * so as to promote the transfer of responsibility from person to person equitably. Some will scream fascism, but the most basic principle of fascism is fear. America's constitutional republic is simply populist; it's a people based polity that depends upon the governed to affect safety and happiness by maintaining common knowledge of principles enshrined within a written constitution, i.e. apportioning representatives according to the whole number of free persons, not to exceed one for every thirty thousand. It requires commerce to be regulated to establish justice, which depends upon face-to-face intergenerational teamwork to build user-

*Article 1§8 Line 7 (p. 34)

friendly internal polity. It calls for true popular votes that elect neighbors that people know and that people trust.

A republican form of government is, by law, guaranteed; therefore, republicanism must be the future. Today, large municipalities resemble police states. They must develop into mini polities of thirty thousand people in order to pursue the Constitution's intent. The dichotomy of capitalism versus socialism must culminate in "a republican form of government,"* *true* republicanism. — When a government does not require the consent of the governed with "...no more than (1) representative for every thirty thousand,"** that government denies the most important principle of *true* republican governance: taxation in proportion to representation. — Think about it! Work on it; petition your government! Tell your lawyer to file a petition for Congressional action to repeal Public law 62-5. People need apportioned representation in proportion to population growth in a republican form of government that focuses on the preconditions for liberty so people can secure the blessings of tranquility, heart, and equality.

*Article 4§4 (p. 42)

**Article 1§2 paragraph 4 (p. 30)

CONCLUSION

If all the amendments were repealed, the Declaration of Independence, the Articles of Confederation, the Northwest Ordinance, and the original Constitution would provide a social contract to build the bridge to sustainable peace. The contract would call for:

- apportioned representation in Congress in proportion to population growth not to exceed one representative for every thirty thousand people,
- an Electoral College to serve as the common link between the governed and government,
- local popular votes that elect popular people to serve in the House of Representatives and in the Electoral College,
- education so that there is common knowledge of the purposes enshrined in the preamble; public schools must teach that in order to establish justice, there must be common consent to secure tranquility, heart, and equality locally. When justice is established locally, commerce will be affected globally.

In order to be free, we must allow others to be free; “We the people” must defend the Constitution in order to ensure tranquility, provide heart, and promote equality. The rule of law must secure these blessings of liberty to form a more improved world, which, again, is its culture-dependent organic intent. Unfortunately, the human condition is subject to those who know and those who don’t know. Therefore, the responsibility of US citizenship is to communicate the Constitution’s intent. Children will mimic children mimicking people who creatively develop socio-eco-economic consensus to agree with their constitution; if US citizens lived up to the principles enshrined within their constitution, people around the world just might emulate a social contract of right reason in agreement with peaceful sustainability.

Source other than previously noted: The Avalon Project at Yale Law School

